

Dd **04 22.08.2023**

WPLRT 9 of 2023

***Pradip Kumar Paul & Ors.
Vs.
The State of West Bengal & Ors.***

Mr. Pradip Kumar Roy,
Mr. Pirthajit Roy Chowdhury, Advocates
... .. For the Petitioners

Mr. Soumitra Bandyopadhyay,
Mr. Srikanta Paul, Advocates
... .. For the State

Mr. Rabindranath Mahata, Advocate
.. ...For the private respondent no. 4

The writ petition is directed against an order dated August 24, 2022 passed by the West Bengal Land Reforms and Tenancy Tribunal in OA 388 of 2022.

Learned advocate appearing for the writ petitioners submits that the respondents are deliberately delaying the disposal of the original application. He seeks a direction for expeditious disposal of the original application.

Yesterday, when the writ petition was taken up for consideration, it was submitted on behalf of the private respondent no. 4 that the private respondent no. 4 suffered a fracture of his leg and was not in a position to file any affidavit for a period of four weeks.

Learned advocate for the State submits that the reply affidavit to the original application is ready and that it can be filed within time as the Court may direct.

Learned advocate for the writ petitioners submits that the private respondent no. 4 did not suffer any fracture as claimed. He draws the attention of the Court to the photographs of the private respondent no. 4 taken yesterday.

The original application is pending since 2022. It is imperative that such application is disposed of as expeditiously as possible. The impugned order dated August 24, 2022 speaks of the matter being fixed on July 6, 2023 under the heading 'Hearing'. We are informed that affidavit was not filed as directed in the order dated August 24, 2022. On July 6, 2023, the original application was posted by the Tribunal on March 1, 2024.

In such circumstances, it would be appropriate to advance the date of hearing fixed by the Tribunal in respect of the original application.

Peremptory directions for filing affidavits in the original application before the Tribunal are given. In the event of default of compliance of the peremptory directions, none of the parties will be entitled to file any affidavit before the Tribunal.

Reply affidavit by the respondents in the original application be filed within 7 days from date. Rejoinder, if any, a fortnight thereafter. The original application be fixed for hearing before the Tribunal three weeks hence.

With the aforesaid directions, WPLRT 9 of 2023 is **disposed of.**

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)