

WPA 29645 of 2024

**Naba Poddar
Vs.
The State of West Bengal & Ors.**

**Mr. Sanat Kumar Roy.
... for the petitioner**

**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 writ petitioner has been granted permit by dint of Board's resolution dated December 3, 2022. On August 29, 2023, he was granted offer letter.
3. The validity of the offer letter was extended up to December 28, 2023.
4. During the said period, the petitioner complied with the conditions of the offer letter and produced a vehicle being Vehicle No. WB-29A/8323 (Bus). A total amount of Rs.10,540/- has been accepted by the department from the petitioner on December 21, 2023 on account of permit fees as against the Vehicle No. WB-29A/8323.
5. Allegedly since thereafter, the vehicle of the petitioner has been lying ideal for the reason that in spite of accepting the permit fees, the permit has not been granted to the petitioner.
6. The petitioner by filing the writ petition being WPA No. 20184 of 2024 has sought for intervention of this

Court in this regard and on September 20, 2024, the Court has directed the Regional Transport Authority, Purba Burdwan to consider grant of permanent stage carriage permit to the petitioner and to pass a reasoned order, if not the prayer of the petitioner is not granted.

7. It appears that since thereafter, no hearing was allowed to the writ petitioner and the impugned resolution dated November 6, 2024 was passed by the RTA, Board thereby resolving as follows:-

“If the applicant submits application of production of BS IV norms Complaint Vehicle, then it will be placed in next RTA Board Meeting.”

8. Mr. Sanat Kumar Roy, learned counsel appearing for the petitioner expresses grievance of his client that without affording the petitioner an opportunity of hearing and without complying the Court’s order dated September 20, 2024, the impugned resolution has been passed by the Board thereby frustrating the rights of the petitioner, which arose in his favour after submitting the permit fees, in terms of the earlier resolution of the Board granting him permit and also in terms of the offer letter.
9. He has mentioned specifically that during the extended period of offer letter, the vehicle as was desired by the respondent, was duly placed by the petitioner before the said authority.
10. Mr. Pantu Deb Roy, learned Additional Government Pleader is representing the State.

- 11.** It appears that the impugned resolution dated November 6, 2024 clearly controverts to what has been directed to the petitioner by dint of the offer letter dated August 29, 2023.
- 12.** It further has revealed that the petitioner has produced his vehicle in terms of the offer letter granted to him within the extended validity period of the said offer letter and subsequently the permit fees has also been submitted by it before the authorities.
- 13.** Hence, there would not be any event by the said respondent to direct the petitioner to produce a vehicle again, after accepting the vehicle produced by it and accepting the permit fees from the petitioner.
- 14.** Hence, the Court finds it proper to set aside the resolution of the Board as impugned in the present case that is, dated November 6, 2024.
- 15.** This writ petition is being disposed of by directing the respondent no. 2 to immediately grant opportunity of hearing to the writ petitioner on the issue of granting him permit and decide thereupon, by dint of a reasoned order.
- 16.** Let the exercise as above be concluded by the respondent no. 2 within a period of three (3) weeks from the date of communication of copy of this order.
- 17.** Since no affidavit is invited, the allegations contained in the petition are deemed to have been denied by the respondents including the private respondents.
- 18.** With the above observations and directions, the writ petition being WPA 29645 of 2024 is disposed of, along with the pending applications, if any.

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

(Rai Chattopadhyay, J.)