

WPA 24789 of 2024

4.11.2024
ct.25, sl. 26
sk

Route No. 24 Bus Syndicate & Anr.
vs
The State of West Bengal & Ors.

Mr. Debasish Saha
Mr. Avirup Roy Sanyal
Ms. Sucheta Pal
...for the petitioners.

Mr. Pantu Deb Roy, Ld. A.G.P.
Mr. Pannalal Bandopadhyay
...for the State respondent.

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

The petitioners are aggrieved that their prayer for extension of time permitting the vehicles to ply beyond 15 years time period, from the date of registration of the vehicle, has not yet been considered by the respondent, Secretary Transport Department, Government of West Bengal.

The fact remains that the petitioners being the operators within Kolkata region, have been directed to keep off their vehicles, which have already been registered for 15 years now. To this the petitioners have prayed before the respondent/respondent no.2 for extension of such time period. The reason for the petitioners' prayer as above is that the petitioners have not been able to ply the vehicle and to earn livelihood during the time period since Covid virus broke out causing pandemic in the State.

None appears for the State respondent in spite of due service of notice. Hence, Mr. Deb Roy, who generally appears for the Transport Authority/State is requested to represent the State in this case. His appointment shall be regularized in due course of time.

Mr. Deb Roy, learned advocate for the State indicates that the 15 years time limit is the optimum time for the vehicle to be eligible to run, in terms of the prevalent Rules.

Considering the submissions of both the parties, this Court is of the opinion and tend to dispose of the writ petition, by directing the respondent no. 2 to consider and decide upon the representation of the petitioners dated 19th September, 2024 and 21st June, 2024. In doing so, the respondent no. 2 shall grant opportunity of hearing to the petitioners and take into consideration the relevant notified/statutory provisions as well as the dictum of the Court, if any, in this regard.

The respondent no. 2 shall pass a reasoned order to dispose of the application of the petitioners as above, within a period of four weeks from the date of communication of copy of this order.

Since no affidavit is invited, the allegations contained in the petition are deemed not to be admitted.

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

(Rai Chattopadhyay, J.)

