

28.01.2025

rpan/05

WPLRT 6 of 2025

Hassan Ali Khan & Others

– Versus –

The State of West Bengal & Others

Mr. Gautam Guria

... for the Petitioners.

Mr. Sk. Md. Galib,

Ms. Priyamvada Singh

... for the State/Respondents.

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

The present writ petition arises out an order dated 13th August, 2024 passed by the learned Tribunal in a contempt application, being MA 147 of 2016 preferred alleging violation of an order dated 23rd December, 2024 passed in the original application (in short, OA), being OA 1357 of 2013 (LRTT).

Records reveal that the said contempt application was initially taken up for hearing by the learned Tribunal on 16th September, 2016 and the BL&LRO, Nandigram-I, District – Purba Medinipur was directed to submit compliance report in respect of the order dated 23rd December, 2014. Thereafter the said order was partly complied with and a part compliance report dated 4th December, 2018 was submitted before the learned Tribunal on 5th December, 2018 seeking further time to submit a supplementary compliance report. Accordingly, the learned Tribunal fixed the

matter for further consideration on 18th July, 2019. Subsequent thereto, two interlocutory applications, being MA 607 of 2023 and MA 608 of 2023, one for proposed addition of parties and the other for recalling the order were filed and the same came up for consideration before the learned Tribunal on 19th January, 2024. Observing *inter alia* that there had been no full compliance of the order dated 23rd December, 2014, the learned Tribunal fixed the matter on 13th August, 2024 with a direction towards filing of complete compliance report irrespective of the pendency of the interlocutory applications, being MA 607 of 2023 and MA 608 of 2023. On 13th August, 2024 the learned Tribunal again adjourned the matter and fixed the date of hearing about one year thereafter on 7th July, 2025.

Mr. Guria, learned advocate appearing for the petitioners submits that an order passed about ten years earlier on 23rd December, 2014 is yet to be complied with by the authorities and the hearing of the contempt application by an order dated 13th August, 2024 has been deferred and fixed about eleven months thereafter on 17th July, 2025. Such delay in fixing a date for hearing is too long in a system where justice is supposed to be swift but deliberate.

Mr. Galib, learned senior Government advocate appearing for the State/respondents submits that the

present application has, in fact, been preferred for preponment of the date of hearing of the contempt application. Such prayer of preponment needs to be considered by the learned Tribunal at the first instance.

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

It is for the learned Tribunal to regulate its own procedure in respect of the cases on Board for effective disposal and to ensure that the cases are disposed of within a reasonable period of time. A litigant, who obtained a favourable order from the learned Tribunal, is waiting for more than a decade for compliance of the same.

In the said conspectus, the present writ petition is disposed of directing the learned Tribunal to dispose of the contempt application on the returnable date i.e., on 7th July, 2025 or as expeditiously as possible, preferably within a period of one month thereafter, without granting any unnecessary adjournment to either of the parties.

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

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.)