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**16.05.
2023**

Ct. No. 04

Ab

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

WPLRT 167 of 2022

**Smt. Prativa Rani Halder
Vs.**

The State of West Bengal and others.

**Mr. Sadhan Kumar Halder,
Mr. Ashok Sarkar.**

... for the petitioner.

**Mr. Soumitra Bandyopadhyay,
Mr. Subhasis Bandyopadhyay.**

... for the State.

The instant writ petition has been taken out primarily on the score that the Tribunal has fixed the tribunal application for hearing after a gap of ten months. The matter was lastly taken up on 21st September 2022 and the direction was passed upon the parties to exchange affidavits and the next date is fixed on 10th August 2023.

If the dates are fixed after such a long time, it would frustrate the object and purpose behind the establishment of a Tribunal for securing the speedy disposal of the matter concerning the specified Act.

It is not expected that the Tribunal would fix the matter after such a long date and without fixing a time within which the affidavits are to be filed by the respective parties.

We enquired from the learned Advocate for the State whether any affidavits have been filed, he showed his inability to disclose the fact in absence of any instruction from the concerned officer. However, learned Advocate for the petitioner submits that his client has not been served

with the copy of the affidavit-in-opposition as on date.

Believing the statement made on behalf of the petitioner, we feel that the justice would be sub-served if the exchange of affidavits are directed to be completed within a time frame.

We, therefore, direct the respondents to file affidavit-in-opposition to the tribunal application within four weeks from date; reply thereto, if any, shall be filed by the petitioner within two weeks therefrom. Since the tribunal application has already been fixed on 10th August 2023, we do not intend to prepone the said date with the hope that the Tribunal would take up the said application and an endeavour shall be shown to dispose of the same within three months therefrom in accordance with law.

With these observations, the writ petition is disposed of.

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

(Harish Tandon, J.)

(Prasenjit Biswas, J.)

