

WPA 22490 of 2024
(CAN 1/2024)
Samir Ghosh..--vs-The State of West Bengal & Ors

23.9.2024

ct.25, sl. 26
sk

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

Mr. Sanat Kr. Ray
Mr. B. Ghosal
.....for the added respondents.

Mr. Pantu Deb Roy, Ld. A.G.P.
Mr. Subrata Guha Biswas
...for the State

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

Before taking up the writ petition, let CAN 1 of 2024 be taken up for hearing. It is an application by the applicants for being added as parties in the writ petition No. WPA No. 22490/2024.

Mr. Roy, learned advocate appears for the applicants. A copy of the application has been served upon Mr. Khan, learned advocate appearing for the writ petitioner.

Mr. Khan as well as Mr. Deb Roy are present.

On perusal of the averments and grounds pleaded in CAN 1/2024 that the applicants therein are the necessary parties in the present writ petition, those are found to be substantive and sufficient.

Hence, the applicant's prayer for being as added party respondents in the writ petition is allowed.

Let the applicants, namely, (1) Anil Chowdhury, (2) Aniruddha Samanta, be added as party respondents, in the present writ petition.

Necessary amendment be carried out in the cause title, pursuant to the leave by this Court.

In the present writ petition, the petitioner has challenged the alleged inaction by the respondent/the Regional Transport Authority, Purba Burdwan in deciding regarding objections raised as to the proposed provisional revised time table dated August 2, 2023.

Mr. Khan says that the earlier time table was scheduled to exist upto September 10, 2023. Allegedly, during existence of the same and without giving an opportunity of hearing to the petitioner, the subsequent time table dated August 2, 2023 was published.

Regarding that, objections were sought for. The objections so submitted were taken into consideration by the Regional Transport Authority as above and hearing was done on August 9, 2024.

Mr. Khan as well as Mr. Roy appearing for the writ petitioner and the added respondents, say that in spite of submission of objections and conducting hearing, the respondent authority is yet to take a decision, by issuing a speaking order. As such, the petitioner has expressed grievance that without time table, he is not being able to ply his vehicle in terms of the permit, which he holds.

Mr. Deb Roy, learned advocate appearing for the State respondent submits that the concerned respondent

authority may be directed to immediately decide as regards the grievance of the petitioner.

Considering the submissions and records as above, the Court finds it proper to dispose of the writ petition with the direction upon the Regional Transport Authority, Purba Burdwan to immediately decide as regards the grievance of the petitioner, in this writ petition, by dint of a speaking order, after considering the objection submitted as to the same and in terms of the hearing conducted by it on August 9, 2024.

The exercise as above shall be concluded by the Regional Transport Authority, Purba Burdwan within a period of two weeks from the date of communication of this order and the result thereof shall be informed to the petitioner as well as the proforma added respondent.

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 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.)