

## Jyotirmay Nandi Vs The State of West Bengal and Others

**Court:** Calcutta High Court

**Date of Decision:** Oct. 16, 2012

**Acts Referred:** Constitution of India, 1950 Article 226

**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.