

09.09.2024
SL No.17
Court No.24
Ali

WPA 21919 of 2024

**Sayan Bhattacharya
Versus
The State of West Bengal & Ors.**

Mr. Mukundalal Sarkar
.....for the petitioner.
Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay
.....for the State.

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

The present petitioner has made an
application to the authority concerned on 7th of
November, 2019 to obtain a Permanent Contract
Carriage Route Permit (Luxury Cab) with the
authority concerned.

On the prayer of the petitioner, the
concerned authority has issued an offer letter on
16th of December, 2019 directing the petitioner to
place the vehicle as per specification within 180
days from the date of issue of the offer letter.

It is the case of the petitioner that the
petitioner has purchased a luxury vehicle and
placed the same verbally with the authority
concerned. But, all his verbal representation were
not considered. Accordingly, he made a
representation to the authority concerned on 30th
January, 2024 as well as 2nd of May, 2024 so, that
the luxury vehicle as purchased by him may be

accepted by the authority concerned. The respondent authority has not acted upon the representation of the petitioner.

Hence this writ petition.

Mr. Pantu Deb Roy, learned counsel appearing on behalf of State authority submits that as per terms of the offer letter, the petitioner has failed to place the luxury vehicle within 180 days from the date of issuance of the offer letter. The petitioner may have placed several documents before this Court regarding the purchased of the vehicle or the fitness certificates but it was never placed to the authority. The authority had no opportunity to consider the offer letter which has already been terminated by efflux of time.

Having heard the parties; having considered the materials on record as well as the offer letter it appears to me that the petitioner has not placed any documents regarding placing his vehicle with the authority concerned by virtue of the condition as enumerated in the offer letter dated 16th December, 2019.

However, the offer letter was valid till 180 days. Let the authority to take decision whether the present petitioner should give an opportunity to file a separate representation or his previous application can be considered to issue a fresh offer letter.

Under the above observation, the instant writ petitioner is disposed of with a direction to the respondent No. 2 to take a reasoned decision on the basis of the representation of the present petitioner dated 30th January, 2024 as well as 2nd of May, 2024 being (annexures P-4 and P-6) respectively.

The concerned authority shall pass a reasoned order after giving an appropriate opportunity of being heard to the petitioner within four weeks from the date of communication of this order.

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

Under the above observation the writ 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.)

