

WPA 13023 of 2024

**Pranabesh Maiti
Vs.
State of West Bengal & Ors.**

**Mr. Barun Kumar Samanta.
... for the petitioner**

**Mr. Pantu Deb Roy, Id, A.G.P.,
Mr. Subrata Guha Biswas.
... for the State**

1. The petitioner is aggrieved due to alleged inaction of the respondent no. 3/The Secretary, Regional Transport Authority, Purba Medinipore in renewing permit of the writ petitioner with respect to the replaced and upgraded vehicle.
2. Mr. Barun Kumar Samanta, learned counsel is appearing for the petitioner.
3. He refers to the sale and replacement order dated August 17, 2022 to submit that the same has specified a period of six months time, for placing the better model vehicle instead of the replaced old vehicle of the writ petitioner.
4. Mr. Samanta, learned counsel has produced the supporting documents today in Court to say that the new, better model vehicle has been purchased and registered in the name of the writ petitioner.
5. He has further referred to the letter dated October 21, 2022 by dint of which the petitioner has prayed for placing the new upgraded vehicle.
6. A letter of the petitioner dated December 1, 2022 is also referred to by dint of which the petitioner had prayed for renewal of the permit.

7. Such prayer has been repeated by dint of the letter dated April 26, 2023.
8. Mr. Pantu Deb Roy, learned counsel is appearing for the concerned respondent authority and does not deny that the said letters are filed by the petitioner before the authority.
9. Evidently, the sale and replacement order dated August 17, 2022 specifies in Clause 6 thereof, regarding necessity for placing better model vehicle by the permit holder within a period of six months time. After sale of the previous vehicles, the petitioner has placed the new and upgraded one, before the authorities, within the period of six months, as enumerated in Clause 6 of the order dated August 17, 2022.
10. Admittedly, the letters as mentioned above, are pending consideration of the concerned respondent no. 3/ The Secretary, Regional Transport Authority, Purba Medinipore.
11. Hence, the writ petition is disposed of with the direction upon the respondent no. 3/ The Secretary, Regional Transport Authority, Purba Medinipore, to dispose of the petitioner's prayer by dint of the letters dated October 21, 2022, December 1, 2022 and April 26, 2023.
12. In doing so, the concerned respondent authority shall take into consideration the conditions stipulated in the sale and replacement order dated August 17, 2022 and also the other necessary documents as produced by the writ petitioner.

13. An opportunity of hearing would be granted to the petitioner before the respondent authority decides on the prayers of the writ petitioner in the said letters, by dint of a reasoned order.
14. The entire exercise as above shall be concluded within a period of four weeks from the date of communication of this order and the decision thereof would be informed to the writ petitioner within one week thereafter.
15. Since no affidavits are called for, allegations made in the writ petition, are deemed to have been denied by the respondents.
16. This writ petition being WPA No. 13023 of 2024 is disposed of, along with the pending applications, if any.
17. Urgent Photostat certified copy of this order duly downloaded from the official website of this Court upon compliance all legal formalities.

(Rai Chattopadhyay, J.)