

WPLRT 131 of 2023

(Debasis Chakraborty. Vs. State of West Bengal & Ors.)

Mr. Goutam Kumar Das
Mr. Indranuj Dutta
Ms. Benazir Shekh

..... For the Petitioner.

Mr. Somnath Ganguly, Ld. AGP
Ms. B. Sen

..... For the State/Respondents.

The present writ petition has been preferred primarily praying for expeditious disposal of the original application being O. A. No. 3831 of 2017.

Mr. Dutta, learned advocate appearing for the applicant/petitioner herein submits that the original application was filed way back in the year 2017 and the same had not been disposed of till date since the respondents did not file their affidavit-in-opposition to the original application within the time, as directed by the learned Tribunal. In support of such contention, he has drawn our attention to the orders of the learned Tribunal dated 16th August, 2022, 9th January, 2023 and 11th July, 2023.

Mr. Ganguly, learned Additional Government Pleader appearing for the State respondents submits, upon instructions, that the said respondents would file their affidavit-in-opposition before the learned Tribunal within three weeks from date.

Heard the learned advocates appearing for the respective parties and considered the materials on record.

Records reveal that on repeated occasions the State respondents did not file their affidavit-in-opposition and the original application is pending since the year 2017.

In view thereof, the respondents are directed to file their affidavit-in-opposition to the original application positively within a period of three weeks from date, with a copy to the learned advocate appearing for the applicant before the learned Tribunal. The applicant would also be at liberty to file an affidavit-in-reply within a week thereafter so that the pleadings can be completed prior to the next date of hearing scheduled on 5th March, 2024.

The learned Tribunal is also requested to dispose of the original application on the returnable date itself or within two months thereafter, without granting any unnecessary adjournment to either of the parties.

With the above observations and directions, the writ petition being WPLRT 131 of 2023 is disposed of.

There shall, however, no order as to costs.

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

(V.M. Velumani, J.)

(Tapabrata Chakraborty, J.)

