

(2022) 01 CAL CK 0085
In the Calcutta High Court
Case No : Writ Petition No. 530 Of 2022

Ram Pujan

APPELLANT

Vs

State Of West Bengal And Ors.

RESPONDENT

Date of Decision : 27-01-2022

Acts Referred:

Citation : (2022) 01 CAL CK 0085

Hon'ble Judges : Moushumi Bhattacharya, J

Bench : Single Bench

Advocate : D. Saha Roy, D. Chakraborti, Samim Akhter, Neil Basu, Divyesh Ghosh, Arabinda Chatterjee, A. Sengupta, D. Samanta, Amal Kr. Sen, Lal Mohan Basu, Aishwarya Rajyashree

Judgement

The limited prayer of the writ petitioner is for a counter signature on the part of the State STA pursuant to all the formalities being completed by the

STA, Jharkhand and the STA, West Bengal. It appears from their documents that the inter-State permit has been renewed by the STA, Jharkhand for

the concerned route and the petitioner has also deposited the relevant tax and other permit fees for the requisite counter-signature of the STA, West

Bengal under the relevant provisions of the Motor Vehicles Act, 1988. The petitioner's application of 9th December, 2021 has also been

responded to by the STA, West Bengal by requiring the petitioner to deposit the additional and motor vehicles tax against the vehicles mentioned in a

document dated 31st December, 2021.

The tax was deposited on 5th January, 2022.

Learned counsel appearing for the State submits that all the required formalities have been completed and the only counter-signature of the State STA

is awaited.

Learned counsel appearing for third parties vehemently resist the prayers in the writ petition on the ground that the challenge has been made to the

grant of renewal by the STA, Jharkhand. Counsel have opposed the prayers on the ground that they are already plying their vehicles in the concerned

route in respect of which the petitioner seeks relief.

Admittedly, no applications for intervention have been filed by the parties who oppose the writ petition.

Since the records show that the writ petitioner has completed all the requisite formalities including payment of fees, tax etc., for the counter-signature

to be put in by the State STA, there shall be an interim order in terms of prayer (e). The State respondents are directed to counter-sign the permit and

allow the writ petitioner to ply his vehicles in the concerned route.

The objections raised on behalf of the third parties on the grant of renewal of the STA, Jharkhand will be considered subject to intervention

applications being filed by the parties.

The interim order shall remain in force for a period of four weeks from date and shall be subject to the final outcome of the writ petition and upon

hearing the interested parties.

List this matter on 3rd February, 2022.

Applications which may be filed before the returnable date should be served on the writ petitioner well before 3rd February, 2022.