

91 **05.09.
2022**
Ct. No. 04

Ab

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side.

COLRT 5 of 2022

Sabban Khan
Vs.
The State of West Bengal and others.

Mr. Mrinal Kanti Ghosh.
... for the petitioner.

Mr. Chandi Charan De,
Ms. Reshmi Rahman.
... for the State.

Mr. Sagar Bandyopadhyay,
Ms. Soma Kar Ghosh,
Mr. Arabinda Pathak.
... for the respondent no. 11 & 12.

This is an application under Article 226 of the Constitution of India at the behest of the writ petitioner seeking an order for expeditious disposal of the tribunal proceedings pending before the West Bengal Land Reforms and Tenancy Tribunal, Fourth Bench.

It appears that two miscellaneous applications are pending and those were fixed on 28th August 2020. Learned Advocate for the writ petitioner submits that even on the said date, the applications were not disposed of and the next date is fixed on 20th December 2022.

The proceeding, which was filed as long back as in the year 2018, is still traveling on the docket of the said Tribunal and, therefore, an alacrity is required to be shown to get it disposed of.

Since the next date is fixed on 20th December 2022, we hope and trust that the said Tribunal would take up

those miscellaneous applications on the said date and shall dispose of the same within one week therefrom. In the event the parties have not exchanged affidavits to the aforesaid applications, the same shall be done within two months from date so that the aforesaid two applications are ready for final disposal on the date so already fixed. After disposal of the aforesaid miscellaneous applications, the Tribunal would make endeavour to dispose of the main proceeding within three months therefrom by recording proper reasons.

Nothing observed herein above shall be construed to have been made on the merit of the aforesaid miscellaneous applications or the main tribunal application, which shall be decided by the Tribunal independently in accordance with law.

With these observations, the writ petition is disposed of.

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

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

