

11-12-2025
ct no. 10
Sl.49
RP

WPA 25398 of 2025

Amit Kumar Kedia

-Versus-

State of West Bengal & Ors.

Mr. Sattwik Bhattacharyya,
Mr. Reshma Sharma

...for the petitioner

Mr. Pantu Deb Roy,
Mr. Subrata Guha Biswas

...for the State

Mr. Aishwarya Rajyashree

...for the respondent no. 4

Ms. Kakali Dutta

...for the respondent no. 5

1. The petitioner being the operator of Jharkhand has been granted one Inter-State Permit being P.St.S 39/14 (WB) on the inter-State route Tata to Barabazar via Katin extended upto Balrampur. The bus being no. JH05AW0148 was operating on the inter-state route from Tata to Barabazar via Katin extended upto Balrampur on the basis of approved time table dated 10.01.2024, which was countersigned by the 3rd respondent in terms of order dated 06.11.2024 passed in WPA 22928 of 2023. A resolution was passed accordingly by STA, West Bengal to the extent on 12.12.2024 vide Agenda No. 52.

2. The petitioner in the instant case has challenged inter alia, the arbitrariness and the illegal action of the State Transport Authority, West Bengal being the respondent no. 2 herein in

granting a permit upon approved time table in favour of the respondent no. 5 for operating the vehicle on a changed alignment i.e. through Balrampur, Barabazar and Katin instead of actual and shortest possible alignment via Balrampur and Chandil.

3. It is further submitted that the notified alignment of Tata-Ranchi as per the Reciprocal Agreement is Ranchi-Jhalda-Bagmundi-Tata. The unilateral alteration of a notified inter-state route is impermissible in law.

4. The private respondent submits that the State Transport Authority, West Bengal has already issued a fare chart from Barabazar to Tata ,the same is kept on record.

5. The private respondent states that Stage Carriage permit of the petitioner dated 10.01.2024 is valid from Tata to Barabazar via Katin extended upto Balrampur as mentioned in the inter-state Reciprocal Transport Agreement, 2004 whereas the permit granted in favour of the private respondent being annexure P/2 at page 27 of the writ petition has been countersigned by the State Transport Authority, Jharkhand vide counter signature permit dated 15.09.2025 from Ranchi to Tata via Jhalda to Bagmundi.

6. The petitioner draws the attention of the Court to Paragraph 9 of the writ petition in order to

substantiate that State Transport Authority, West Bengal has already issued the permit in respect of inter-state route from Ranchi to Tata via Jhalda, Bagmundi to one Anima Mondal in terms of Agenda No. 26 as held in a Board Meeting dated 24.05.2022, to the vehicle through the actual and shortest possible alignment via Balrampur and Chandil.

7. The State respondent submits that it is an inter-state dispute and needs to be resolved by the respective Regional State Transport Authority. The route alignment for the petitioner and for the private respondents was done according to the routes mentioned in the Reciprocal Transport Agreement between the State of West Bengal and Jharkhand, 2004.

8. The learned Counsel for the petitioner relies upon Clause 8(f) which is reproduced below:-

“f.Any change or correction in any clause of the agreement or any addition or deletion of route(s) or any correction change in the alignment of route(s) shown in the Reciprocal Transport Agreement may be done by the mutual consent after discussion.”

9. After careful consideration of the matter, I am of the considered view that both the Secretaries of the State Transport Authorities, namely, Jharkhand and West Bengal should sit together and arrive at a consensus in order to resolve the impasse created with regard to the route alignments granted in favour of the

petitioner and the private respondents respectively.

10. Let both the respondent nos. 3 and 4 being the competent authorities meet on 20th January in between 12:00 to 12:30, if required, may also be held in virtual mode and give a hearing to both the petitioner and the private respondent along with other interested persons, if any by passing a reasoned order in accordance with law and communicate such decision accordingly within a week thereafter.
11. The writ petition being WPA 25398 of 2025 is disposed of without taking any exception to the merits of the case.
12. However, it is made clear that in course of hearing if there is any element of anomaly existing in the issue involved herein, the authorities shall forthwith take decision in the light of Clause 8(f) of the reciprocal Transport agreement.

(Smita Das De, J.)