

Form J(2)

**IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side**

**Present :
The Hon'ble Justice Bibek Chaudhuri**

WPA 22969 of 2023

**Utpal Chowdhury
Vs.
The State of West Bengal and Ors.**

**For petitioner : Mr. Sanat Kumar Roy
Mr. Abhishek Banerjee**

**For the State : Mr. Pantu Deb Roy
Mr. Subrata Guha Biswas**

Item No. 19

Heard & Judgement on : 10.10.2023

Bibek Chaudhuri, J.

The petitioner is a permanent stage carriage permit holder from Garamba to Krishnanagar via Galsi, Burdwan, Malamba, Kusumgram, Nabadwip as express service. The said permit was time to time renewed and lastly it was renewed for five years on 16th December, 2018 till 17th September, 2023. Before expiry of 17th September,

2023, the petitioner made an application for renewal of stage carriage permit in the said route in respect of vehicle No.WB-53A/1411 but the grievance of the petitioner is that the said application has not been disposed of yet by the Secretary, State Transport Authority. As the permit is lapsed, the petitioner is not in a position to ply the said vehicle in the aforesaid route from 18th September, 2023.

Having heard the learned advocate for the petitioner as well as the learned counsel for the State and on perusal of the documents annexed to the writ petition it is found that the petitioner's permit was renewed time to time without any objection whatsoever. There is no adverse report against the petitioner. Therefore, there is no reason to withhold the renewal of permit for another period of five years. It is also contended by the learned advocate for the State respondents that there is a prescribed proforma on which the application for renewal is required to be filed.

The learned advocate for the petitioner refutes such submission made by the learned advocate for the State Respondents.

Be that as it may, the instant writ petition is disposed of directing the respondent No.4 to dispose of the petitioner's application being annexure P-3 to the instant writ petition which has been received by the State Transport Authority on 15th September, 2023.

If there is any prescribed form, the State Authority is directed to supply such form on demand to the petitioner so that he can file appropriate application in such form.

Entire exercise shall be completed within 15 days from the date of communication of this order.

The parties are at liberty to act on the server copy of the order.

(Bibek Chaudhuri, J.)