

10.05.2024
rc/ct.no.10
Item No.948

WPA No. 12594 of 2024
Siya Ram Yadav
Versus
Union of India & Ors.

Mr. Saptarshi Roy
Mrs. Kakali Das Chakraborty ...for the petitioner

Mr. Koushik Roy
Mrs. Rini Bhattacharyya ...for the UOI

Affidavit of service filed in Court today by the petitioner is taken on record.

It is submitted on behalf of the petitioner that by an order passed on March 01, 2024 in WPA No. 4635 of 2024 this Court has stayed operation of the termination letter dated September 25, 2023 issued upon the petitioner by the respondents till May 31, 2024.

Learned counsel for the petitioner submits that despite stay of operation of the said termination letter, the petitioner is not being allowed to operate the RSLR pertaining to the said letter. The petitioner submitted a representation in this regard before the concerned authority on April 18, 2024 which is yet to be considered. The petitioner prays for a direction upon the authority to consider the representation and allow him to operate the RSLR till the issue is finally decided by the Court.

Learned counsel for the petitioner further submits that the petitioner is ready and willing to deposit the

highest freight charges which the authority may claim for operation of the RSLR.

Learned counsel for the respondents submits that the 5th respondent be directed to consider the representation in accordance with law.

In view of the above, the writ petition is disposed of directing the 5th respondent to consider and dispose of the representation submitted by the petitioner dated April 18, 2024 within four weeks from the date of communication of this order upon affording reasonable opportunity of hearing to all concerned including the petitioner, in accordance with law.

With the above observations and directions this writ petition is disposed of.

There shall however be no order as to costs.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

Urgent certified website copy of this order, if applied for, be furnished to the parties upon compliance of necessary formalities.

(Suvra Ghosh,J)