

WPLRT 42 of 2021
(Through Video Conference)

Ayub Ali Mola & Ors.
VS.
The State of West Bengal & Anr.

Mr. Gazi Faruk Hossain
Ms. Priyanka Mondal
.....For the petitioners

Mr. T. M. Siddiqui
Mr. N. Chatterjee
.....For the State

The instant writ petition has been taken out founding upon the information report dated 19th August, 2021 indicating that the matter which was put up on 12th January, 2021 before the 2nd Bench of the Land Reforms and Tenancy Tribunal, has been transmitted to the 4th Bench by fixing the date after a gap of 1½ years, i.e., 11th July, 2022.

The grievance of the petitioners in the instant writ petition is that the tribunal application which was filed way back in 2012, is still in the docket of the Tribunal and in fact, no alacrity is shown to get it disposed of at an earliest. It is contended that the manner in which the dates are fixed by the Tribunal, shows that the matter would never reach to the logical end in the near future.

It is no doubt true that the matter which was filed way back in 2012, is still on the peripheral of the docket of the Tribunal for nearly 9 years keeping the right undecided and in lurch. If the Tribunal behaves in such

manner and shows the no responsibility in achieving the timely disposal of the cases, the purpose and object as envisaged in the Constitution would be frustrated.

If the matter was wrongly placed before the 2nd Bench though it pertains to 4th Bench, the Bench would ought not to have fixed the date, that too after one and half years.

Mr. Siddiqui, learned Advocate appearing for the State in his fairness submits that the support to such action cannot be extended as the timely disposal is one of the envisioned concept in a judicial dispensation system.

Since no right has been decided and the grievance appears to be restricted to the fixation of the matter after such a long time, we feel that the justice would be subserved if the members of the Tribunal are sensitized in the sense that the matter which could have been disposed of at an alarming pace is being protracted because of the insensitivity and the zeal to bring to its logical conclusion. Without sermonizing or making any advance remark, we request the member of the 4th Bench of the Land Reforms and Tenancy Tribunal to fix a date for hearing of the tribunal application within 15 days from the date of communication of this order and the effort shall be shown to dispose of the same within one month therefrom in accordance with law.

The application is, thus, disposed of.

There shall, however, be no order as to costs.

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

(Harish Tandon, J.)

(Rabindranath Samanta, J.)