

25.06.2021
SL No.4
Court No.16
(gc)

WPCT 33 of 2021

**Soumyendra Nath Banerjee
Vs.
Union of India & Ors.**

(Via Video Conference)

Ms. Reshmi Ghosh,
Mr. Soumya Sankar Chini
...for the petitioner.
Mr. Bishwambher Jha,
...for the U.O.I.

Mr. Bishwambher Jha, learned Counsel appears on behalf of the Union of India.

The learned Counsel for the petitioner submits that the only grievance of the petitioner is that the matter is pending for almost five years without much progress. It appears that the Tribunal was approached in the year 2016 but the pleadings were not complete until 7th April, 2020.

Ms. Reshmi Ghosh, learned Counsel appearing on behalf of the petitioner submits that the copies of the affidavits-in-reply claimed to have been filed has not been supplied to the petitioner.

On such consideration, we dispose of this application by directing the respondents to file their affidavits positively on or before 31st July, 2021 if it had not been filed in the meantime upon prior service to Mr. Soumya Sankar Chini, learned Advocate assisting Ms. Reshmi Ghosh, Advocate appearing for the petitioner in this proceeding.

The rejoinder to the reply if advised may be filed within four weeks thereafter. Upon completion of such pleadings, the petitioner shall approach the learned Tribunal with a prayer for earlier disposal of O.A./357/2016. We request the Tribunal that in the event the matter is mentioned before the Tribunal after completion of the pleadings to fix consecutive dates for hearing the application and dispose of the said application preferably within a period of six months from the date of such mentioning. However, the mentioning before the Tribunal shall be made upon prior notice to the parties.

We make it clear that in the event the respondents fail to file their affidavits by 31st July, 2021, the respondents shall in such event forfeit the right to file any pleadings and the petitioner would be at liberty to mention the matter before the Tribunal with a request to take up the matter and dispose it of as expeditiously as possible.

With the aforesaid observation, the writ petition, being WPCT 33 of 2021, stands disposed of.

This order shall immediately be communicated to the other non-appearing respondents.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

(Hiranmay Bhattacharyya, J.)

(Soumen Sen, J.)