

**WPA 24587 of 2024
with
CAN 1/2024**

**Manika Ghosh
Vs.
The State of West Bengal & Ors.**

Mr. Sanat Kumar Roy,
Mr. Baidurya Ghosal.

... for the Petitioner.

Mr. Anit Kr. Das,
Mr. Sreekumar Chakraborty.

.... For the added Respondent.

Mr. Amal Kr. Sen, Ld. A.G.P.,
Ms. Ashima Das (Sil).

.... For the State.

The issue involved in this writ petition is whether the action taken by the respondent Regional Transport Authority, Hooghly, in extending the validity of the offer letter of the petitioner beyond the period of six months time, from the date of its issuance, would be in accordance with law and sustainable in the eye of law.

The petitioner was granted the offer letter dated April 26, 2023, as per resolution in the Board meeting dated June 19, 2024. The validity of the offer letter of the petitioner as above was extended up to August 22, 2024.

According to the writ petitioner, however, much before the expiry of the extended time, he has placed the vehicle in terms of the required norms and deposited the statutory fees on July 23, 2024.

Allegedly, in spite of the same no permit has been issued in favour of the writ petitioner. Hence, the

petitioner seeks orders directing the respondent No. 4/Secretary, Regional Transport Authority, Hooghly to take immediate steps for issuance of permit to the petitioner and issue the same.

Mr. Sen, Ld. A.G.P., for the State would however raise objection as to the contention and prayer of the writ petitioner for the reason that in accordance with the statutory provision, the offer letter granted to the incumbent, can only be extended to a maximum period of six months and not beyond. Since in this case, it transpires that the extension of validity of offer letter was for more than six months, hence, such extension would not be in conformity of the said statutory provision and would not be maintainable therefore.

It appears that the Secretary pursuant to the resolution of the Board of the Regional Transport Authority, Hooghly, has extended the validity of the offer letter of the petitioner dated April 26, 2023, to August 22, 2024. The six month statutory period from the date of the offer letter, ends in November, 2023. According to the State respondent, rest of the period during which the offer letter should be considered as valid in terms of extension being given, would not be in accordance with law.

Firstly, that pursuant to the said offer letter dated April 26, 2023, the writ petitioner has produced the vehicle with appropriate auto omission norms compliance and the statutory fees, on July 23, 2024. That comes within the extended validity period as was approved in case of the writ petitioner by the Board, Regional Transport Authority, Hooghly. In absence of any prejudice being pleaded, due to such extension of time of

validity of the offer letter granted to the writ petitioner and the liberal policy as propounded in the Motor Vehicles Act, 1988, the Court considers not to interfere into the decision of the Board, at this moment. It is noticeable that the petitioner has produced the vehicle which fulfils the requisite auto omission norms. He has also submitted that the statutory fees have been remitted, within the extended validity period of the offer letter. In such circumstances the petitioner being a bona fide applicant, any interference into the offer letter by this Court may jeopardise his vital rights.

Hence, the Court is not inclined to interfere into the order of the Regional Transport Authority, Hooghly dated April 26, 2023, as extended thereafter.

The writ petition being WPA 24587 of 2024 is allowed. Let the said respondent issue permit to the writ petitioner immediately after reconfirming that all the necessary statutory formalities have already been complied by him.

Let the said respondent conclude the exercise as above within the period of three weeks from the date of communication of copy of this order.

Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)