

WPA 19210 of 2024

Rabindra Nath Das-vs-The State of West Bengal & Ors.

12.8.2024
ct.25, sl. 44
sk

Mr. N.I.Khan
Mr. Amlan Kr. Mukherjee
...for the petitioner.

Mr. Pantu Deb Roy, Ld. A.G.P.(through V.C.)
Mr. Pannalal Bandopadhyay
...for the State.

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

The writ petitioner is aggrieved that in spite of the Regional Transport Authority, Purba Burdwan having taken a decision regarding the provisional modified time table to be issued to the writ petitioner, the same has not been issued as yet.

It is further stated that in the meantime, pursuant to the order, in the other writ petition, dated 4th December, 2023, the writ petitioner was called in the office of the respondent authority for hearing. That the writ petitioner had submitted as per directions, the said modified time table, as was earlier approved by the respondent, for issuance thereof formally by the concerned respondent authority.

Mr. Khan appearing for the writ petitioner submits that the Regional Transport Authority has already decided vide order dated 20th July, 2023, regarding issuance of modified provisional time table to the writ petitioner and hence, formal issuance of the order is required to be done immediately.

Mr. Deb Roy, learned advocate is appearing for the State respondent through video conference. He has submitted that the respondents may be directed to afford opportunity of hearing to the writ petitioner on the issue and consider his prayer in view of the existing facts and circumstances of the case and in accordance with the law.

It appears that vide order dated 20th July, 2023, the Regional Transport Authority, Purba Burdwan has already allowed the provisional time table to the petitioner.

Admittedly, the same is yet to be formally issued to the writ petitioner. Undoubtedly, the time table is the condition of permit, which has to be permanently fixed on the vehicle, by the permit holder. The writ petitioner, having held a valid permit, would be entitled to grant of time table, for plying the vehicle.

Accordingly, the present writ petition is being disposed of with the direction upon the Regional Transport Authority, Purba Burdwan i.e., the respondent No. 4 to immediately consider the petitioner's grievance of non-issuance of provisional time table to him.

In doing so the concerned respondent No. 4 shall afford opportunity of hearing to the petitioner and all other interested persons and consider the relevant documents as regards grant of provisional modified time table to the petitioner including the order of the Regional

Transport Authority, Purba Burdwan, dated 20th July, 2023.

The said respondent authority shall also consider, if any objection is raised as to the same subsequent to the decision of the Regional Transport Authority, Purba Burdwan as stated above, only after providing copy of the same, to the writ petitioner.

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

The decision shall be informed to the petitioner by dint of a written communication within a period of seven days 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. 19210 of 2014 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.)