

S/L 3-4
02.04.2026
Court No.18
SD

IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION

WPA 19620 of 2021
CAN 1 of 2023

West Bengal Fast Track Court Employees' Association & Ors.
Vs.
The State of West Bengal & Ors.

With
WPA 3551 of 2022
Tanusree Dey & Ors.
Vs.
The State of West Bengal & Ors.

Mr. Niladri Saha

...for the Petitioners.

Mr. Pinaki Dhole

...for the State.

Mr. Jaydip Kar, Sr. Adv.

Mr. Siddhartha Banerjee

Mr. Anjan Bhandari

Ms. Triparna Sarkar

...for the High Court Administration.

1. It appears from record that on March 18, 2025 the Court recorded its agony for non-appearance of the State respondents. The order specifically records that several orders and requests being put forth by the Court for appearance, the State has finally entered appearance in the matter.

2. The order further records that affidavit-in-opposition has not been filed for the last four years, despite opportunity granted. The State also did not bother to appear on several occasions. After persuasion learned senior counsel for the State appeared and sought time to file opposition. The Court allowed four weeks time to file the same.

3. More than a year has elapsed. The stand of the State has not changed. Despite notice learned counsel for the State did not appear in the matter.

4. Learned advocate for the petitioners was requested to call up the learned advocate for the State and it is only thereafter that the learned counsel has appeared. The learned senior counsel is not present.

5. It has been submitted by the learned counsel for the State that despite request being made, the Finance Department is not providing any instruction to the learned counsel for preparation of the opposition.

6. If such stand is taken by the State, then it has to be taken that the State does not have any objection to the prayer made by the petitioners and the same may be allowed. The principle of non-traverse will apply.

7. On the request of the learned advocate representing the State respondents seeking a further opportunity for filing the opposition, time to file the opposition stands peremptorily extended till May 22, 2026.

8. The matter is directed to appear in the list on June 19, 2026.

9. It is made clear that if the opposition is not circulated by May 22, 2026, no further opportunity will be granted to the State respondents to put forth their stand and the matter will be decided on the basis of the documents available on record.

10. Notice by the learned advocate for the petitioners to the learned counsel for the State filed in Court today be retained with the records.

11. Parties to act on the basis of the server copy of this order duly downloaded from the official *website* of this Court.

(Amrita Sinha, J.)