

12-12-2025
ct no. 10
Sl.40
RP

WPA 24969 of 2025

Md. Shahensah
-Versus-

State of West Bengal & Ors.

Mr. Pinaki Ranjan Chakraborty.

...for the petitioner

Mr. Pantu Deb Roy,
Mr. Dipankar Ghosh,

..for the State

1. The petitioner was initially a permit holder in respect of a particular stage carriage for the route Kaliachak to Maldah via Panchandapur and Malda to Baishnabnagar via Sujapur halt at Kaliachak which was subsequently changed on 11.08.2016 by issuing a provisionally approved time table for the route from BNC to Malda via 16 Mile Kaliachak, Sujapur & back at BNC.
2. The petitioner already made a representation before the Secretary Regional Transport Authority for correction of the bus route permit dated 27.05.2024 since he has been facing problem to obtain online time table.
3. The said representation was considered and with a decision that the proposed route is in violation of the conditions laid down under

Section 80 Sub-section (3) of the Motor Vehicles Act, 1988.

4. The petitioner submits that the authority has mistaken the earlier route which was approved at the time of granting the permit as the existing route and the proposed route which was subsequently approved by the authority to be his proposed route.
5. The petitioner draws the attention of the Court at page 14 being annexure P-1 and P-2 at page 11 respectively to substantiate that annexure P-1 is the permit granted for the earlier route and the annexure P-2 is with regard to the existing route.
6. Despite such fact, the representation of the petitioner was rejected solely on the ground with an impression that the earlier route to be the existing route in place and stead of the proposed route as mentioned in the agenda No. 09 being annexure P-4 at page 16. It is an admitted fact that the time table for the existing route was already approved provisionally by the respondent authorities.
7. The State respondent relies upon the resolution of the Transport Authorities and submitted that the proposed route is in violation of the condition laid down under Section 83 of the Motor Vehicles Act.

8. After careful consideration of the case based on the available records, I am of the considered view that the petitioner shall make a comprehensive detailed representation before the Respondent no. 2 within a week from date and the same shall be considered by the respondent no. 2 by passing a reasoned order in accordance with law upon affording an opportunity of hearing to the petitioner and other interested parties if any, within a period of 60 days and communicate such decision within a week thereafter.

9. However, it is made clear, that the confusion which has arisen with regard to the existing and proposed routes shall be considered by examining the relevant documents for arriving at a logical conclusion.

10. The writ petitioner being WPA 24969 of 2025 is disposed of without merits of the case.

11. The report filed by the respondent be kept on record. Affidavit-of-service filed by the petitioner is also kept on record.

(Smita Das De, J.)