

27.08.2025
Item No.19,DL
Ct.23
A.J.

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION**

WPA 22085 of 2009

Jayanta Dari

-Vs-

The State of West Bengal & Ors.

1. The writ petition has been filed by the writ petitioner seeking direction upon the respondents to cancel, rescind, withdraw and/or set aside the impugned resolution of respondent no.2 dated October 12, 2009 as communicated by the respondent no.3 under Memo No. 1731/MV dated October 16 of 2009 forthwith along with other consequential reliefs.
2. None appears on behalf of either of the parties. No accommodation is sought for.
3. This case pertains to the year 2009 i.e. almost 16 years have already been elapsed.
4. Considering the nature of prayer and long pendency of this writ petition, this Court thinks it deems proper to decide the matter on merits on the basis of materials available on record.
5. Upon perusal of the Annexures it appears that the petitioner felt aggrieved by the order of the RTA, Hooghly dated 24th June, 2008 thereby asking him to submit papers in support of his claim for grant of Stage Carriage Permit. Challenging the said order, the petitioner filed a writ petition being WPA 24370 of 2009.
6. After hearing the parties the then Single Bench of this Court vide order dated 15th July, 2009 disposed of the earlier writ petition directing the respondents to consider all papers submitted by the petitioner and points taken by him and take a decision without any delay within eight weeks from date of communication of the said order after giving

the petitioner reasonable opportunity of hearing and considering all necessary papers as would be submitted by the petitioner.

7. In pursuance of the order passed by this Court dated 15th July, 2009 and upon affording an opportunity of hearing to the petitioner, the Chairman, Regional Transport Authority, Hooghly came to a final conclusion which is as follows :-

“Considering the above fact RTA readout the solemn direction of the Hon’ble Justice Mr. Jayanta Kr. Biswas of Calcutta High court and previous order of RTAs and rejected with a reason that the route still non existing pending report/clearance from PWD(Road). The petitioner is at liberty to submit another application in an existing bus route in Hooghly district with requisite fees and documents, which may be considered by the RTA.”

8. Considering the above facts and circumstances, this Court finds previous order of RTA was issued as the route still non-existing pending report/clearance fro the PWD (Road), therefore, the petitioner was given liberty to submit another application for an existing bus route at Hooghly district with requisite fees which may be considered by the RTA in accordance with law.

9. Therefore, this Court does not find any infirmity and/or illegality in passing the said impugned order. The impugned order calls for no interference.

10. Accordingly, **WPA 22085 of 2009** is, thus, **dismissed** without any order as to costs.

11. Connected applications, if any, are also, thus, disposed of.

12. Interim order, if any, stands vacated.

13. Parties to act on the server copy of this order duly downloaded from the official *website* of the Court.

14. Urgent Photostat certified copies of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(Ajay Kumar Gupta, J.)