

85 **20.01.
2023**
Ct. No. 04

Ab

IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
Appellate Side.

WPLRT 156 of 2022

Sk. Hansu
Vs.
The State of West Bengal and others.

Mr. Syed Shamsul Arefin,
Mr. Kaniz Kulsum,
Ms. Nadira Abedin.
... for the petitioner.

The affidavit of service filed in Court today is taken on record.

The affidavit of service reveals that the service has been effected upon the State respondents. There is no appearance on behalf of the State.

Mr. Chandi Charan De, learned Additional Government Pleader, who is present in Court today, is requested to appear in the instant writ petition. The copy of the writ petition has been served upon him in Court today.

The concerned department is directed to regularize the appointment of Mr. De in the instant writ petition.

Though the order dated 10th May 2022 passed by the West Bengal Land Reforms and Tenancy Tribunal in OA 1133 of 2021 is the subject matter of challenge in the instant writ petition but at the time of moving the same, the learned Advocate for the petitioner submits that the Tribunal ought not to have fixed the next date after a gap of ten months, as it would frustrate the very purpose and object for establishment of the Tribunal.

Since the grievance is the long date fixed by the Tribunal, we do not think that the matter needs to be adjourned, as the copy of the writ petition has been served upon Mr. De in open Court.

It is a sordid state of affairs that the dates in a matter filed before the Tribunal is fixed after a gap of ten months or above. We are told that the Tribunal was approached as the authority failed to respond the representation made by the petitioner and intervention of the Tribunal is sought for to sensitize the authority and to activate the process. Such being the nature of the dispute, we failed to appreciate the direction upon the authority to submit the status report upon fixing a date after a gap of ten months.

Though we could have conveniently disposed of the writ petition, but respecting the hierarchical of the forum, we do not intend to pass any order, which would result in rendering the tribunal application redundant or mere paper proceeding.

Since the next date is already fixed by the Tribunal in close proximity from today, we do not intend to disturb the roster of the Tribunal with the profound hope and trust that the Tribunal would take up the said matter on the said date and dispose of the proceeding within a span of one month therefrom.

With such observations, the writ petition is disposed of.

There shall, however, be no order as to costs.

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

