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**10.05.
2023**

Ct. No. 04

Ab

WP.ST 130 of 2022

Malay Shankar Aich

Vs.

The State of West Bengal and others.

Mr. Dyutiman Banerjee.

... for the petitioner.

Essentially, the instant writ petition has been taken out seeking direction upon the West Bengal Administrative Tribunal to dispose of the pending application being OA 716 of 2013 within a specified time.

The petitioner approached the Tribunal being aggrieved by a departmental proceeding initiated against him, which culminated into an order of dismissal from service. The application, which was filed as long back as in the year 2013, is still pending in the docket of the Tribunal. It appears from the order dated 17th March 2021 that the application was directed to be listed on 6th August 2021.

Learned Advocate appearing on behalf of the petitioner submits that thereafter no date has been fixed in the said application despite several attempts having been made in this regard.

It is improbable that the date from the month of August 2021 has not been fixed by the Tribunal even though single Administrative Member is discharging the duties and functions of the Tribunal yet it is not expected that the application would remain in suspended animation and the dates are not fixed. We further noticed in this determination having assigned to us by the Hon'ble the Chief Justice that in several matters, the dates are fixed by the said single Administrative Member and, therefore, we are unable to ascertain the reason for non-fixation of the instant application.

We, therefore, direct the Tribunal to fix a date for hearing of the tribunal application, which shall not exceed beyond one month from the date of communication of this order and efforts shall be shown to dispose of the said application as expeditiously as possible.

With these observations, the writ petition is disposed of.

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

(Harish Tandon, J.)

(Prasenjit Biswas, J.)