

20.03.2023

WPST 27 of 2023

Court : 04
Item : 67
Matter : WPST
Status : DO
Bench Id : 266048
Transcriber : NANDY

Dr. Nilanjan Datta
Vs.
The State of West Bengal & Ors.

Mr. Surajit Samanta, Advocate
Mr. Biswajit Samanta, Advocate

.....for the Petitioner

The order impugned in the instant writ-petition appears to be innocuous as a further date for hearing has been fixed by the Tribunal. The order dated February 2, 2023 would reveal that the Counsel appearing for the respective parties, consented the matter to be taken up by the Single Bench with the fond belief that the matter would be disposed of at an earliest.

It is submitted by Mr. Samanta, learned Advocate for the petitioner, that the issue involved in the tribunal application is covered by the judgment of this Court and, therefore, it is an undue hardship created upon the litigant who would still travel on the periphery of the Tribunal. There was no necessity for fixing such a long date since the issue involved can be decided on the parameter of law only.

Despite service, there is no representation on behalf of the respondents. The affidavit of service filed in Court today be kept with the record.

Our attention is drawn to the issues involved therein pertaining to the resignation tendered by the petitioner and rejection thereof citing Rule 34A of the WBSR Part-I. More than five years have elapsed by this

time and we feel that this matter could have been decided by the Tribunal at an earliest.

We, therefore, request the learned Member of the Tribunal to pre-pone the date already fixed for further hearing if request is made by either of the parties to the proceeding and endeavour shall be made to dispose of the proceeding within three weeks from the date of communication of this order.

With these observations, the writ-petition being **WPST 27 of 2023** is **disposed of**. No order as to costs.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)