

WPA 23854 of 2024

**Sk. Abdul Samat
Vs.
The State of West Bengal & Ors.**

**Mr. Barun Kumar Samanta.
... for the petitioner**

**Mr. Amal Kumar Sen, Id. A.G.P.,
Ms. Ashima Das (Sil).
... for the State**

1. Affidavit-of-service filed in Court today is taken on record.
2. The petitioner has come before this Court challenging the decision of the State Transport Authority Board, West Bengal dated 21st August, 2024 thereby rejecting petitioner's application for grant of permit, due to the reason of availability of no vacancy at the said point of time.
3. Mr. Barun Kumar Samanta, learned counsel appearing for the petitioner has indicated that previously the petitioner was granted an offer letter on 6th April, 2023 but could not produce the vehicle in terms of the offer letter within the stipulated period.
4. As such, the process of grant of permit to him could not be proceeded with any further.
5. According to the petitioner, for the reason as above, the vacancy would have still subsisted and not filled up during time, till the petitioner's second application for grant of permit has been decided by the Board's resolution dated 21st August, 2024. The

petitioner would seek consideration of his fresh application for grant of permit dated 28th June, 2024.

6. The petitioner has also written a letter to the respondent State Transport Authority, West Bengal dated 3rd September, 2024 requesting for recalling of the decision of the Court and granting him the permit.
7. The petitioner seeks appropriate relief in this case.
8. Mr. Amal Kumar Sen, learned Additional Government Pleader is representing the State. He submits that the petitioner having accepted the fact that he could not produce the vehicle in terms of the offer letter earlier granted to him, has not been able to make out any *prima facie* case in order to maintain the present writ petition before this Court.
9. Mr. Sen, would further submit that after the date of offer letter, till the date of decision of the State Transport Authority Board, West Bengal on 21st August, 2024, the vacancy might have been filled up.
10. He has further indicated that the petitioner has not come up with cogent material as regards the existing vacancies during that period of time.
11. Considered the submissions as above. It is found prudent on the basis of the records and the submissions made by the parties, that the writ petition be disposed of by directing to the petitioner to re-submit a fresh comprehensive representation containing his grievances before the State Transport Authority Board, West Bengal.
12. Let the State Transport Authority, West Bengal give opportunity of hearing to the petitioner and decide

upon his representation so submitted, within a period of eight weeks from the date of submission of the representation by the petitioner.

- 13.** The decision of the respondent Board shall be communicated to the petitioner within one weeks from the date of its order.
- 14.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.
- 15.** This writ petition being WPA No. 23854 of 2024 is disposed of, along with the pending applications, if any.
- 16.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)