

08.01.2025.
PB
Sl. No.12.
Ct. No.25.

WPA 30917 of 2024

Kanai Lal Das Mazumdar
Vs.
The State of West Bengal & Ors.

Mr. Bhaskar Nandi.
.....for the petitioner.

Mr. Pantu Deb Roy,
Mr. Pannalal Bandopadhyay.
.....for the State.

1. The affidavit of service filed in Court today is taken on record.
2. The petitioner's grievance is with regard to the order of cancellation of its permit, by dint of the memo date December 5, 2024.
3. The petitioner contends that on April 18, 2024, the permit of the petitioner to operate on inter-state route has been renewed, thereby allowing him to operate from Calcutta (Hestings) to Barbil at Orissa.
4. Mr. Nandi, learned advocate appearing for the petitioner has submitted that in terms of the Division Bench order of this Court dated January 4, 2024, in WPA (P) 36 of 2023, restrictions have been imposed regarding plying of vehicle within the

Calcutta Central Region. He has pointed out further that after intervention by the Hon'ble Supreme Court as to the said order, certain modalities have been brought in by the Principal Secretary, Transport Department, Government of West Bengal as to plying of vehicle at Babughat and Esplanade, by dint of the resolution dated August 11, 2015. He would submit that in terms of the said modalities which have come into effect from August 11, 2015, the plying of vehicle within the Calcutta region would be restricted in the manner as mentioned therein.

5. Petitioner's grievance is that his permit has been terminated without following the directions of the Hon'ble Division Bench of this Court as mentioned above, thereby not giving sufficient opportunity of hearing to the petitioner, before cancellation of his permit. According to the petitioner, there has not been any illegality or irregularity by the petitioner in plying his vehicle, which may be termed as in contravention of the order of the Hon'ble Division. The petitioner, thus has also submitted a representation dated December 13, 2024, ventilating his grievance and prayers before the Secretary, State Transport Authority/respondent no.4.

6. Mr. Deb Roy, learned advocate is appearing for the State. He has submitted that after issuance of show-cause notice and the petitioner having replied to the same, his permit has been cancelled, in terms of the order of the Hon'ble Division Bench and the policy decision taken by the State Government. He controverts to the submission on behalf of the petitioner, that there has been any illegality or impropriety in cancelling the permit of the petitioner.
7. Let the respondent no.4 consider the representation of the petitioner dated December 13, 2024, and the decision be taken thereupon, after granting a reasonable opportunity of hearing to the petitioner.
8. Let a reasoned order be passed by the said respondent with regard to the representation as above, unless the petitioner's prayer is allowed by the said authority.
9. The writ petition is, thus, disposed of.
10. Urgent certified photocopy of this order, if applied for, shall be supplied to the parties, on compliance of all necessary formalities.

(Rai Chattopadhyay, J.)