

S/L 26
11.11.2025
Court No.10
Swd

WPA 20580 of 2025

**Nitai Kumar Barik
Vs.
The State of West Bengal & Ors.**

*Mr. Sattwil Bhattacharyya,
Mr. Aashutosh Bhattacharyya,
Mr. Tital Niyogi,
Mr. Rohit Basak,
Ms. Reshma Sharma.*

...for the Petitioner.

*Mr. Amal Kr. Sen, Ld. A.A.G
Mr. Sayan Datta.*

...for the State.

1. Affidavit of service be kept with the record.
2. The parties are represented through the learned Counsels.
3. Apropos, the facts of the case that by a letter dated 11.06.2025 the Secretary, State Transport Authority, West Bengal was requested to issue an offer letter for issuance of the said permit on the inter-state route from Kolkata to Mechagaon via Kharagpur, Jamsola, Balasore, Cuttack.
4. The petitioner submits that already application has been made before the Additional Regional Transport Officer, Siliguri for the change of the address and transfer of ownership.
5. The petitioner submits that transfer of ownership being No.ODO2AS9195 was duly registered on 19.03.2018 at Cuttack RTO but till date no steps have been taken to change the address of the concerned vehicle from Odisha to West Bengal.

6. The petitioner submits that already the relevant documents have been produced before the ARTO at Siliguri on 11th June, 2025 through online.
7. The petitioner files a letter dated 09.09.2025 which speaks of submitting requisite papers within a period of two weeks before the Additional Regional Transport Officer by offline. The said letter dated 9th September, 2025 is kept on record.
8. The respondent submits that department does not have the infrastructure to accept online application. The petitioner shall file offline application before the ARTO.
9. After hearing the rival contentions of the parties and upon considering the materials available on record I am of the considered view that since the issue involved is controversial and needs a competent authority to decide for proper solution. I direct the District Magistrate, being Chairman, Regional Transport Authority, Darjeeling along with the assistance of the ARTO to revisit the issue of the petitioner of the representation dated 5th August, 2025 being annexure P8 at page 43 of the writ petition along with all the documents attached to writ petition within a period of four weeks and pass a reasoned order in accordance with law, upon affording opportunity for hearing to the respective parties and such order shall be communicated to the concerned parties accordingly preferably within a week thereafter.

10. With the above observation and directions, this writ petition WPA 20580 of 2025 is disposed of. It is made clear that the District Magistrate, being the Chairman of the Highest Authority shall consider the case of the petitioner with regard to the change of the address of the vehicle bearing Registration No.OD02AS9195 upon compliance of all the formalities and procedures and shall take appropriate steps as he deem fit in accordance with law.
11. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Smita Das De, J.)