

WPA 12896 of 2025

N.22S1

151/CL
18.06.25
SI-17
Ct.551
(S.R.)

Sajal Das
v.
State of West Bengal & Ors.

Mr. Dilip Kumar Samanta
Mr. Biswapriya Samanta
Mr. Suhotro Palit
Mr. Akash Kumar Chakrabarty
... for the petitioner.

Mr. Anand Farmania
Ms. Indumoli Banerjee ... for the State.

Affidavit of service filed today be kept with the record.

The petitioner is aggrieved by non-consideration of his request for replacement of his old vehicle, which has crossed the 15 years' usage limit.

The petitioner submits that the petitioner has applied for replacement of the old vehicle by a vehicle compliant with the BS-III emission norms/standards on the same route permit as that of the earlier. The petitioner further invites the attention of this Court to page 15 of the writ petition to demonstrate that fees for the purpose of such replacement for vehicle have already been deposited with the State Transport Department on May 29, 2025. The petitioner further invites the attention of this Court to page 14 of the writ petition to demonstrate that an affidavit, as required by the Regional Transport Authority, has also been filed by the petitioner for the purpose of seeking replacement of his old vehicle by a

vehicle compliant with BS-III emission norms/standards.

The learned advocate appearing for the State respondents submits that there is no application made by the petitioner for the purpose of seeking replacement of the petitioner's old vehicle by a new vehicle as indicated in the affidavit that appears at page 14 of the writ petition. In response thereto, it is submitted by the petitioner that the petitioner has filed the affidavit appearing at page 14 of the writ petition together with the requisite fees for the purpose of replacement of the petitioner's old vehicle by a vehicle, which is compliant with the BS-III emission norms/standards, in accordance with the requirements indicated by the respondent Regional Transport Authority, Paschim Bardhaman. It is further submitted that the petitioner can always make an application in consonance with the petitioner's affidavit, which is appearing at page 14 of the writ petition seeking replacement of the petitioner's old vehicle by a BS-III model vehicle.

Having heard the learned advocates for the respective parties and having considered the material on record, this writ petition is disposed of by granting liberty to the petitioner to make an application before the Regional Transport Authority, Paschim Bardhaman seeking replacement of the petitioner's old vehicle (BS-II) by a new vehicle (BS-III) within a week from date along with copies of the affidavit appearing at page 14 of the writ petition and the receipt indicating payment of fees

appearing at page 15 of the writ petition. If such application is made within the period, as aforesaid, the respondent no.3 being the Secretary of Regional Transport Authority shall consider such application of the petitioner and dispose of the same, strictly in accordance with law, within a period of two weeks from the date of making such application.

With the above observations, WPA 12896 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.)