

16.07.2024
Item No.30
Court No.11
Avijit Mitra

WPLRT 88 of 2024

In re: An application under Article 226 of the Constitution of India;

And

Provat Kumar Sanyal & ors.

- versus -

The State of West Bengal & ors.

Mr. Debasis Nandi

...for the petitioners

Mr. Sk. Md. Galib,

Mr. Abu Siddique Mallik

....for the State respondents

Mr. Sankar Halder

....for the respondent no.7

Mr. Partha Pratim Roy,

Mr. Sajal Kanti Bhattacharyya,

Mr. Sarthak Burman

....for the respondent no.8

Affidavit-of-service, as filed, be kept on record.

This writ petition has been preferred primarily praying for expeditious disposal of the original application (in short, OA), being OA 670 of 2023 (LRTT). By the order dated 15th March, 2024, the learned Tribunal directed the applicants/petitioners herein to submit the latest status of the concerned title suit by way of a supplementary affidavit and also directed the Block Land and Land Reforms Officer, Nawadwip, Nadia to submit the status report of the land in question through the learned Government representative on the next date fixed for hearing on 7th January, 2025.

Mr. Nandi, learned advocate appearing for the petitioners submits that the petitioners are languishing

before the learned Tribunal since the date of filing of the OA in the year 2023. On 15th March, 2024, the returnable date has been fixed about ten months thereafter on 7th January, 2025 and as such there is no possibility towards early disposal of the OA. In the said conspectus, he prays for issuance of necessary direction upon the learned Tribunal towards expeditious disposal of the OA within three months.

Mr. Galib, learned advocate enters appearance on behalf of the State respondents. Mr. Halder and Mr. Bhattacharyya, learned advocates appear on behalf of the respondent nos.7 and 8 respectively.

We have heard the learned advocates appearing for the respective parties and considered the materials on record.

The order dated 15th March, 2024 reveals that for final disposal of the OA, the learned Tribunal has called for status reports from the petitioners and the respondent no.4 and has fixed a returnable date. This Court cannot issue any direction for speedy disposal unless there is a justification or acceptable reason for issuing any such directions. In view thereof, no interference is called for in the present writ petition.

Needless to observe, the learned Tribunal would make a sincere endeavour towards final disposal of the OA on the returnable date or as expeditiously as possible

thereafter, without granting any unnecessary adjournment to either of the parties.

With the above observations, the writ petition being WPLRT 88 of 2024 is disposed of.

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

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

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