

29.09.2022

WPLRT 139 of 2022

Court : 04
Item : 07
Matter : WPLRT
Status : DO
Transcriber: NANDY

Balai Bhusan Dutta & Anr.
Vs.
The State of West Bengal & Ors.

Mr. Gopal Chandra Ghosh, Advocate
Mr. Rajkrishna Mondal, Advocate

.....for the Petitioners

Mr. Chandi Charan De, Learned AGP
Mr. Anirban Sarkar, Advocate

.....for the State

On the last occasion we noticed that there was no appearance on behalf of the private respondents who are the applicants before the Tribunal despite service having effected through post. We directed the writ-petitioners to serve the copy of the writ-petition upon the learned Advocate representing the said private respondents before the Tribunal which, in fact, has been done. Today when the matter is listed, there is no representation on behalf of the private respondents.

Let the communicating letter filed today be kept with the record.

The grievance of the writ-petitioners in the instant writ-petition is the delayed disposal of the tribunal application as well as the miscellaneous application filed by the writ-petitioner therein. Our attention is drawn to the several orders passed in the said proceeding wherefrom it appears that on July 6, 2022, the Court granted adjournments merely on the prayer of the learned Advocate appearing for the private respondents and fixed the date after a gap of nearly eight months. It is further submitted by the learned Advocate for the petitioner that despite several directions having passed for effecting the service, no copy has been served by the private

respondents. However, after coming to know of the proceeding having filed before the Tribunal, approach was made and copy of those applications and orders passed in the said proceeding was obtained applying for certified copy.

Be that as it may, the writ-petitioners are now in possession of the aforesaid documents. Since the matter is fixed after such a long time and the petitioners seriously alleges that because of the pendency of the said matter, the authority is not moving and/or proceeding, direction may be passed upon the Tribunal to dispose of the said proceeding at the earliest.

We grant liberty to the petitioners to approach the Tribunal seeking preponement of the date already fixed and if such approach is made, the Tribunal shall prepone the date within fifteen days of such approach and thereafter endeavour shall be shown to dispose of the pending Miscellaneous Application as well as the Original Application, after affording an opportunity to the parties to file their respective affidavits, within six months therefrom in accordance with law.

With these observations, the writ-petition being **WPLRT 139 of 2022** is **disposed of**.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

