

WPLRT 126 of 2024
(Sri Prodyot Kumar Das & Ors. Vs. The State of
West Bengal & Ors.)

Mr. S. P. Pahari
Mr. T. Chakraborty
Mr. S. Adak

.... For the petitioners

Mr. Srinath Singha Roy

..... For the State respondents

Affidavit-of-service filed by the petitioners be kept on record.

The present writ petition has been preferred challenging the order dated 27th June, 2024 passed by the learned Tribunal in the Original Application (in short, OA), being OA 56 of 2019 (LRTT).

Mr. Pahari, learned advocate appearing for the petitioners, submits that the petitioners are aggrieved because the order challenged in the writ petition placed the OA under the heading 'Motion.' He contends that according to the procedure normally followed by the learned Tribunal after the admission stage, the matter is placed under the heading 'Hearing.' However, in this case, although the matter was admitted, it was placed under the heading 'Motion'. He apprehends that the placement of the matter under the hearing 'Motion' will delay the advancement of the proceedings.

He further submits that during the hearing held on 27th June 2024, the Government representative prayed for an adjournment to file an application for review, which has not yet been filed. He submits that a direction be issued to the State respondents to file the review application and another direction

be given to the learned Tribunal to place the matter under the heading 'Hearing'.

Mr. Singha Roy, learned advocate appearing for the State respondents, however, denies and disputes such contention.

Answering our query, both the advocates representing the parties inform us that no application for review has been filed as yet.

Having regard to the submissions made on behalf of the respective parties and upon considering the materials placed before us, we do not agree with the views of the learned advocate for the petitioner that since the matter has been placed under the heading 'Motion,' the progression of the proceedings will be delayed and, thereby, the petitioners will be seriously prejudiced. Accordingly, we do not find any material to interfere with the order placed under challenge in this writ petition.

As a result, the writ petition is dismissed. However, there shall be no order as to costs.

All parties shall act on the server copies of this order duly downloaded from the official *website* of this Court.

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