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05.03.2024
Ct. No. 11
Jayanta

WPLRT 17 of 2024

Ashis Kumar Banerjee
vs
State of West Bengal & Ors.

Mr. Debatam Das
Mr. Tirupati Mukherjee
..... For the Petitioner.
Mr. Supratim Dhar
Mr. Amrita Lal Chatterjee
..... For the State.

The present writ petition has been instituted seeking a direction upon the learned Tribunal to dispose of the original application being O.A. 1470/2023 (LRTT) as expeditiously as possible.

Mr. Das, learned Advocate representing the petitioner argues that on 13th June, 2023, the original application being O.A. no. 1470 of 2023 was taken up for hearing and liberty was granted to the petitioner to file some additional documents but the next date of hearing of the original application was fixed at 12th April, 2014 i.e., almost after ten months. According to him, in such conspectus, to prevent infraction of the petitioner's right to speedy justice, an appropriate direction needs to be given to dispose of the original application within a time framed by this Court.

Mr. Dhar, learned advocate enters appearance on behalf of State.

Heard the learned advocates. Perused the materials on record.

Record reveals that seeking a direction upon the concerned B.L.&L.R.O. to consider and dispose of the application preferred by the petitioner and his mother, an original application vide. O.A. 1003 of 2014 was preferred, which was disposed of by an order dated 9th November, 2017 granting liberty to the petitioner to submit an application for mutation in accordance with law in respect of the lands in question. Pursuant thereto, the petitioner presented application for mutation belatedly on 13th February, 2023. The power to direct expeditious disposal of any application or proceeding, which in sum and substance means out of turn disposal, is to be exercised sparingly and not in routine manner. Considering the facts and circumstances of this case, we are not inclined to entertain the petitioner's prayer.

Accordingly, the writ petition being WPLRT 17 of 2024 is dismissed, however, without any order as to costs.

Urgent certified photocopy of this order, if applied for, be supplied as expeditiously as possible.

(Partha Sarathi Chatterjee,J.) (Tapabrata Chakraborty,J.)