

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
APPELLATE SIDE**

Present:

The Hon'ble Justice Rai Chattopadhyay

WPA 3679 of 2024

Narottam Majumder

-vs-

The State of West Bengal & Ors.

With

WPA 2252 of 2024

(CAN 1/2024, CAN 2/2025)

Atanu Ghosh

-vs-

State of West Bengal & Ors.

With

WPA 2280 of 2024

Sk Ali Naser

-vs-

State of West Bengal & Ors.

With

WPA 2285 of 2024

Sk. Amir Ali

-vs-

State of West Bengal & Ors.

With

WPA 23830 of 2024

Sk. Jahiruddin & Ors.

-vs-

State of West Bengal & Ors.

With

WPA 3274 of 2024

Mahadeb Ghosh

-vs-

State of West Bengal & Ors.

With

WPA 3278 of 2024

Rakesh Panja

-vs-

State of West Bengal & Ors.

With

WPA 3283 of 2024

Pradip Banerjee

-vs-

State of West Bengal & Ors.

With

WPA 3720 of 2024

Akshay Kr. Rana

-vs-

State of West Bengal & Ors.

With

WPA 4146 of 2024

Uttam Ash

-vs-

State of West Bengal & Ors.

For the Petitioners

: Mr. Sanat Kr. Roy

: Mr. Baidurya Ghosal

(In WPA 2252/2024,
WPA 2280/2024,
WPA 2285/2024,
WPA 23830/2024,
WPA 3720/2024 &
WPA 4146/2024)

: Mr. Dilip Kumar Samanta
: Mr. Biswapriya Samanta
: Mr. S. Palit
: Mr. Akash Kr. Chakrabarty

(In WPA
3274/2024, WPA
3278/2024, WPA
3283/2024)

For the added party respondent : Mr. Arabinda Chatterjee
: Ms. Kakali Dutta

For the State : Mr. Amal Kr. Sen, Ld. A.G.P.
: Mr. Lal Mohan Basu

(In WPA
2252/2024,
WPA
23830/2024 &
WPA 3283/2024

: Mr. Ayan Banerjee
: Mr. Sanjay Mukherjee

(In WPA
4146/2024)

Heard on : **07/07/2025**

Judgment on : **25/07/2025**

Rai Chattopadhyay, J. :-

(1) The petitioners in this bunch of writ petitions are the stage carriage operators, who have been issued permit by the Regional Transport Authority, Burdwan and ply their vehicles within the district,

including the route spreading through the Burdwan Town. A notification issued by the District Magistrate Burdwan is pertinent in this case. The same is dated June 6, 2014. The said notification speaks of decision of a meeting held on June 2, 2014, in presence of the Minister-in-Charge and the Chairperson BDA, the Chairman Burdwan Municipality and all bus-owner's associations. The unanimous decision was that on and from June 15, 2014, no buses will ply through old Grand Trunk Road, inside the Burdwan town, except the 'Town Service' and the 'School Buses'. Hence, in exercise of power conferred under section 96(2)(xxii) of the Motor Vehicles Act, 1988, read with Rule 182 of the West Bengal Motor Vehicles Rules, 1989, the District Magistrate directs in the said notification dated June 6, 2014, *'that all buses plying through the Burdwan Town, shall in stead of their present movement status, hence forth operate from Nawabhat and Alisha bus stand respectively'*. All previous orders were superseded and directions in the said notification dated June 6, 2014 have been made effective from June 15, 2014.

- (2) The petitioner's case specifically rests on the provisions made and mentioned in the 9th paragraph of the said notification, which provides that *'These buses shall henceforth utilize the stands at Nawabhat and Alisha, depending on their route permits, Long Route buses with permits issued by the State Transport Authority, West Bengal and Regional Transport Authorities (other than Burdwan) including SBSTC buses shall also come under the purview of this notification.'* . According to the petitioners

there has been an exception carved out from the general provisions of the notification that Nawabhat and Alisha bus stands have been provided for all, other than the transport, permit for which has been issued by the Regional Transport Authority, Burdwan. They claim that they fall within the said exception clause as their respective permits have been issued by the Regional Transport Authority, Burdwan.

