

09.09.2024
SL No.16
Court No.24
Ali

WPA 20681 of 2024

**Smt. Labanya Shee & Anr.
Versus
The State of West Bengal & Ors.**

Mr. Arabinda Chatterjee,
Ms. Kakali Dutta

....for the petitioners.

Mr. N.I. Khan,
Mr. Amlan Kr. Mukherjee

.....for the respondent No. 8.

Mr. Ansar Mondal,
Mr. T.J. Mondal

....for the State respondent Nos. 1,2,3,6 & 7.

Affidavit-of-service filed on behalf of the
petitioner is taken on record.

The petitioner No. 1 is a Permanent Stage
Carriage permit holder in respect of the Inter State
Route Ghatal to Bhubaneswar via Tarakeswar.

Learned counsel appearing on behalf of the
petitioners submits that petitioner No. 2 is also
having the same permit and the same route from
Ghatal to Bhubaneswar via Tarakeswar. Respondent
No. 8 is also having a permanent stage carriage
permit in respect of the Inter State Route, Puri to
Haldia via Jaleswar. The present petitioner has
noticed some violation of the permit by the private
respondent No. 8 so; he made a complaint to the
concerned authority on 19th July 2024.

Learned counsel for the petitioners submits
that the concerned respondent authority has not

taken decision in respect of several representations of the petitioner.

Hence this instant writ petition.

Learned counsel appearing on behalf of the private respondent submits that the private respondent No. 8 is plying vehicle in the State route according to the direction of the concerned authority and he has not violated any terms of the permit.

Mr. Ansar Mondal, learned counsel appearing on behalf of State authority submits that let a necessary direction be issued upon the concerned authority to pass a reasoned order after making enquiry and after conduction of the hearing from both the parties.

Having heard the parties and considering the merit of the writ petition as well as the annexure thereof it appears to me that the State authority has to take an appropriate decision in respect of the complaint made by the present petitioner dated 19th July, 2024.

Under the above observation, the writ petition is disposed of with a direction to the respondent No. 2 to take appropriate reasoned decision in respect of the representation of the petitioner dated 19th July, 2024 (annexure P-5 of the writ petition) after hearing the petitioner as well as the private respondent No. 8.

The authority concerned shall take an appropriate decision within four weeks from the date of communication of this order according to the law without being cumbered themselves by mere technicalities.

The authority concerned shall intimate the decision to the parties within two weeks thereafter.

Accordingly, the write petition is disposed of.

Parties to act upon the server copy and urgent certified copy of this order be provided on usual terms and conditions.

(Subhendu Samanta, J.)