

07-06-2023
ct no. 5
sl. no. 16
sp

WPLRT 181 of 2022
Sri Sri Shib Thakur Jew, represented by Shebaites & Ors.
-Vs.-
The State of West Bengal & Ors.

Mr. Allen Felix
...for the petitioners

Mr. Abdus Salam
....for the respondent no.4

Challenges in the writ petition is directed
against the order dated September 29, 2022.

By the impugned order, the learned Tribunal
noted the presence of the respective parties. The
learned Tribunal directed service of the copy of the
original application upon the private respondent nos.
4. a, b, c and d. The District Land & Land Reforms
Officer, Purba Burdwan was directed to cause
production of LCR (43/2016) by the date fixed. The
learned Tribunal noted the point of the maintainability
of the original application. The learned Tribunal did
not return any finding on the issue of maintainability
but permitted the respondent nos. 4. a, b, c and d to
raise the issue of maintainability in the affidavit-in-
opposition allowed to be filed. The learned Tribunal
fixed the original application for hearing as 'Motion' on
November 20, 2023.

No rights of the parties were adjudicated by the
learned Tribunal by the impugned order. The issue of

maintainability is yet to be decided. The learned Tribunal invited affidavits in order to decide all the issues finally.

We find no material irregularity in the impugned order and the approach taken by the learned Tribunal. Endeavour of the Tribunal should be to hear and dispose of the matter expeditiously rather than be bogged down by issues which impede the disposal of an original application finally, which the Tribunal did in the present case.

As noted above, the issue of maintainability is yet to be decided. The respondent nos. 4. a, b, c and d before us, cannot be said to be prejudiced by the impugned order in any manner whatsoever.

In such circumstances, we find no merit in the present writ petition.

WPLRT 181 of 2022 is dismissed.

(Debangsu Basak, J.)

(Md. Shabbar Rashidi, J.)