

03.7.2025
Sl. No. 7
Court No.4
Ali

**CALCUTTA HIGH COURT
IN THE CIRCUIT BENCH AT JALPAIGURI
APPELLATE SIDE**

WPA 1245 of 2025

**Sibrata Kundu
Vs.
The State of West Bengal & Ors.**

Mr. Ratan Das,
Mr. Sourish Roy

.... for the Petitioner.

Mr. Pretom Das,
Mr. Sondip Guha Roy

...for the State.

Affidavit-of-service filed by the learned advocate on behalf of the petitioner be taken on record.

The petitioner is aggrieved by a notice dated May 27, 2025 issued by the Secretary, Regional Transport Authority, Coochbehar whereby the State authority has, inter alia, stated that the stage carriage permit of the petitioner bearing No. WB2025-SC-0286A has been rectified by mentioning "one trip" instead of "two trips" as mentioned earlier in the said permit. The said notice states that two trips had been mentioned in the said stage carriage permit by mistake.

Mr. Ratan Das, learned advocate appearing for the petitioner submits that the respondent transport authorities have acted illegally and arbitrarily in reducing the number of trips in the stage carriage permit granted to the petitioner from "two" to "one".

He further submits that his client had apprehended that such an illegality would be committed and as such he had represented before the respondent authorities by a letter (sent through email) dated May 28, 2025 (annexure-P/8 at page 33 of the writ petition), but, despite such letter having been issued by the petitioner, the respondent transport authorities reduced the petitioner's number of trips.

Mr. Pretom Das, learned advocate appearing for the State respondents hands up a copy of the statement of facts forwarded to him by the Secretary, Regional Transport Authority, Coochbehar, alongwith letters dated November 25, 2024 and August 12, 2024 written by the petitioner to the respondent transport authorities and invites the Court's attention to such letters and submits that the petitioner himself had requested the respondent transport authorities to approve the time table for the petitioner's vehicle for one trip only.

Mr. Das submits that the act of reduction done by the impugned notice dated May 27, 2025 was indeed a correction of mistake inasmuch as two trips could not have been granted to the petitioner since the petitioner's request itself was for one trip only.

Having heard the learned advocate appearing on behalf of respective parties and having considered the material on record, this Court is of the view that the matter requires to be decided on exchange of affidavits. Accordingly, the respondents shall file their affidavit-in-opposition within a period of two weeks from date.

The petitioner shall be at liberty to file affidavit-in-reply, thereto if any, within a week thereafter.

List this matter before the next Circuit Bench available immediately after completion of the period fixed for exchange of affidavits.

(Om Narayan Rai, J.)