

16.09.2025
Sl.13.
Suman
Ct.No.15

WPA 5937 of 2025

**215, 215/1 Route Bus Owners Welfare
Association
Vs.
The State of West Bengal and Ors.**

Mr. Sattwik Bhattacharyya
Mr. Aashutosh Bhattacharyya
Mr. Aritra Roy
..for the petitioner

Mr. Bhaskar Nandi
..for the added respondents.

Mr. Amal Kumar Sen
Ms. Ashima Das (Sil)
..for the State

The petitioner describes itself as the 215, 215/1
Route Bus Owners' Welfare Association.

It is submitted that the members of this
association are valid permit holders for bus routes 215
and 215/1.

The added respondents are permit holders in
respect of bus routes 219 and 219/1.

It appears that the Bus Owners' Association of
routes 219 and 219/1 submitted a representation to
the Regional Transport Authority, Kolkata (hereinafter
referred to as the RTA) by a letter dated July 30, 2024,
seeking resumption of bus route no. 219/1 (Nager

Bazar Bus Stand to Howrah), which had been inactive for the past four years.

The petitioner submitted its objection to the proposed resumption by a letter dated August 14, 2024.

Upon consideration of both the representation of the 219 and 219/1 route owners and the objection raised by the 215 and 215/1 Route Bus Owners' Association, the Regional Transport Authority Board (hereinafter referred to as the RTA Board), by a resolution dated October 1, 2024, rejected the prayer for resumption, citing reasons recorded therein.

Subsequently, on October 29, 2024, a fresh request for resumption was submitted by the Bus Owners of route no. 219 and 219/1. This time, the prayer for resumption was allowed by the RTA Board through a resolution dated February 12, 2025, which was confirmed on February 27, 2025.

Learned counsel for the petitioner challenges the resolution dated February 12, 2025, on the ground that the RTA Board had no authority to review its earlier resolution dated October 1, 2024. It is contended that the subsequent resolution, in effect, amounts to a review and was passed without affording the petitioner an opportunity of hearing.

Learned counsel appearing for the State submits that the subsequent application dated October 29,

2024, was substantially different from the earlier one dated July 30, 2024, and therefore, the subsequent resolution dated February 12, 2025, cannot be construed as a review of the earlier one. It is further submitted that both the resolutions—dated October 1, 2024, and February 12, 2025—are administrative in nature and do not partake of the character of quasi-judicial orders. As such, the administrative authority is well within its rights to revisit and alter its earlier administrative decision in the interest of the public.

Learned counsel for the added respondents supports the resolution dated February 12, 2025, and submits that it was adopted after due consideration of relevant factors and the larger public interest, and therefore, does not warrant interference.

Without delving into the other aspects of the matter, this Court is of the view that, since the earlier prayer for resumption was rejected by the RTA Board after considering the objections of the petitioner, any reconsideration or fresh decision on a similar prayer should have been taken only after affording the petitioner an opportunity of hearing.

In the interest of natural justice, this Court holds that the petitioner must be given an opportunity to present their objections before the RTA Board prior to any final decision on the resumption of route no. 219 and 219/1.

Accordingly, this writ petition is disposed of with a direction upon the Regional Transport Authority, Kolkata, to revisit the issue of resumption of route no. 219 and 219/1 after affording an opportunity of hearing to the petitioner or its authorised representatives and to pass a fresh, reasoned order.

The entire exercise shall be completed within a period of eight (8) weeks from the date of this order.

It is further clarified that an opportunity of hearing shall also be provided to the representatives of the Bus Owners' Association of route no. 219 and 219/1.

Accordingly, **WPA 5937 of 2025** is disposed of.

Urgent photostat certified copy of this order, if applied for, be supplied to the learned advocates for the parties on usual undertakings.

(Kausik Chanda, J.)