

19.03.2025.

PB

Sl. No.21.

Ct. No.25.

WPA 4756 of 2025

Samaresh Bhattacharya

Vs.

The State of West Bengal & Ors.

Mr. Dilip Kr. Samanta,
Mr. Biswapriya Samanta,
Mr. Suhotro Palit.

... For the Petitioner.

Mr. S. M. Hassan,
Mr. Anupama Yashin.

... for the State.

The writ petitioner's application in statutory Form-1 dated January 10, 2025, which has been submitted before the RTA, Purba Bardhaman along with the statutory fees, praying for issuance of permit is now pending. Hence, the petitioner is aggrieved that his application has not yet been considered by the said respondent authority.

By filing the present writ petition, therefore, the petitioner has prayed for a necessary order to be issued to the said respondent authority to immediately consider and decide about the petitioner's application for issuance of permit dated January 10, 2025.

Mr. Hassan, learned advocate appears for the State respondent. He has indicated that the route in question on which the petitioner seeks to be granted

with the permit, is aligned through both the districts Purba Bardhaman and Paschim Bardhaman.

Having heard both the learned advocates for the petitioner as well as the State and having perused the documents, it is noted that an application dated January 10, 2025, along with the statutory fees is now pending before the RTA, Purba Bardhaman, as has been filed by the petitioner, for issuance of permit to the petitioner, on the route from Nababhat Bus Stand (Purba Bardhaman) to Chaktentul Hattala. It appears that the route having a distance of 51 Kms in total, is aligned through the districts Purba Bardhaman and Paschim Bardhaman. The major portion of the route is lying within the district of Purba Bardhaman. Hence, in accordance with the provisions under Section 69 of the Motor Vehicles Act, 1988, the respondent RTA, Purba Bardhaman would be the competent authority to consider the petitioner's application for issuance of permit on the said route.

Considering all as above, the Court is inclined to dispose of the writ petition by directing the respondent no.2, to consider and dispose of the petitioner's application in statutory Form-1 dated January 10, 2025, for issuance of permit, within a period of four weeks from the date of communication of copy of this order.

In doing so, the respondent no.2 shall afford opportunity of hearing to the petitioner and issue a

reasoned order unless the prayer of the petitioner is allowed by the same immediately. In that case, copy of this order be communicated to the petitioner, within one week.

With the direction 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.)