

1.10.2024

Amar Chandra Malik. -vs— State of West Bengal & Ors..

ct.25, sl.17

Mr. Sankar Nath Mukherjee
Mr. Niraj Gupta
Mr. Koushk Sinha
Ms. Lipika Das
Ms. Manisha Paswan
Mr. Sanjay Kr. Shaw

.....for the petitioner.

This writ petition is by the petitioner to pray for an order of the Court directing the respondent concerned authority to consider his representation dated 18th June, 2004.

Fact remains that the writ petitioner being an existing operator has sought for extension/variation of the route in terms of Section 80(3) of the Motor Vehicles Act, 1988.

Mr. Mukherjee, learned advocate appearing for the petitioner has submitted that the petitioner has sought for extension to the extent of eight kilometers stretch, which is within permissible limit in terms of the statutory provisions. He has submitted that the termini points in the route, have not been altered by the writ petitioner in the proposal of extension of the route. Therefore, according to Mr. Mukherjee there would not be any impediment for the respondent authority in considering the prayer of the petitioner favorably though they have not yet taken up the application of the petitioner for consideration.

Copy of the petition has been served upon the respondents and affidavit of service filed in Court. Let that be taken on record.

Since no one is appearing for the State respondents, the matter is taken up for consideration and order in absence of the respondents.

In view of the innocuous prayer of the petitioner, the Court finds it proper to dispose of the instant writ petition by directing the respondent no.2/the Regional Transport Authority, Hooghly to consider and dispose of the petitioner's application dated 18th June, 2024 by dint of a reasoned order.

In doing so the respondent as above shall afford opportunity of hearing to the petitioner. It shall conclude the exercise as above within a period of six weeks from the date of communication of this order and the result thereof if adverse to the writ petitioner, shall be informed to the writ petitioner within one week from the date of the order.

The writ petition is disposed of.

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.

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

(Rai Chattopadhyay, J.)