

25.02.2025
Item No.04
Court No.11
Avijit Mitra

WPLRT 16 of 2025

Tirthanath Bandyopadhyay & ors.
- versus -
State of West Bengal & ors.

Mr. Debashis Banerjee,
Ms. Jayashree Patra,
Mr. Rakesh Jana
...for the petitioners

Ms. Debdooti Dutta
...for the State respondents

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

Mr. Banerjee, learned advocate appearing for the petitioners submits that the original application (in short, OA) being OA 1213 of 2017 (LRTT) filed in the year 2017 has not been disposed of till date. Such delay in disposal of the OA is too long in a system where justice is supposed to be swift but deliberate.

Drawing our attention to the order dated 1st March, 2023 passed by the learned Tribunal, Mr. Banerjee submits that the case was found to be otherwise ready for hearing and the date of hearing was fixed on 29th August, 2023. The matter was adjourned on the returnable date i.e. 29th August, 2023 and fixed for hearing on 15th March, 2024. However, the matter was again adjourned on 15th March, 2024 and fixed for further hearing on 18th September, 2024. On the said returnable date, the learned Tribunal again adjourned the matter and fixed the date of hearing on 27th June, 2025.

In the said conspectus, Mr. Banerjee prays for issuance of necessary direction upon the learned Tribunal to dispose of the OA as expeditious as possible.

Ms. Dutta learned advocate, enters appearance on behalf of the State respondents.

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 procedures 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. However, the present OA appears to be pending before the learned Tribunal for more than seven years.

In view thereof, we dispose of the writ petition directing the learned Tribunal to dispose of the OA on the returnable date i.e., on 27th June, 2025 or as expeditiously as possible within four months thereafter, without granting any unnecessary adjournment to either of the parties.

As in spite of service none appears today on behalf of the private respondents, the petitioners are directed to intimate this order to the said private respondents within a week from date.

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

Urgent photostat certified copy of this order, if applied for, be given to the learned advocates for the parties.

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