

WPA 17804 of 2024

3.10.2024

Raosanara Begam. -vs— State of West Bengal & Ors..

ct.25, sl.13
sk

Mr. Keshab Ch. Das
Ms. Aparajita Mondalfor the petitioner.

Mr. Srijan Nayak
Ms. Rituparna Maitra
.....for the State.

1. Let the affidavit of service filed in Court be taken on record.
2. The petitioner's grievance is with regard to non-consideration of his prayer for grant of permit, pursuant to his application dated 5th April, 2022. He says that the application as above has been made in accordance with the statutory provision, by submission of the same in statutory form as well as submission of requisite fees.
3. Mr. Das appearing for the petitioner has indicated that earlier the petitioner made his first application for grant of permit. The same was considered by the respondent, in compliance with this Court's order in Writ Petition No. 8622(W) of 2019. However, the petitioner's prayer for grant of permit was turned down. That, the petitioner was advised to prefer fresh application, on some other route.
4. Accordingly, the petitioner has made the instant application for permit, that is, dated 5th April, 2022, with respect to some other route i.e. Dasghara to Gurap Railway Station (via Kanpur). Allegedly the same is yet to be considered by the respondent authority. So is the petitioner's written representation dated 26th June, 2024, as mentioned above.
5. The State is represented.

6. In consideration of the submissions and the records of the case, the Court is of the opinion that the petitioner's application for grant of permit for the route Dasghara to Gurap Railway Station (via Kanpur), i.e. dated 5th April, 2022, is in accordance with law. Therefore, the respondent authority shall have bounden legal duty to consider the same.
7. Hence, this writ petition is being disposed of with direction upon the respondent no. 4/the Secretary, Regional Transport Authority, Hooghly to consider the petitioner's representation dated 26th June, 2024 as well as his application for grant of permit dated 5th April, 2022 and decide about the same, by dint of a reasoned order.
8. In the process the writ petitioner shall be afforded opportunity of hearing by the said respondent. The respondent shall conclude the entire process as above within a period of six weeks from the date of communication of copy of this order.
9. The writ petition is disposed of.
10. 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.
11. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance of all formalities.

(Rai Chattopadhyay, J.)