- (3) It is also pertinent here to mention the *new scheme of movement of buses and the arrangement of stands*, as provided in the said notification, which is extracted bellow:

“In the new scheme of movement of buses, the arrangement stands as follows :-

a) All buses entering into and leaving from Burdwan, from various routes like Durgapur, Asansol, Guskara etc. shall henceforth use Nawabhat bus stand (by no mean they will enter Burdwan Town through old G.T. Road);

b) All buses entering into and leaving from Burdwan, from various routes like Katwa, Kalna, Nabadwip, Krishnanagar etc, shall henceforth use Nawabhat bus stand via-Rly. Bridge, Mehedibagan but shall not enter into Burdwan Town area (left turn strictly prohibited at the end of Railway flyover during entry);

c) All buses entering into and leaving from Burdwan from various routes like Memari, Barsul, Shaktigarh, Jamalpur, Tarakeswar, Kolkata etc. shall henceforth use Alisha bus stand;

d) All buses entering into and leaving from Burdwan, from the Dakshin Damadar Section, various routes like Arambagh, Khandaghosh, Raina, Bankura etc. shall henceforth use the Alisha bus stand vial Telepukur More, NH-2 but shall not enter into Burdwan Town area;”

- (4) The further and ultimate direction as provided in the said notification dated June 6, 2014 is that *‘only for dedicated town service buses whose routes are confined into Burdwan Town area*

and School buses shall ply through old G. T. Road into Burdwan Town area with effect from 15-6-2014.'

- (5) The constitutionality and validity of this notification was challenged before this Court. Several writ petitions were filed which were decided by the Hon'ble Single Judge vide the judgment and order dated September 2, 2022, thereby upholding the validity of the said notification dated June 6, 2014. Appeals followed before the Hon'ble Division Bench of this Court, challenging the said verdict of the Single Bench. The Division Bench has disposed of those vide a single judgment and order dated July 26, 2023. The Hon'ble Division Bench did not interfere and upheld the verdict of the Single Bench. The Hon'ble Division Bench has specifically mentioned that :

"22. Mr. Samanta has asked this Court to indicate that the text of the notification in the paragraph 9 indicates that it does not apply to Burdwan Town. Mr. Chatterjee appearing for the private respondent submits that the notification does not indicate as such. This Court does not venture to clarify the notification in question. The notification shall speak for itself."

- (6) A challenge as to the said verdict of the Hon'ble Division Bench before the Hon'ble Supreme Court had also failed. The Supreme Court, vide order dated September 25, 2023, had dismissed the Special Leave Petition challenging the Hon'ble Division Bench's order dated July 26, 2023. Therefore, the said notification dated June 6, 2014, stands as valid and legal.

(7) In such circumstances the District Magistrate, Purba Burdwan (after bifurcation of the district) has considered the petitioner's grievance further, vide this Court's order dated September 29, 2023 and issued his order dated December 20, 2023. The said order dated December 20, 2023 passed by the District Magistrate, Purba Burdwan, is under challenge in this writ petition.

(8) Mr. Roy learned advocate has represented some of the petitioners whereas Mr. Samanta learned advocate has represented the others, in this bunch of writ petitions. Mr. Sen learned AGP has represented the State whereas, Mr. Chatterjee learned senior counsel has appeared for the added respondents, who are the existing operators of the dedicated town service buses, within Burdwan town. Argument on behalf of the parties may be summarized as herein bellow:

(9) Argument on behalf of the writ petitioners:

- The writ petitioners are covered by the exception clause contained in the 9th paragraph of the said notification dated June 6, 2014; that the operators who have been granted permit for providing service within the local limits of Burdwan town by the Regional Transport Authority, Burdwan, has been exempted from being covered under the other provisions of the said notification; that the writ petitioners fall exactly within the said category and hence, should be treated as exempted from the operation of the said notification.

- Respective permits of the writ petitioners have been issued much prior than the date from which the said notification has come into effect (June 15, 2014) and stand valid till date;
- Giving effect to the said notification in case of the petitioners would amount to change of their permit conditions without following the due procedure under the law; that changing permit conditions without following the due procedure under the law would not be sustainable in the eye of law.
- That in view of the route alignment and time table granted to the writ petitioners, they are substantially the local service providers though not specifically designated as the town service providers, as mentioned in the said notification.
- That there are several similar other operators who have been permitted to operate within the Burdwan town, though not specifically designated as the town service providers; hence, the petitioners have been subjected to unreasonable discrimination.
- That by issuance and operation of a notification conditions of permit/route alignment/termini point of the writ petitioners cannot be altered or else the same shall be dehors the law; that when the statute prescribes a particular mode of performance of the State instrumentality, it has to

be performed only in the said prescribed mode by the same and all other modes are necessarily forbidden [by referring to the judgment in *Nazir Ahmed vs King Emperor* reported in *AIR 1936 PC 253*; also in *Bhavnagar University Vs. Palitana Sugar Mill (P) Ltd.* reported in *(2003) 2 SCC 111* and *Ram Deen Maurya (Dr.) Vs. State of Uttar Pradesh* reported in *(2009) 6 SCC 735*].

