

22 **09.12.21**

Ct. No. 04

Akd

W.P.C.T. 81 of 2021

**Sri Sufal Naskar
Vs.
Union of India & Ors.
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**Mr. Ranjit Kumar Roy,
Mr. Subrata Mukherjee.
... for the petitioner.
Ms. Susmita Saha Dutta.
... for the respondents.**

The sole grievance of the petitioner in the instant writ petition is inaction on the part of the Central Administrative Tribunal, Kolkata Bench, in not disposing of the application for condonation of delay.

Our attention is drawn to the order dated 10th November, 2020; wherefrom it appears that liberty was granted to the petitioner therein to file an application for condonation of delay and direction was also passed to exchange affidavits.

Both the learned Counsel appearing for the respective parties uniformly submits that the said application for condonation of delay is otherwise ready for final disposal and because of the delay in disposing of the same the substantive reliefs claimed in the original application has not been addressed as yet, though requires immediate attention.

Be that as it may, from the order dated 10th November, 2020 it transpires that the said application was directed to be listed on 9th February, 2021, but thereafter, we have been informed, that no dates have been fixed and the said application has been kept in suspended animation for all time to come.

The Court or Tribunal exercises jurisdiction or power in pursuit of dispensation of justice. Any unreasonable delay impedes the timely justice, which no sensible institution would shoulder the burden nor

supposedly act to achieve such purpose. We are not unmindful of the reality that not only the Court but also the Tribunals are grappling with accumulation of huge litigation, yet for such fringe issue the main matter has not fructified into a stage where the Court may consider the reliefs claimed therein and the interim or final protection extended.

Without making any further observations / comments, we expect that the Tribunal would take up the matter with promptitude and the application for condonation of delay shall be disposed of at an earliest.

We request the Tribunal to fix a date for hearing of the application for condonation of delay within fifteen days from the date of communication of this order and shall thereafter make endeavour to dispose of the same within a week therefrom in accordance with law.

With the above observations WPCT 81 of 2021 is disposed of.

It is hereby made clear that nothing observed hereinabove shall be construed to have any persuasive impact on the merit of the said application, as this Court has no occasion to go into it and it is open to the Tribunal to take an independent decision in accordance with law.

There will be no order as to costs.

(Harish Tandon, J.)

(Rabindranath Samanta, J.)

