

19.03.2025.

PB

Sl. No.18.

Ct. No.25.

WPA 4334 of 2025

Shilpi Saha

Vs.

The State of West Bengal & Ors.

Mr. Bhaskar Nandi.

... For the Petitioner.

Mr. Pantu Deb Roy,

Mr. Subrata Guha Biswas.

... for the State.

The petitioner has been a permit holder with respect to the stage carriage on the route for “Durgapur Station to Prantika”. His permit has expired on December 25, 2020.

Mr. Nandi appearing for the petitioner has stated that since after bifurcation of Burdwan District, the RTA, Paschim Burdwan within whose jurisdiction, the petitioner operates after bifurcation, did not receive the files from the office of the Regional Transport Authority of the undivided District.

For all the reasons as above, there has been some delay in filing the application for renewal by the petitioner as well as the application seeking to replace his old vehicle.

Be that as it may, the petitioner has submitted his application for renewal of that permit along with

the statutory fees to the tune of Rs.4,540/- and his prayer for permission to replace this old vehicle.

The petitioner is aggrieved that his such prayer has not yet been considered by the RTA, Paschim Burdwan.

The petitioner, therefore, has written to the said authority, by dint of his letter dated April 25, 2024, for immediate necessary action.

The same also stands not considered as yet. Hence, the petitioner is prejudiced and aggrieved.

The State is represented by Mr. Deb Roy.

In view of the provisions in the Motor Vehicles Act, 1988, the Court finds that there would not be any outer limit of time for the petitioner to apply for the renewal permit. Accordingly, there would not be any impediment for the said respondent authority to consider the petitioner's prayer as above, particularly, as made in his representation dated April 25, 2024.

Therefore, the Court found it proper to dispose of the writ petition by directing the respondent no.4/RTA to immediately consider and decide as regards the representation of the petitioner dated April 25, 2024, by affording a reasonable opportunity of hearing.

Let the said respondent pass a reasoned order, within a period of four weeks, unless the prayer of the petitioner is immediately allowed by it. In that case, the order of the respondent no.4 shall be communicated to the petitioner, within one week.

With the directions as above, the writ petition is disposed of.

Since no affidavit has been called for, allegations made in the writ petition, shall be deemed to have not been admitted by the respondents.

Urgent certified photocopy of this order, if applied for, shall be supplied to the parties, on compliance of all necessary formalities.

(Rai Chattopadhyay, J.)