

D/L 4  
08.07.2026  
Sudipta  
ct.no.2

**W.P.A. 11397 of 2026**

**B.B Logistics  
Versus  
The State of West Bengal & Ors.**

Mr. Prantick Ghosh (via VC)  
...for the petitioner.

Mr. Lokenath Chatterjee, Jr. Standing  
Counsel  
Ms. Sabita Roy, Jr. Govt. Pleader  
Mr. Ranajit Talukdar  
Mr. Parthasarathi Boyal  
...for the State.

Mr. Amit Kumar Nag  
Ms. Rishita Sarkar  
Ms. Barnisha Samanta  
...for the IOCL.

Mr. Z. Sherpa, Sr. Adv.  
Mr. Bhaichung Bhutia  
Mr. Shoham Sanyal  
Mr. Dilip Tamang  
...for the proforma  
respondnet.

1. Learned counsel for the State submits that present writ petition is not maintainable in view of Section 89 of the Motor Vehicles Act, 1988 which provides an alternative equally efficacious remedy of filing an appeal before the State Transport Appellate Tribunal.
2. Learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to file an appeal before the State

Transport Appellate Tribunal in accordance with law.

3. Liberty is granted.
4. The present petition stands dismissed as withdrawn. However, it is made clear that this Court has not gone into the merits of the case and no observation made herein shall tantamount to be an observation on the merits of the case.

**(Dinesh Kumar Sharma, J.)**