

**07.04.2026**

**Ct. no.10**

**Sl. 2**

**b.r.**

**WPA 4053 of 2026**

**Shyamali Rani Bera**

**Vs.**

**The State of West Bengal & Ors.**

**Mr. Sankar Nat Mukherjee**

**Sk. SDasmin Aktar**

**.... For the petitioner**

**Mr. Pantu Deb Roy, Ld. AGP (VC)**

**Mr. Subrata Guha Biswas**

**..... for the State.**

1. Affidavit of service filed in Court, is taken on record.

2. The petitioner in the instant case challenges, inter alia, an order of rejection dated 25.11.2025 which has been passed without assigning any reason for such rejection.

3. The petitioner submits that an application was made before the authority concerned on 2.11.2025 grant of a permit for the route from Patna to Masaria via Tebageria, Debra, Balichak, Temathani, Dehati, Patshpur Khirai More Egra, Kudi, Paniparul, Ramnagar, Digha, Chandaneswar Odisha Corridor. The said application has been rejected arbitrarily on 25.11.2025 by the respondent no.2 without proper application of mind as rejected

the candidature of the petitioner without assigning any reason for the grant of rejection.

4. It is submitted that the statutory period before the authority concerned on 10.1.2026.

5. Since the State respondents submits that that there is no infirmity in the decision taken as per statutory provision by the authority concerned does not suffer from any infirmity and has been passed in accordance with law.

6. After careful consideration of the case and upon perusal of the case records available I am of the considered view that the order of rejection is a non-speaking order and has been passed without assigning any reasons and without complying with the mandate of the statutory provision as contemplated in Section 80 Sub-Section (2) second proviso. The second proviso which is quoted below:-

*“An application to vary the conditions of any permit, other than a temporary permit, by the inclusion of a new route or routes or a new area or by altering the route or routes or area covered by it, or in the case of a stage carriage permit by increasing the number of trips above the specified maximum or by the variation, extension or curtailment of the route or routes or the area specified in the permit shall be treated as an application for the grant of a new permit”.*

7. In view of the rejection dated 25.11.2025 is quashed and set aside. The respondent no.2 is directed to re-visit the issue in the light of Section 80 Sub-Section (2) of the second proviso by considering the application dated 2<sup>nd</sup> November, 2025 and to pass a reasoned order in accordance with law within a period of 60 days upon affording an opportunity of hearing to the petitioner and other stake holder, if any and communicate such decision within a week thereafter.
8. With the above observations and directions, the writ petition, **WPA 4053 of 2026** stands ***disposed of*** without going into the merits of the case.
9. It is however made clear that the petitioner shall produce the relevant documents at the time of hearing before the respondent no.2 for proper adjudication of the same.
10. Photostat certified copy of this order, if applied for, be furnished expeditiously.

**(Smita Das De, J.)**