

23.06.2021
SL No.1
Court No.16
(gc)

WPLRT 16 of 2021

**Hemant Chabria & Anr.
Vs.
State of West Bengal & Ors.**

(Via Video Conference)

Mr. Ashim Kr. Routh,
...for the Petitioners.
Mr. P.P. Roy,
Mr. Ayan Banerjee,
...for the State.
Mr. Arindam Banerjee,
Ms. Arpita Saha,
Mr. Pradeep Jewarajka,
Ms. Pooja Jewarajka,
...for the Respondent Nos.3 & 4.

The learned Counsel appearing for the petitioners submits that the petitioners are aggrieved by the delay in disposal of Case No. O.A.393 of 2015 (LRTT) pending before the West Bengal Land Reforms and Tenancy Tribunal, 1st Bench since 2015.

Our attention is drawn to a Coordinate Bench order dated 5th April, 2016 in WPLRT No.148 of 2015 and a subsequent order dated 6th June, 2018 in WPLRT 24 of 2018 where directions were given for early disposal of the Original Application preferred by the Respondent Nos.3 and 4 against an order passed by the Thika Controller. The Thika Controller appears to have rejected the claim of the present respondent Nos.3 and 4 with the observation that the subject premises had not acquired the status of thika tenancy. The issue before the Tribunal appears to be that whether the premises in question is a thika tenanted property. The earlier orders alluded to above show that the Tribunal was requested to dispose of the

matter at the earliest without granting unnecessary adjournment at the instance of any of the parties. It appears from the impugned order that the Tribunal has fixed three consecutive dates for hearing the appeal preferred by the Respondent Nos.3 and 4.

Considering the anxiety expressed by the present petitioners and having regard to the earlier orders passed by the Coordinate Benches, we dispose of this writ application by requesting the learned Tribunal to conclude the hearing in the month of November, 2021 itself and not grant any adjournment to any of the parties on the date fixed for hearing unless there are unavoidable reasons for doing so. In the event for some unavoidable reason the hearing could not be concluded in the month of November, 2021, the learned Tribunal shall fix dates that may be immediately available to the Tribunal for disposal of the Case No. O.A.393 of 2015 (LRTT). However, the matter should be disposed of in 2021 itself.

The Tribunal may hear out the application on virtual or hybrid mode or physically if the Covid protocol permits.

With the aforesaid observation, the writ petition being WPLRT 16 of 2021 stands disposed of.

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.)