

09 23.12.22

Ct. No. 04

Akd

COLRT 6 of 2022

Anarul Haque Chowdhury & Ors.

Vs.

The State of West Bengal & Ors.

Mr. Mrinal Kanti Ghosh,

Mr. Kuntal Banerjee.

... for the petitioners.

Mr. Soumitra Bandyopadhyay,

Mr. P. B. Mahato.

... for the State respondents.

Mr. Dilip Kumar Samanta,

Mr. Biswapriya Samanta.

... for the respondent no. 5.

The instant writ petition is taken out seeking direction upon the Tribunal to dispose of the tribunal application as expeditiously as possible.

Our attention is drawn to an order dated 8th September, 2022; whereby and whereunder the Tribunal have fixed the matter after a gap of ten months though the said matter is otherwise ready for hearing.

In pursuit of a legal journey as member of the Bench we notice that the Tribunal is fixing the date after a gap of a year or so and we percolate a message to the person holding the post that such course of action is opposed to the object and purpose sublime the establishment of the Tribunal. Unfortunately such observation, which merely reproduced the object and the purpose culled out from the Act, was treated as an aspersion against the officer and even in a judicial order the observation was made that the Court should suo motu expunge the adverse remarks by treating the judicial order as a prayer for review.

We do not want to make any comment thereupon, as it largely depends upon the perception of a man, which varies from another man. We are conscious of the proposition that a Court should avoid to make any

adverse remarks against the judicial officer in the judicial proceeding but the recapitulation of the object and the purpose and to remind the officer of his onerous duty reposed by the statute and the Constitution, the same cannot be treated as an aspersion.

Be that as it may, we do not want to invest more time on the above, as we find that the matter was lastly listed 8th September, 2022 and the next date is fixed on 27th July, 2023.

We, therefore, expect that the Tribunal would take a decision to prepone the said date and endeavour shall be shown to dispose of the said proceeding after affording an opportunity of hearing to the respective parties in accordance with law within three months from the date of the communication of this order.

The writ petition is thus disposed of.

(Harish Tandon, J.)

(Prasenjit Biswas J.)