

26.2.2026
ct no. 10
Sl. 12
AGM

WPA 1294 of 2026

Federation of West Bengal Truck Operators' Association
& Anr.

-Versus-

State of West Bengal & Ors.

Mr. Debasish Saha.
Mr. Sanjoy Ghosh.
Mr. Avirup Roy Sanyal.

... For the petitioners.

Mr. Pantu Deb Roy. Ld. A.G.P.
Mr. Pannalal Bandopadhyay.

... For the State.

1. The petitioner challenges the discriminatory policy allowing the buses to operate beyond 15 years registration period while track operators are denied similar relief despite belonging to the same heavy motor vehicle class.
2. Since both the buses and track vehicles has the same engine, tyres, gear box, a representation has been made by the petitioner before the authorities concerned on 17.11.2025 but the same remains pending for consideration.
3. The state respondent fairly takes a stand of not objecting the same.
4. In conspectus of the above as adumbrated herein this Court finds that there exists no rational nexus for distinguishing between transport categories

regarding registration longevity. This appears to be arbitrary and discriminatory in nature.

5. It is well settled proposition that by restricting one category while exempting another without a scientific basis is in contravention to principles of natural justice.
6. The Article 14 of the Constitution of India mandates equal treatment. Thus Court finds no immediate rational nexus for distinguishing between heavy vehicles classes regarding fitness based extension.
7. Having heard the parties upon perusing the available records I am of the considered view that the respondent No. 3 shall consider the representation dated 17.11.2025 within a period of 60 days and pass a reasoned order in accordance with law upon affording opportunity of hearing to the petitioners and other stake holders, if any and such decision shall be communicated within a week thereafter.
8. However, it is made clear that by virtue of an order dated 14.11.2025 the age of bus has been extended beyond 15 years, the respondent No. 3 shall adopt a pragmatic view to strike a balance effectively to arrive at a logical conclusion since the vehicles are similar in nature and shall not be discriminated from plying.
9. In view of the above, the writ petition stands **disposed of** without going into the merits of the case.

10. Urgent Photostat certified copy of this order be supplied to the parties, if applied for, as early as possible.

(Smita Das De, J.)