

DL-5

19.09.2023
Court No.5
(AD)

WPLRT 107 of 2023

**Anil Kumar Poddar
Vs.
Kamal Singh Jain & Ors.**

*Mr. Sabyasachi Chowdhury
Mr. Ashim Roy
Mr. Sutanu Chakrabarti
Mr. Anirban Roy
... for the petitioner.*

*Ms. Manju Manat
Mr. Rohit Banerjee
Mr. Arindam Paul
... for the respondents.*

*Md. T.M. Siddiqui, Ld. AGP
Mr. Supratim Dhar
... for the State-respondent.*

The writ petition is directed against an order dated July 21, 2023 passed in M.A. 496 of 2023 and M.A. 584 of 2023 in O.A. No.3474 of 2022 (LRTT).

By the impugned order, the Tribunal disposed of M.A. 584 of 2023. So far as M.A. 584 of 2023 is concerned, the Tribunal directed that the parties are at liberty to raise all points taken in such application at the time of final hearing of the matter.

A proceedings for fixation of fair rent was undertaken which resulted in an order being passed by the competent authority. Such order was challenged before the Tribunal at the behest of the writ petitioner. Such order of the

competent authority was also challenged by the private respondents herein by way of O.A. 3297 of 2022.

We are informed that, both the original applications are pending consideration before the Tribunal.

We are also informed that, both the original applications are ready for hearing.

There is also a suit for eviction pending as against the private respondents in the present writ petition.

The proceedings for fixation of fair rent is continuing for a period in excess of statutory period of six months prescribed by the statute.

In such circumstances, it would be appropriate to direct the Tribunal to hear and dispose of O.A.3474 of 2022 and O.A.3297 of 2022 as expeditiously as possible and preferably within a period of three months from date.

The parties agreed that the next date for hearing of both the original applications before the Tribunal may be fixed on September 25, 2023. We do so.

The learned Tribunal is requested not to grant unnecessary adjournments to any of the parties and endeavour to adhere to the time line for the purpose of disposal of both the original applications.

This order is being passed since there is an also writ petition pending in respect of an order passed in O.A.3297 of 2022 which we will presently deal with.

All points raised by the respective parties are kept open.

WPLRT 107 of 2023 is disposed of without any order
as to costs.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)

