

06.1.2026

Item No. 29

Crt.No.10

b.r.

WPA 24441 of 2025

Deepak Mitruka

-vs-

The State of West Bengal & Ors.

Mr. Niraj Gupta

..... for the petitioner.

Mr. Pantu Deb Roy, Ld. AGP

Mr. Debabrata Mondal

.... For the State.

1. Heard the parties through their learned counsels.
2. The petitioner in the instant case is the holder of a permanent stage carriage permit for the route running from Siliguri to Katihar being P.St.P no. 21/2004 and vehicle (bus) bearing no. WB-73D-0907-6658. The said permit was granted in favour of the petitioner on April 8, 2014 which remained valid up to 9th September, 2025.
3. The petitioner submits that on various occasions application were made for the renewal of the permit. Subsequently, the same were considered by the respondent authority on 2.07.2025 directing inter alia, to produce a new vehicle complied with BS-IV and BS-VI norms for consideration of the replacement of

existing vehicle no. WB73A 6658 against permit no. P.st.P no. 21/2004(I/R).

4. The petitioner submits that a new vehicle no. 73D-0907 complied with BS-III norms were already produced before the authority concerned for replacement of the vehicle no. 73A6658 covered under the city permit BS-II norms but the same was rejected directing inter alia, to place the vehicle complied with BS-IV or BS-VI norms.
5. The petitioner submits that his vehicle has not yet crossed the age limit of 15 years, therefore, the question of producing a further new vehicle complied with BS-IV and BS-VI norms simply runs contrary to the terms of Govt. order dated 02.06.2023.
6. Learned State counsel submits that the 2nd June, 20-23 Govt. Notification No. 2085-WT/ITP/2/2021 has already been superseded by another notification which has come into effect in the month December, 2025.
7. By dint of the said notification, any vehicle covered under BS-III cannot be considered for replacement until and unless the vehicles are complied with BS-IV or BS-VI norms.

8. After hearing the parties at length, I am of the considered view that the vehicle covered under BS-III norms after less than 15 years can be taken into account for renewal of the permit.
9. The State-respondents are directed to file a report in the form of affidavit within a period of three weeks on the issue as to whether a permit of a vehicle covered under BS-III norms can be renewed for being less than 15 years.
10. Exception, if any, thereto shall be filed within one week thereafter.
11. The writ petition shall appear under the same heading on 10th of February, 2026.

(Smita Das De, J.)