

**Md. Nouman Basar & Ors.
Vs.
The State of West Bengal & Ors.**

**Mr. Sabyasachi Chatterjee,
Mr. Badrul Karim,
Mr. Kiron Sk.
... for the petitioners.
Mr. Tapan Kumar Mukherjee, Ld. A.G.P.,
Mr. Pinaki Dhole.
... for the State.**

The sole grievance of the petitioners in the instant writ petition is delayed disposal of the tribunal application initiated in the year 2019. Several orders passed in the said proceeding are annexed to the instant writ petition, wherefrom it appears that the tribunal application has virtually matured for hearing and the final disposal can be secured.

One of the orders passed on 10th August, 2022 would reveal that the parties were directed to file written arguments by 16th September, 2022. The learned Advocate appearing for the petitioners submits, on instruction, that the written arguments have been filed by both the parties, yet the Tribunal on a date so fixed mechanically adjourned the matter.

We notice that an Administrative Member is discharging the duties and functions of the Bench in terms of the notification dated 23rd November, 2022 issued under Section 5 (6) of the Administrative Tribunal Act, 1985. Recently we notice that the said Member (Administrative) is discharging the duties and functions of three Benches in absence of any appointments having made by the appropriate authority. There was a direction issued by this Bench upon the concerned authority to take steps for

appointment of the Chairperson as well as other Members of the Tribunal to secure smooth functioning as well as disposal of the cases pending in the docket of the Tribunal.

The moment the said Administrative Member directed the parties to exchange their written notes of arguments, which, in fact, has been done, we do not find any difficulty in securing the disposal of the said proceeding on the basis thereof.

Since the next date is fixed on 17th May, 2023, we trust and hope that the Tribunal would take up the matter on the said date and endeavour shall be shown to dispose of the proceeding within one month thereafter in accordance with law.

The writ petition is thus disposed of.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)