- That the impugned notification is not applicable in case of the writ petitioners and they are legally entitled and authorized to operate by following the alignment of the route mentioned in the permit and the time-table approved by the authority.
- That the impugned notification dated June 6, 2014 has been made effective from June 15, 2014 and has no operation or effect retrospectively. Since the petitioners' permits date back much prior to the date when the said notification has been published or made effective and are scheduled to expire long after, the writ petitioners cannot be considered to be covered under the same.
- That upon due scrutiny of the route alignment and the time table of the petitioners it would appear that in effect they are the local service providers, operating similarly as the dedicated town service buses; hence, they should be treated similarly with the dedicated town service buses and dissimilar treatment would amount to discrimination; that

classification if at all needs to be based on intelligible differentia based on a rational relation with the object sought to be achieved by the legislation [by referring to the judgment in *Ranesh Chandra Sharma vs the State of Uttar Pradesh* reported in (2024) 5 SCC 217].

(10) Argument by the State respondent:

- The petitioners have stage carriage permits on route ‘Manikhati to Nawabhat’ via Bajesalepur, Barsul, Shaktigarh, G.T.Road; they are not the ‘dedicated town service operators’ and thus does not come within the exception category of ‘dedicated town service operators’, as provided under the notification dated June 6, 2014.
- That the said notification dated June 6, 2014 has provided that all buses previously plying through the Old G.T.Road, except the ‘town service buses’ and the ‘school buses’, should utilize ‘Alisha’ and ‘Nawabhat’ bus stands, according to their alignment of routes, since erstwhile ‘Tinkonia’ bus stand would not be functional any more.
- Validity of the said notification dated June 6, 2014, in the context of various provisions of the Motor Vehicles Act, 1988 and the rules framed thereunder, has been upheld by the Court; that being so and in accordance with the plain language of the said notification, the prayer of the

petitioners to allow them to enter into Burdwan town on the plea that the petitioners are covered under the exception clause of the said notification, would not be maintainable ; hence, there would not be any illegality or infirmity as regards the order challenged in these writ petitions, that is dated December 20, 2023 passed by the District Magistrate, Purba Burdwan/Chairman RTA, Purba Burdwan.

- That the present writ petitions are only a drastic effort by the petitioners to reagitate the issue, already decided the Hon'ble Coordinate Bench of this Court, being affirmed by the Hon'ble Division Bench of this Court and the Supreme Court; whereas the settled legal principle is that the decision of the earlier Bench of coordinate jurisdiction shall have binding effect on the later Bench; that only two courses are available, either to follow the decision of the previous Bench of coordinate jurisdiction or to refer for examination by the Larger Bench; that, validity of the notification dated June 6, 2014 has not only been upheld by the Hon'ble Coordinate Bench but the decision of the Single Bench has been upheld both by the Division Bench and the Supreme Court; therefore, implementation thereof cannot be restrained in the guise of whatever plea; in support of argument advanced regarding binding nature of the decision of the earlier Bench of coordinate jurisdiction, a Larger Bench judgment of the Supreme Court has been relied on in *National Insurance Company Limited vs Pranay Sethi and Others* [reported in

(2017) 16 SCC 680]; that in the present bunch of cases the petitioners are motivated to procure such relief indirectly, which have been denied to them directly; hence, the writ petitions are not maintainable being abuse of the process of law [as per judgment in *Vaijinath s/o Yeshwanta Jadhav deceased by Legal Representatives and Others vs Afsar Begum* (2020) 15 SCC 128].

