

10.08.2022

WPCT 68 of 2022

Court : 04
Item : PB-17
Matter : WPCT
Status : DO
Transcriber: nandy

Union of India & Ors.
Vs.
Tapas Kumar Das

Mr. S.N. Dutta, Advocate

.....for the Petitioners

Mr. Malay Kumar Das, Advocate

Mr. Sourav Chatterjee, Advocate

.....for the Respondents

The order dated April 17, 2018 passed by the Central Administrative Tribunal, Kolkata Bench sought to be challenged after a gap of more than four years by filing the instant writ-petition before this Court. The shelter sought to be taken under an order dated July 15, 2022 of this Bench passed in WPCT 44 of 2022 that such order is *ex facie* bad and cannot be allowed to continue.

It is no doubt true that the duty to provide reason is inhered and inbuilt in judicial dispensation and cannot be supported on any score. Equally, this Court finds that there has been considerable delay in challenging the said order and by this time the tribunal application has matured for final disposal. It is uniformly submitted by the Counsel before us that the next date is fixed on September 7, 2022 and, therefore, we have all reason to repose trust upon the Tribunal that the matter would be taken up on the next date and the disposal shall be secured by showing alacrity.

It is to be remembered that whenever the extension is sought, the Members of the Tribunal ought to have applied their judicial mind and not to indulge any mechanical extension. Since the matter has ripen for final disposal, we do not venture to go into the above aspect and disposes of the instant writ-petition directing the Tribunal to take up the matter on the next date so fixed

and endeavour shall be made to dispose of the same on the said date itself.

For any reason beyond the control of the Tribunal, it cannot be disposed of on the said date, efforts shall be made to dispose of the same within two weeks therefrom. It goes without saying that in order to secure the time limit indicated above, the Tribunal shall fix the matter on day-to-day basis and shall not grant adjournments to either of the parties unless necessitated by unavoidable and unforeseen circumstances.

WPCT 68 of 2022 accordingly **disposed of**. No order as to costs.

(Harish Tandon, J.)

(Shampa Dutt (Paul), J.)