

24.03.2026

Item No. 48

Crt.No.10

b.r.

WPA 21523 of 2025

Nitai Kumar Barik

-vs-

The State of West Bengal & Ors.

Mr. Bhaskar Nandi

..... for the petitioner.

Ms. Sonal Sinha

Ms. Ashmita Chakraborty

..... for the State-Respondents.

Mr. Pantu Deb Roy, Ld. AGP

Mr. Pannalal Bandopadhyay

... for the Resp. nos. 5 to 9.

1. Heard the learned counsels appearing for the respective parties.

2. Additional Affidavit filed on behalf of the respondent nos. 5 to 9 in Court today, is kept with the record.

3. The petitioner in the instant case has challenged the decision of the STA, Board, Odisha dated **21.05.2025** for the cancellation of the counter signature and permanent permit on the route KCBT at Santragachi to Bargarh via Laxmannath, Bhadrak Anandapur, Keonjhar & Back.

4. It is further submitted that the petitioner has been issued a show-cause notice but failed to attend the meeting within the stipulated time. Further, additional time has been granted to the petitioner to furnish a reply with regard to the curtailment of the route. It is submitted that the petitioner continued to operate his vehicle on the route without the sanction of the issuing authority.

5. The STA Authority Board, Odisha in the absence of the petitioner considered and decided on Agenda No. 11. The petitioner submits that without issuing a show-cause notice, the STA Board, Odisha, resolved to take a decision against the petitioner by rejecting the prayer for counter signature, which is the subject matter of challenge in this instant writ petition.

6. The State-respondents files a report, in which paragraph 12(f), which is quoted below:-

“In spite of notice, the petitioner failed to attend the said meeting of the State Transport Authority Board, Odisha. The issues was taken up for consideration under Agenda No.11 and upon recording the factual aspect and

considering the reports filed by the Regional Transport Officers, Bargarh and Rourkela as well as Project Director, NHAI, the Board has decided to cancel the counter signature being 19-G/2022 issued in favour of vehicle No. WB-41J-9412 covered under P.St.P No. WB2022-SC-0105A under Section 86(1)(a) of the Motor Vehicles Act, 1988. Photocopy of the relevant pages (pages 48 % 49) of the 303rd meeting of the State Transport Authority, Odisha is annexed hereto and marked with the letter “R-18”.

7. Having heard the parties and upon perusing the materials on record, I find, prima facie, a case has been made out by the petitioner, warranting an interference, at this stage. I find the STA Board, Odisha has taken a resolution without affording the petitioner, an opportunity of hearing which is in contravention of the principles of natural justice.

8. In view of the above the decision dated **21.05.2025 being annexure p-3 at page-23** of the writ petition is quashed and set aside. I direct the STA Board, Odisha, to revisit the issue and arrive at a logical conclusion by affording an opportunity of hearing to the

petitioner and the other stake holders, if any by passing a reasoned order within a period of **eight weeks** in accordance with law and communicate such decision within a week thereafter.

9. I further direct the STA Board, Odisha to fix a date of hearing on 23.04.2026 at 12 noon. And serve a notice of hearing upon the petitioner and other stake holders, indicating the date and time of hearing as directed by this Court. With the above observations and directions, the writ petition, **WPA 21523 of 2025** stands **disposed of** without going into the merits of the case.

10. Photostat certified copy of this order, if applied for, be furnished expeditiously.

(Smita Das De, J.)