

15.01.2025
rpan/15

WPLRT 171 of 2024
Madhusudan Sarkar & Another
– *Versus* –
The State of West Bengal & Others

Mr. Ziaul Haque,
Mr. Himadri Kumar Mahata
... for the Petitioners.
Mr. T. M. Siddique,
Mr. S. Adak,
Ms. D. Datta
... for the State/Respondents.

The present writ petition has been instituted seeking a directive to the learned Tribunal for expeditious disposal of the original application (in short, O.A.), being O.A. 2840 of 2016 (LRTT).

Mr. Haque, learned advocate appearing for the petitioners submits that the dispute arose due to an erroneous entry made in the L.R. Record of Rights concerning a plot of land belonging to the petitioners. The petitioners subsequently approached the concerned BL&LRO with an application for correction of the Record of Rights. Based on this application, a Misc. case was initiated, which was later disposed of by a final order.

The order passed in the Miscellaneous case was challenged in a statutory appeal, which was decided against the petitioners. Aggrieved by the order passed in the statutory appeal, the petitioners filed the Original Application (O.A.) in 2016. The learned Tribunal decided to dispose of the O.A. based on the report directed to be filed on behalf of the State/respondents. The report was filed, and the petitioners also filed an exception to the report. However,

during the hearing on 19.9.2014, the date for the next hearing of the O.A. was scheduled for 19th August, 2025, which is almost a year later. Mr. Haque prays for a direction to the learned Tribunal to dispose of the O.A. as expeditiously as possible.

Mr. Siddiqui, learned Additional Government Pleader, enters appearance on behalf of the State/respondents and submits that the State has submitted the report as directed by the learned Tribunal. He further submits that if any direction is issued for the expeditious disposal of the O.A., the State will not stand in the way.

Heard the learned advocates appearing for the respective parties and perused the materials on record. It is an undisputed fact that the petitioners are senior citizens and that the O.A. was filed way back in 2016. On 19.09.2024, the O.A. was taken up for hearing, and the next date of hearing has been scheduled for 19.08.2025, almost a year later. Such a delay in scheduling the next hearing is too long, especially in a system where justice is supposed to be delivered swiftly. We cannot be oblivious of the fact that a Court or Judicial Institution is committed to ensuring the delivery of objective and timely justice to the litigants.

Considering this aspect, we are inclined to dispose of the writ petition by directing the learned Tribunal to dispose of the O.A. on the returnable date, i.e., 19th August, 2025, or as expeditiously as possible, without granting any unnecessary adjournments to either party, preferably within three months thereafter. It is ordered accordingly.

With this observation the writ petition, being WPLRT
171 of 2024 is disposed of.

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