

WPA 29222 of 2024

**Samaresh Bhattacharya
Vs.
The State of West Bengal & Ors.**

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

**Mr. Asoke Hazra.
... for the respondent no. 4**

**Mr. Pantu Deb Roy, Id. A.G.P.,
Mr. Subrata Guha Biswas.
... for the State**

1. Affidavit-of-service filed in Court today, is taken on record.
2. The present case has been filed by the petitioner being aggrieved with the alleged illegal action of the respondent authorities in granting permit to the private respondent.
3. According to Mr. Dilip Kumar Samanta, learned counsel for the petitioner, the vehicle has been produced by the private respondent, beyond the statutory period of six months' time from the date of issuance of offer letter.
4. Hence, there has been a gross violation of Rule 141 of the West Bengal Motor Vehicles Rules, 1989, he says, for which the respondent would not be eligible for grant of permit.
5. He has further submitted that a letter of objection dated October 30, 2024 has been submitted before the Chairman as well as Secretary of the Regional Transport Authority, Purba Burdwan by the petitioner, which remains unattended by the said

authority, before grant of permit to the private respondent.

- 6.** He seeks adequate relief in this case.
- 7.** Mr. Pantu Deb Roy, learned Additional Government Pleader is representing the State.
- 8.** Mr. Deb Roy, insists that the objection raised by the writ petitioner to be determined by the respondent authorities.
- 9.** Mr. Asoke Hazra, learned counsel appearing on behalf of the private respondent no. 4, raises serious objection as to the contentions and prayer of the petitioner.
- 10.** It is submitted by Mr. Asoke Hazra, learned counsel for the respondent no. 4 that the said respondent has undertaken all the requisites steps as per law from time to time leaving no laches on his part, in compliance with the directions issued to him.
- 11.** He submits that the said respondent has purchased the vehicle and thus invested a huge amount of money.
- 12.** It is submitted further that unless the respondent is allowed to operate as per the permit granted to him, he has to suffer irreparable loss and injury.
- 13.** Heard the submissions of both the learned advocates and considered the records.
- 14.** In view of the seriousness of the allegations as to the permit having been issued to the private respondent illegally and in violation of the prescribed rules, it is required that the objection of the writ petitioner dated October 30, 2024 be duly gone into by the

addressee therein and considerations be made as to the allegations narrated therein.

- 15.** Also that, upon consideration of the objection of the petitioner vide letter dated October 30, 2024, the said respondent is to take a decision as regards the grant of permit to the private respondent.
- 16.** Therefore, this writ petition is being disposed of by directing the respondent Regional Transport Authority, Purba Burdwan to consider and decide as regards the objections of the writ petitioner regarding grant of permit to the private respondent, vide his letter dated October 30, 2024, after affording a reasonable opportunity of hearing to him as well as respondent no. 4 and by delivering a reasoned order.
- 17.** Let the exercise by the said respondent Regional Transport Authority, Purba Burdwan be concluded within a period of four (4) weeks from the date of communication of copy of this order.
- 18.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.
- 19.** With the above observations and directions, the writ petition being WPA 29222 of 2024 is disposed of, along with the pending applications, if any.
- 20.** Urgent certified website copy of this order, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)