

N.22Sl

151/CL
01.07.25
Sl-31
Ct.551
(S.R.)

WPA 11075 of 2025

Rahamatulla Ansari & Anr.
v.
The State of West Bengal & Ors.

Mr. N.I. Khan
Mr. Ratan Das
Mr. Dilip Kumar Mandal ... for the petitioners.

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

Mr. Sattwik Bhattacharyya
Mr. Aashutosh Bhattacharyya
Mr. Titas Niyogi
Mrs. Reshma Sharma
... for the private respondent
nos.7,8,9,10,11,12,14,15,16,17,19, 22 and 23.

Affidavit of service and supplementary affidavit filed
by the learned advocate on behalf of the petitioners be
taken on record.

The petitioners are aggrieved by the non-
consideration of their representation dated April 16, 2025
made to the Secretary, State Transport Authority, West
Bengal alleging that the owners of certain vehicles
mentioned in the said representation have been occupying
the entire Bus Stand at CBT Dharmatala and have been
physically torturing the petitioners' staff.

Mr. Khan, learned advocate appearing for the
petitioners submits that the said representation made
before the Secretary, State Transport Authority, West
Bengal is actually directed against the violation of permit

conditions by the respondent nos.7 to 23.

Mr. Khan invites the attention of this Court to an order dated July 12, 2024 passed by this Court whereby this Court had directed the Regional Transport Officer, Alipore to take appropriate steps, *inter alia*, to ensure smooth plying of the petitioners' vehicle through the permitted route and as per the permit conditions without any hindrance and/or disturbance and/or restrain at the behest of the respondent nos.7 to 23.

Mr. Khan submits that since the permit has been issued by the State Transport Authority, therefore, the State Transport Authority is obliged to look into the petitioners' representation dated April 16, 2025 and pass appropriate orders.

Mr. Sen, learned advocate appearing for the State respondents submits that the petitioners' grievances are against the acts of the private respondents which can be taken care of by the Police Authorities and the State Transport Authority has no scope of taking any action in such matters.

Mr. Bhattacharyya, learned advocate appearing for the private respondent nos.7,8,9,10,11,12,14,15,16, 17,19, 22 and 23 submits that the petitioner no.2 had already approached this Court by filing WPA 11928 of 2025, which was disposed of by an order dated June 25, 2025 thereby referring the petitioner's representation made to the Superintendent of Police, South 24-Parganas

to the learned Additional Chief Judicial Magistrate, Kakdwip, South 24-Parganas.

Mr. Bhattacharyya denies the allegations of ill treatment and torture and occupation of the entire Bus Stand by his clients. He also denies that, his clients have restrained and/or hindered the petitioners' plying of vehicles in any way. It is further submitted that his clients have valid permits.

Mr. Khan, learned advocate appearing for the petitioners, in reply, submits that the respondent nos.7 to 23 have been plying their vehicles on routes other than those mentioned in the permit.

Having heard the learned advocates appearing for the respective parties and having considered the material on record, this Court is of the view that this writ petition should be disposed of by directing the Secretary, State Transport Authority, West Bengal to consider the petitioners' representation dated April, 16, 2025 and dispose of the same, strictly in accordance with law within a period of four weeks from the date of communication of this order, upon giving an opportunity of hearing to the petitioners and the respondent nos.7 to 23.

Needless to mention that the Secretary, State Transport Authority, West Bengal shall dispose of the said representation by passing a reasoned order within the aforesaid period and shall communicate the same to the parties within a week from passing thereof.

Since no affidavit-in-opposition has been directed to be filed, the allegations made in the writ petition shall be deemed not to have been admitted by the respondents. It is clarified that this Court has not gone into the merits of the case and the Secretary, State Transport Authority, West Bengal shall be free to take decision in accordance with law.

With the above observations, WPA 11075 of 2025 is disposed of.

There shall, however, be no order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Om Narayan Rai, J.)