

26.11.2024
rpan/04

WPLRT 140 of 2024
Md. Ali Khan
– *Versus* –
The State of West Bengal & Others

Mr. Sandip Ghosh,
Mr. Partha Sarkar
... for the Petitioner.
Mr. Md. T. M. Siddiqui,
Ms. Debdooti Dutta,
Mr. Suddhadev Adak
... for the State/Respondents.

1. The affidavit-of-service, as filed today, be kept on record.
2. Challenge in this writ petition is the order dated August 23, 2024 as passed by the West Bengal Land Reforms and Tenancy Tribunal (in short, the said Tribunal) in connection with the three applications, being MA 637 of 2023, MA 1062 of 2023 and MA 1063 of 2023.
3. On perusal of the entire matter, as placed before us, it reveals that by a judgment and order dated September 30, 2022, the said Tribunal allowed the original application, being OA 312 of 2021 (LRTT).
4. It has been submitted on behalf of the writ petitioner that as the said judgment and order dated September 30, 2022 as passed in OA 312 of 2021 has not been complied with by the State/respondents, the writ petitioner filed a

contempt application, being MA 637 of 2023 before the said Tribunal which is still pending.

5. It is further submitted that a review application, being MA 1062 of 2023 has been filed on behalf of the State/respondents along with an application under Section 5 of the Limitation Act, being MA 1063 of 2023.
6. Drawing our attention to the order impugned dated 23.08.2024 it has been submitted on behalf of the writ petitioner that the said Tribunal fixed all the applications i.e., the contempt application and the review application along with the application for condonation of delay on 11th March, 2024, which according to the writ petitioner, is substantially a long date and the same causes much prejudice to him. Learned advocate appearing for the petitioner, thus, prays before us to pass an appropriate order for directing the said Tribunal to prepone the date as fixed by the said Tribunal for hearing of the aforesaid three applications, being MA 637 of 2023, MA 1062 of 2023 and MA 1063 of 2023.
7. *Per contra*, the learned advocate appearing for the State/respondents submits before this Court that since the State/respondents have filed the aforementioned review application along with application for condonation of delay,

those are required to be heard prior to disposal of the contempt application.

8. Upon consideration of the materials as placed before us and after hearing the learned advocates for the contending parties, it appears to us that justice would be subserved if the said Tribunal is requested to dispose of the review application, being MA 1062 of 2023 along with the application under Section 5 of the Limitation Act, being MA 1063 of 2023 and the contempt application, being MA 637 of 2023 on the returnable date i.e., on 11th March, 2025 and/or as expeditiously as possible, preferably within a period of three months thereafter, without granting any unnecessary adjournment to either of the parties.
9. With the above observation the instant writ petition, being WPLRT 140 of 2024 is disposed of.
10. There shall, however, be no order as to costs.
11. Urgent photostat certified copy of this order, if applied for, be supplied to the parties, upon compliance of all requisite formalities.

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