

95 **26.09.
2022**
Ct. No. 04

Ab

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

WPLRT 129 of 2022

Saregama India Limited
Vs.
The State of West Bengal and others.

Mr. Saktinath Mukherjee,
Mr. Arindam Banerjee,
Mr. Biswajit Kumar,
Mr. R. Baliyal,
Mr. R. Ganguly.

... for the petitioner.

Mr. Chandi Charan De,
Ms. Reshmi Rahaman.

... for the State.

It appears from the order dated 28th June 2022 that the Tribunal after noticing that the service is completed directed the affidavits to be exchanged by the parties and fixed the matter after a gap of ten months.

Though the parties were otherwise ready by filing the pleadings on the previous date yet the Tribunal has granted more time, which can be reasonably perceived for some reasons and purposes.

Mr. Chandi Charan De, learned Additional Government Pleader, fairly and candidly submits that the State would disclose its stand by filing opposition much shorter in period than what has been directed by the Tribunal in the said order. According to him, the State can file opposition by 2nd week of November 2022, as the Court and the Tribunal are closed for the ensuing Puja Vacation during the period from 1st October to 30th October 2022.

It is really unfortunate that the object and purpose behind the Constitution and/or establishment of the

Tribunal securing the speedy disposal is being frustrated to some extent when the dates are fixed after a gap of ten months or a year. When the parties are ready to complete the pleadings within a short time, the Tribunal should encourage the speedy disposal of the proceedings and should have fixed the date at a shorter interval.

Be that as it may, since the sense of responsibility has already been permeated into the Tribunal and, therefore, we need not delve to go much deep into it. Since Mr. De has assured that the State would file the opposition before the Tribunal much before the date, which has been fixed in the order dated 28th June 2022, we, therefore, direct the State to file opposition to the tribunal application on or before 2nd week of November 2022; reply thereto, if any, shall be filed within two weeks therefrom.

The parties are at liberty to communicate this order to the Tribunal and on being so communicated, the Tribunal shall prepone the date already fixed and shall fix the matter in 1st or 2nd week of November 2022 subject to its convenience and thereafter shall ensure the disposal of the said proceedings at an earliest. The Tribunal may refuse unnecessary adjournments to either of the parties unless necessitated by unforeseen and unavoidable circumstances.

With these observations, the writ petition is disposed of.

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

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

