

09.12.2025

Ct. No. 10
Sl. No. 38
Moumita

In The High Court at Calcutta
Constitutional Writ Jurisdiction
Appellate Side

WPA 6823 of 2025
With
IA No. CAN/1/2025

Radhey Shyam Yadav
Vs
The State of West Bengal & Ors.

Mr. Sankar Nath Mukherjee
Mr. Sk. Samim Akhter

...for the Petitioner

Mr. Anand Farmania
Ms. Payel Mitra

... for the State

Parties are represented through their learned counsel. As per the order dated 18.11.2025 the State respondents were directed to obtain instruction from the authority concerned with regard to the grant of permit in favour of the petitioner and a report to be filed accordingly.

No such report has been filed. The petitioner submits that the permit of the vehicle in question was granted in favour of the private respondent. The petitioner has already made an application before the authority concerned for transfer of the luxury taxi permit in his favour.

The petitioner states that though the application has been filed before the authority concerned but from the certificate of registration being annexure P-1 it appears that luxury taxi permit was registered on 27.09.2018 and remains to be valid up to 13.09.2020,

therefore, the question of covering of 10 years does not arise since the same is about to expire on 2028 and is entitled to have the luxury taxi permit for the route in question.

After careful consideration of the case I am of the considered view that the petitioner is directed to make a fresh application before the authority concerned within a the period of 2 weeks indicating that 10 years of coverage of the vehicle has not yet expired.

The respondent No. 2 shall consider such application by passing a reasoned order in accordance with law preferably within a period of four weeks upon affording an opportunity of hearing to the interested parties and communicate such decision within a week thereafter.

The petition is disposed of without taking exception to the merits of the case.

However, it is made clear that if the petitioner is found to be eligible for the luxury taxi permit then the authority concerned shall issue the permit forthwith.

(Smita Das De, J.)