

WPA 24983 of 2024

5.11.2024
ct.25, sl. 7
sk

M/S Baxy Limited
vs
The State of West Bengal & Ors.

Mr. Mans Kr. Das
Mr. Aritra Kr. Thakdar
...for the petitioner.

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

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

The petitioner has made prayer before the Director, Transport Directorate, West Bengal for registering of the vehicle manufactured by it at its factory, situated at Uttarakhand.

The head office of the petitioner/company situates at New Delhi. The petitioner seeks that its application as above be considered by the respondent authority.

Mr. Deb Roy, learned advocate is appearing for the State respondent. He has raised strong objection as to the maintainability of this writ petition submitting, inter alia, that the petitioner not having a place of business within the State of West Bengal, shall not be eligible to maintain its case before this High Court.

Considering the submissions and perusing the records, it appear that the petitioner being a registered company and manufacturing electric motor vehicle at its factory at Uttarkhand and also having its head office at New Delhi, seeks to expand its commercial activities

within the State of West Bengal. For the same, it has sought before the competent authority, necessary permission, so that the vehicle manufactured by it may be registered within the State of West Bengal.

Considering the facts and circumstances of this case, I find it proper to dispose of this writ petition by directing the respondent no. 3 to consider and dispose of the petitioner's prayer as above, by dint of a reasoned order, within a period of eight weeks from the date.

In doing so, the respondent no. 3 shall afford opportunity of hearing to the petitioner. His decision vide the reasoned order earlier shall be communicated to the petitioner, within one week from the date of the said order.

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.)