

WPLRT 137 of 2023

**Jahar Lal Tat.
Vs.
State of West Bengal & Ors.**

Mr. Debangana Bhattacharjee
Mr. Mahiul Islam

..... For the petitioner.

Mr. Somnath Ganguly, Ld. AGP
Mr. Raja Ram Banerjee

..... For the State/Respondents.

This instant writ petition has been instituted praying for a direction upon the learned Tribunal to dispose of the original application being O. A. No. 1226/2017 (LRTT) as expeditiously as possible.

Mr. Bhattacharjee, learned advocate appearing for the petitioner submits that seeking rectification of record of rights, the petitioner approached the concerned B.L. & L.R.O. but the order passed by the B.L. & L.R.O. went against him. He preferred a statutory appeal against the order of the B.L. & L.R.O. before the appellate authority but the appeal was also decided against him.

By preferring the original application being O. A. No. 1226/2017 (LRTT), the petitioner impugned the order of the appellate authority but despite of lapse of more than 6 years, the original application has not been disposed of as yet. He arduously contends that petitioner is a senior citizen and has been suffering from various old aged ailments. Accordingly, a direction may be given upon the

learned Tribunal to dispose of the original application as early as possible.

Mr. Ganguly, learned Additional Government Pleader appearing for the State contends that there is no delay on the part of the State to file its response to the pleading submitted on behalf of the petitioner before the learned Tribunal.

Heard the learned advocates, perused the materials on record placed before us.

Indisputably, questioning the sustainability of the order of the appellant authority, the original application was preferred by the petitioner in 2017. Since then, a considerably length of time has lapsed. In paragraph-4 of the writ petition, it is contended that the petitioner is aged about 74 years and has been suffering from heart disease and Carcinoma in Prostate. We have been informed that the parties have exchanged their pleadings and the matter is ready for hearing.

Considering these aspects, we request the learned Tribunal to dispose of the original application as expeditiously as possible without granting any unnecessary adjournment to either of the parties.

The learned advocate for the petitioner has handed over the copy of the rejoinder/affidavit-in-reply to Mr. Ganguly, learned Additional Government Pleader appearing for the State in Court today.

With these observation and order, the writ petition is disposed of, however, without any order as to the costs.

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

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