

WPA 17737 of 2024

16.8.2024
ct.25, sl. 18
sk

Brundaban Gaana-vs- State of West Bengal & Ors

Mr. N.I.Khan
Mr. A.K.Mukherjee
...for the petitioner.

Mr. Srijan Nayak
Mr. Mrs. Riturparna Maitra
...for the State.

Mr. Arabinda Chatterjee
Mr. B. K.Samanta
...for the respondent nos. 12 & 13.

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

This writ petition has been filed with the
grievance of the petitioner due to alleged violation
of permit condition by the private respondents
while plying their vehicles.

In this regard written representation dated
18.03.2024 has been submitted by the petitioner
to the respondent No.4.

Mr. Khan, learned advocate appearing for the
petitioner has submitted that instant occasion is
not the first offence when the private respondents
are flouting the permit condition. He has taken the
Court to the annexed documents to show the
permit was granted to the private respondents for
plying vehicle from Bhubaneswar to Ghatal.
Allegedly the respondents have been plying their

vehicles not in terms of the said permit and to Nandakumar only instead of Ghatal. Petitioner's first complaint letter was submitted on 01.09.2022, pursuant to which necessary punitive action was taken against the respondents by directing them to remit fine amount to the tune of Rs.1,00,000/-, which was subsequently modified to the tune of Rs.90,000/-.

Mr. Chatterjee, learned advocate appearing for the private respondents has submitted that after remittance of such fine, his clients have been duly following the permit condition and plying the vehicle in accordance with the same. He submits that there has not been any infraction as regards the route alignment to be followed by the private respondents, as per the permit granted, since thereafter.

Mr. Nayak is appearing for the State. He has submitted a report in Court filed by the Police Authorities; let the same be taken on record.

Considering the nature of allegation made in this case and the facts and circumstances thereof, the writ petition is being disposed of with the direction upon the respondent No. 2, to consider the petitioner's latest representation dated

18.03.2024 and dispose of the same by dint of a reasoned order.

In doing so, the respondent No. 2 shall afford opportunity of hearing to the writ petitioner and the private respondents and any other interested person/s as it may deem fit and proper.

The entire exercise as above shall be concluded within a period of four weeks from the date of communication, of this order.

The decision shall be informed to the petitioner as well as the private respondents by dint of a written communication, within a week thereafter.

Since no affidavit-in-opposition has been called for in this case, all allegations made in this writ petition are deemed to have been denied by the concerned respondent.

The writ petition No. WPA 17737 of 2024 is disposed of.

Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rai Chattopadhyay, J.)