

12.09.2024
Item No.19
gd/ssd

WPA(P)/392/2024
SANTANU MONDAL AND ORS.
VS
STATE OF WEST BENGAL AND ORS.

Mr. N.I. Khan
..for the Petitioners.

Mr. Amal Kumar Sen,
Ms. Sahina Sumi
..for the State.

1. The petitioners, who are the existing stage carriage operators, in substance questioning the notification issued by the Government of West Bengal dated 22nd August, 2004 with regard to number of permits which will be sanctioned in the particular route.

2. The learned advocate for the petitioners invited our attention to the photographs annexed to the writ petition and submitted that already more than 35 buses plying in the said route and there is absolutely no place for parking the buses and the buses are parked on the road and several accidents took place and grant of fresh permits will further hamper the position and it will cause prejudice to the public. Firstly, the public interest writ petition at the behest of an existing operator who has been issued a permit pursuant to the notification dated 6th August, 2004 cannot be entertained.

3. However, in the event the Government decides to issue fresh permits, it should also ensure that adequate parking spaces are identified before permission is granted.

4. With the above directions, the writ petition stands disposed of.

(T. S. SIVAGNANAM)
CHIEF JUSTICE

(HIRANMAY BHATTACHARYYA, J.)