

**In The High Court At Calcutta
Constitutional Writ Jurisdiction
Appellate Side**

W.P.A. 1043 of 2026

**Shri Balaram Halder
-versus
State of West Bengal & Ors.**

**Mr. Durga Prasad Dutta.
Mr. Souvik Sen.
...For the petitioner.**

**Mr. Pantu Deb Roy. Ld. A.G.P.
Mr. Subrata Guha Biswas.
... For the State.**

1. The petitioner submits that he is an existing operator for the route Purulia to Kolkata CBS as per the route permit issued by the competent authority.
2. Main grievance of the petitioner is with regard to the unauthorized and illegal plying of passenger transport vehicles being WB 551 5225 and WB 55A 5252 in violation of the permit conditions as laid down under Section 82 and 86 (1) of the Motor Vehicles Act, 1988.
3. The petitioner has already made a representation before the authority concerned on 2.9.2025 but the same remains pending for consideration.

4. The State respondents files a report of the O.C. Maidan P.S., Kolkata dated 20.1.2026 stating inter alia, that there is an order of the Division Bench presided over by the Chief Justice T.S. Sivagnanam as His Lordship then was in W.P.A. (P) No. 36 of 2023 with CAN 4 of 2024 directing inter alia, the Secretary, State Transport Authority, West Bengal to form a team to conduct thorough check of all the vehicles and to assist the officers of the Transport Department.
5. The order dated 4.1.2024 is reproduced below:

“In order to assist the officers of the Transport Department, Deputy Commissioner of Police-I, Traffic Department, Kolkata shall provide adequate police assistance to the officers of the Transport Authority to carry out the above exercise.

The above exercise shall be commenced by the Transport Authorities on and from 22nd January, 2024 along with Deputy Commissioner of Police and the Officer-in-Charge of Maidan police Station.”
6. A copy of the same is kept with the records.
7. Having heard the parties and perusing the available records, I direct the respondent no. 3 with the assistance of the O.C. Maidan P.S., Kolkata to consider the complaint lodged dated 2.9.2024 in the light of the order dated 04.01.2024 within a period of eight weeks from the date of communication of this order by passing a reasoned order in accordance with

law upon affording an opportunity of hearing to the petitioner and the other interested persons if any, and communicate such decision within a week thereafter.

8. It is made clear that if the private respondents are found to ply contrary to the route alignment mentioned in the permit, the concerned authority is at liberty to take necessary steps in accordance with law.
9. The writ petition stands disposed of accordingly without taking any exception to the merits of the case.
10. Urgent photostat certified copy of this order, if applied for, be given to the learned counsel for the parties on usual undertakings.

(Smita Das De, J.)