- The instant writ petitions are only attempted change in the form of the petition on the grounds therein whereas the issue required to be determined is substantially the same, as has been decided in the earlier rounds of litigations challenging the notification dated June 6, 2014; hence, the instant cases are barred by the principles of res judicata and/or constructive res judicata; it has been submitted that in the earlier rounds of litigation, the parties were same who fought in the court regarding the validity of the said notifications; in the instant case the same parties are at loggerheads to challenge and defend respectively the essential fallout of implementation of the said notification; it is only incidental and essentially connected with the subject matter of the earlier litigations; hence, prohibited under barred due to exercise of principles of res judicata. In this respect the judgments in *Direct Recruit Class II Engineering Officers' Association vs State of Maharashtra & Others* [reported in (1990) 2 SCC 715] and *P.Bandopadhyay &*

Others vs Union of India & Others [reported in (2019) 13 SCC 42], have been referred to.

- As against the argument of the writ petitioners regarding that the notification as above has excluded those stage carriages, which have been granted permit by the RTO Burdwan by interpreting the clause in the notification that, “*Long route buses with permits issued by the State Transport Authority, West Bengal and Regional Transport Authorities (other than Burdwan) including SBSTC buses shall also come under the purview of this notification.*” - it has been submitted that a document has to be given a meaningful, contextual, purposive and executable interpretation. An interpretation which fails to achieve the manifest purpose of the notification, making the same practically unworkable, has to be discarded. That the interpretation would be such to promote the efficacious workability of the policy promulgated thereby or else the very purpose of it would be futile. According to the State respondent, the policy decision is to reduce traffic within town. That advancement thereof can only be achieved by contextual and purposive interpretation of the clauses in the notification and not otherwise. In this regard the judgments in *Franklin Templeton Trustee Services Private Limited & Another vs Amruta Garg & Another [reported in (2021) 9 SCC 606]* and *Sanjay Ramdas Patil vs Sanjay and Others [reported in (2021) 10 SCC 306]*, have been relied on.

(11) Argument by the added respondents:-

- They have largely adopted the argument of the State respondent.
- That, to combat the traffic congestion within Burdwan town area and in terms of the city development plan prepared in consultation with IIT Kharagpur, two well-equipped bus terminus have been constructed and made ready to use at Nawabhat and Alisha; that it is only in terms of the city development plan as mentioned above, those two bus stands have been made operative, and the other one that is namely Tinkonia bus stand has been closed down and all buses have been redirected to the newly constructed two bus stands as named above; for the purpose as above, the Authority has published the notification dated June 6, 2014 and has taken all reasonable steps to inform the operators for due compliance of the same.
- That, validity of the notification as above after being challenged earlier by the instant writ petitioners, has been upheld by the Single Bench and Division Bench of this Court and the Supreme Court.
- That in the order dated October 28, 2021, the Regional Transport Authority Purba Bardhaman has held that the notification dated June 6, 2014 is to be followed strictly. The Secretary RTA shall issue a general notice to all permit

holders under his jurisdiction, that is RTA Purba Burdwan to change/modify their termini from Burdwan to Nawabhat or Alisha bus stand, by the date November 31, 2021.

- That a contextual and purposive reading of the words '*(other than Burdwan)*', in the said notification dated June 6, 2014, would not mean as the petitioners want to impose on those; that, mentioning about the permits which have been issued by the RTOs other than Burdwan, does not necessarily exclude permits issued by RTO Burdwan.
- Also, that the Hon'ble Division Bench of this Court has declined to clarify in any manner the clauses in the notification dated June 6, 2014, which order is binding on this Court.

(12) It is relevant to discuss as to whether the respondent authority does possess power to modify route in the permits and also whether such modification if permissible under law can be made through administrative orders.

(13) Under section 72(1) of the Motor Vehicles Act, 1988, The original transport Authority has the authority and power to grant permits either as applied for or with such modifications as it deems fit, provided the modifications do not involve routes not specified in the original application. The same principle of law is reinforced in various judgements to clarify that curtailment or alteration of a

route within the limits of the original application constitutes a permissible modification, whereas granting a permit for a different route not specified in the application would violate statutory provisions. Traffic regulations and diversions introduced to alleviate congestion, especially within city limits, are generally regarded as valid exercise of the Authority's power, provided they are not arbitrary or unreasonable. Courts have held that minor deviations within the notified route, especially when undertaken for traffic management and congestion reduction, do not amount to a violation of permit conditions or a change of route in the permit. In case of diversion for congestion management, Courts have emphasised that such measures are within the scope of the Authority's power, especially when they do not alter the fundamental route or increase the service beyond permitted limits.

