

10.3.2026
ct no. 10
Sl. 20
AGM

WPA 2533 of 2026

Sk. Arman

-Versus-

State of West Bengal & Ors.

Mr. Barun Kumar Samanta.

... For the petitioner.

Mr. Rajendra Chaturvedi.

Mr. Mostafizur Rahman.

... For the State.

1. The petitioner in the instant case is an intending operator who submitted two applications electronically on 2nd November, 2025 upon payment of requisite fees before the respondent no. 2 for obtaining necessary permits on the route from Haldia to Puri via Nandakumar, Najkul, Contai, Egra, Solepatta, Jaleswar.
2. Subsequent thereto, the respondent no. 2 considered the two applications on 25.11.2025 and rejected on the ground of 'no vacancy' accordingly.
3. On the contrary, the State Transport Authority directed the petitioner to submit a representation for seeking enhancement/increase of the quota before both the States, namely State of Odisha and the State of West Bengal so that the State Transport Authorities of both the states may arrive at a logical conclusion regarding the increase in fleet strength.

4. Thereafter, in compliance with the instructions of the respondent no. 2, the petitioner submitted a further representation seeking enhancement/increase of the quota before the STA of West Bengal on 19.12.2025 but the same remains pending for consideration.
5. Learned counsel for the State submits and files a report of the respondent no. 3 dated 27.2.2026 and draws the attention of this Court to paragraph 3 of the report, which is reproduced below:

“The application/representation made by the applicant shall be reviewed/considered by both the States as and when deemed to be appropriate and the nature of the relief sought by the petitioner cannot be described to be justifiable in light of Article 39(b) of the Constitution of India which is reproduced verbatim below:

“Art. 39 (b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good.”

6. A copy of the report of the State respondent has been served upon the petitioner in court today.
7. Let the same be kept with the records.
8. Having heard the parties and upon perusing the available records, I am of the considered view that the representation dated 19.12.2025 shall be considered by the State Transport Authority of West Bengal and State Transport Authority of Odisha in order to arrive at a logical conclusion in respect of enhancing the fleet strength in question within a period of six weeks and pass a reasoned order in accordance with law upon affording opportunity of

hearing to the petitioner and other stake holders, if any, and such decision shall be communicated within a week thereafter.

9. However, it is made clear that both the State Transport Authorities shall take a decision in the presence of all the parties upon serving a notice of hearing, specifying the date, time and the venue. It is further made clear that both the State Transport Authority shall be at liberty to hold the meeting in a virtual mode for taking the said decision with the petitioner and other interested parties, if any.

10. In view of the above, the writ petition stands **disposed of** without going into the merits of the case.

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

(Smita Das De, J.)