
(2012) 10 CAL CK 0008
In the Calcutta High Court
Case No : Writ Petition No. 22937 (W) of 2012

Jyotirmay Nandi

APPELLANT

Vs

The State of West Bengal and Others

RESPONDENT

Date of Decision : 16-10-2012

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2012) 10 CAL CK 0008

Hon'ble Judges : Jayanta Kumar Biswas, J

Bench : Single Bench

Advocate : Himadri Kumar Mahato, for the Appellant; Pantu Deb Roy and Mr. Jaladhi Das for the State, for the Respondent

Final Decision : Dismissed

Judgement

Hon'ble Mr. Justice Jayanta Kumar Biswas

1. The petitioner in this WP under art. 226 dated October 9, 2012 is questioning an order of the Regional Transport Authority, Burdwan dated June 17, 2012 (WP p.24). The relevant part of the impugned order dated June 17, 2012 is quoted below:-

The applicant was present at the time of hearing and was heard. Perused the case record along with the enquiry report. The case is rejected on the ground that no specific route was mentioned by the applicant.

2. A copy of the petitioner's application in prescribed form for the grant of a contract carriage permit is at p.14 of the WP. It is evident from the application that the petitioner applied for the grant of a contract carriage permit without mentioning any route. The RTA has rejected the request for the grant of a permit citing this defect.

3. I am unable to accept the argument that the defect could be cured by filing a supplementary application mentioning the route. There is no provision that

entitled the petitioner to mention the route by submitting a supplementary informal application. He was required to mention the route in the application itself. For these reasons, the WP is dismissed. Nothing herein or in the order of the RTA shall prevent the petitioner from submitting a fresh application seeking the grant of a permit for the route in question. No costs. Certified xerox.