- (14)** In case of the writ petitioners, it is the change of termini of the already approved route for plying their vehicles, is what has been made effected vide the impugned order and the notification dated June 6, 2014. The reasons thereof are well spoken in the notification and the order. Validity of the notification dated June 6, 2014 has already been upheld by the Hon'ble Supreme Court. The impugned order dated December 20, 2023 is only in terms of the said notification. It is pertinent to note that the route alignment for the writ petitioners remains substantially the same excepting change of termini and that they should terminate their vehicles at the outskirts of the city of Burdwan, at the two newly constructed bus stands instead of crossing through the city. As a matter of fact,

the bus stand which was previously in use has been closed. All this is result of a policy which has been undertaken by the State Authorities, to combat the menace of over congestion of traffic within Burdwan city. It is not that the State Authority would not have any power to impose modifications as to the route alignment already allowed in the permit, but such decision has to be based on reasons and should not mutilate absolutely with the original permit conditions. The Court finds in the present case, both the said conditions to have been duly fulfilled by the respondents, while passing the impugned order.

- (15)** Hence, no infirmity can be found in modifying the permits of the writ petitioners including road curtailment which are found valid under Section 72(1) of the Motor Vehicles Act, 1988, as the reasons therefor are valid and not arbitrary. In this regard, the verdict of the Hon'ble Supreme Court in the judgment of *State of West Bengal Vs. Sk. Nurul Amin* reported in (2010) 11 SCC 182 may be mentioned as follows:-

"5. Section 72 of the Act deals with grant of stage carriage permits. Sub-section (1) thereof which is relevant, is extracted below:

"72. Grant of stage carriage permits.—(1) Subject to the provisions of Section 71, a Regional Transport Authority may, on an application made to it under Section 70, grant a stage carriage permit in accordance with the application or with such modifications as it deems fit or refuse to grant such a permit:

Provided that no such permit shall be granted in respect of any route or area not specified in the application."

A careful reading of sub-section (1) of Section 72 makes it clear that the Authority is not bound to grant a stage

carriage permit as sought. The Authority could either grant the stage carriage permit in accordance with the application or refuse to grant such stage carriage permit or grant the stage carriage permit with such modifications as it deemed fit. The only restriction on the power of the Authority is that it could not grant a permit for a route not specified in the application.

6. In this case, what the Authority has done is to grant the permanent stage carriage permits in regard to the routes for which the applications were made, but with a modification, by curtailing the routes for which the permits were applied, only up to Barasat. The Authority in effect therefore refused to grant the permit for the last leg (Barasat to Kolkata) of the two routes applied. Though the communications from the Authority to the respondent did not contain the reason for curtailing the routes, it is stated that the resolutions of the Authority (which led to the issue of the impugned communications) assigned the reason for curtailment. The reason was that in view of the heavy traffic congestion and vehicular pollution in Kolkata, there was restriction of entry of new passenger vehicles into Kolkata and, therefore, the permits were granted only up to Barasat.

7. The Division Bench proceeded on the basis that when one of the termini is altered by the Authority, then the permit is not granted in respect of the route applied, and it would amount to granting a permit in respect of a route not specified in the application. On a careful consideration, we are of the view that the interpretation by the High Court is without basis.

8. What is prohibited by the proviso to sub-section (1) of Section 72 is granting of a permit in respect of any route or area not specified in the application. The said proviso does not prohibit curtailment in regard to portion of the route applied for, for any valid reason. In fact sub-section (1) specifically authorises the Authority to grant the stage carriage permit with such modifications as it deems fit. Curtailment of a route would be a modification as contemplated under sub-section (1). We may clarify this by an illustration where the application is made for grant of a permit in regard to a route A to D through points B and C. If the grant is made for the route A to C through B, excluding the last portion C to D, it will be a modification which is contemplated and provided for under sub-section (1) of Section 72 of the Act. On the other hand, if the grant is made in regard to route E to F or in regard to route A to E, the

grant will be in regard to a route not specified in the application and consequently the permit will be violative of the proviso to sub-section (1) of Section 72 of the Act."

(16) Thus, one can also find that the Courts have upheld route modifications made via notifications, if those are founded on legitimate traffic management considerations and are not arbitrary. For example, diversion of buses away from congested routes to alleviate traffic and prevent accidents has been validated when supported by reasons such as, road safety and congestion control, hence the Authority acts within its statutory powers and records reasons adequately. Notifications issued under statutory powers (for example under Section 71 and 72 of the Motor Vehicles Act, 1988) for traffic regulation, must be based on adequate factual and legal considerations like road safety, congestion and public interest. Therefore, the Court is constrained to accept submission of the writ petitioners that by modifying the termini of the permitted route with the petitioners the respondent authority has actually modified the permit conditions without following the due procedure under the law. Instead, for the reasons as discussed above, and the precedence cited, it can be stated that modification of the route alignment however, a definite purpose and reason particularly, when such reason is to eradicate congestion and alleviate traffic within the city limits cannot be considered to be done beyond the scope of statute by the Authority or by exercise of power not vested in it. Instead, it is found that a reasoned decision of the statutory Authority which does not have an effect of

changing the entire composure of the applied route by the writ petitioner but only might have changed the termini for a definitive purpose of alleviation of traffic is tenable in the eye of law.

(17) At the cost of reiteration, the Court can say that the notification dated June 6, 2014 has been upheld by this Court as well as the Supreme Court. The Division Bench of this Court has not been pleased to allow any sorts of clarification as to the notification dated June 6, 2014. In such circumstances, the petitioners have put forth their grievance, designing the same with the help of the words different from those used by them at the first instance while challenging the notification dated June 6, 2014. This time, they had come before the Court with the contention that they would be rather excluded by operation of the Clause mentioned in the said notification dated June 6, 2014. The impugned order dated December 20, 2023 passed by the District Magistrate, Purba Burdwan has decided such prayer of the writ petitioners. The petitioners have taken recourse to the language in the notification as above, as follows:-

“Long route buses with permits issued by the State Transport Authority, West Bengal and Regional Transport Authorities (other than Burdwan) including SBSTC buses shall also come under the purview of this notification.”

(18) The District Magistrate, Purba Burdwan has stated:-

“It is a matter of fact that the notification dated 06.06.2014 vide Memo No. 2314/MV clearly prohibits the plying

of buses in between the Burdwan Town except the Town Service Buses who are strictly confined into the Burdwan Town area and school buses. It is to be mentioned here that in clause (c) of the said notification, "All buses entering into and leaving from Burdwan from various routes like Memari, Barsul, Shaktigarh, Jamalpur, Tarakeswar, Kolkata etc, shall hence forth use the Alisha Bus Stand". Hence the 'Exception claim' of petitioner's advocate does not stand."

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The representation dated 14.08.2023 can not be allowed in contradiction to the Notification dated 06.06.2014 vide Memo No. 2314/MV read with Final Order dated 26.07.2023 passed by the Hon'ble Division Bench, High Court, Calcutta."

(19) It is the settled law that a document has to be read in its entirety and giving meaning to the words thereof in context with the other portions of the document so that a purposeful and effective meaning can be read within the words thereof. The Court meticulously considers the judgments in the case of *Franklin Templeton Trustee Services Private Limited & Another vs Amruta Garg & Another* [reported in (2021) 9 SCC 606] and *Sanjay Ramdas Patil vs Sanjay and Others* [reported in (2021) 10 SCC 306] in this regard in which the Courts have upheld the necessity of contextual and purposive reading of the provisions. The ratio thereof similarly attracts in case of construction of a notification too. Such being the law now well-established, the Court is constrained to hold that the interpretation of the execution Clause '*(other than Burdwan)*' if taken as argued by the writ petitioners, would render the entire notification dated June 6, 2014 as nugatory, whereas its validity has already been upheld by the Hon'ble Apex Court.

(20) In their argument, the petitioners have suggested that the wordings in the said notification dated June 6, 2014 makes a distinction between the vehicles permitted to ply by RTA Burdwan and those permitted by other Regional Transport Authorities, to ply within Burdwan Town. However, in case it was so, no justifiable reason for the same, is apparent. When the ultimate object is to alleviate traffic by reducing number of vehicles plying, there must exist intelligible differentia, if class is made within class, a group is separated from similar other groups. Therefore, this could not be a plausible interpretation of the said notification.

(21) Considering all above, the Court is of opinion that the impugned order of the District Magistrate, Purba Burdwan dated December 20, 2023 can neither be termed as illegal or improper, as claimed by the writ petitioners. Hence, finding no merit in the instant writ petitions, the Court is constrained to dismiss the writ petitions in the batch.

(22) All writ petitions as mentioned in the cause title, are dismissed. Interim order stands vacated in all the writ petitions as mentioned above.

(23) Urgent certified copy of this judgment, if applied for, be supplied to the parties upon compliance with all requisite formalities.

(Rai Chattopadhyay, J.)