

OD 10

APO/58/2020
in
WPO/3/2019
IA No:GA/1/2020 (Old No:GA/376/2020)
IN THE HIGH COURT AT CALCUTTA
Civil Appellate Jurisdiction
ORIGINAL SIDE

DR. KUNAL SAHA
Vs.
THE STATE CONSUMER DISPUTES
REDRESSAL COMMISSION AND ORS.

BEFORE:
The Hon'ble JUSTICE SANJIB BANERJEE

The Hon'ble JUSTICE ARIJIT BANERJEE
Date : December 15, 2020.

Appearance:
Mr. Kunal Saha (in person)

Mr. Sudipto Panda, Adv.
Mr. Anand Fermania, Adv.

The Court: The appeal is directed against an interim order of January 15, 2020 passed on a writ petition complaining of the appellant-writ petitioner not being allowed to represent a third party in proceedings before the State Consumer Disputes Redressal Forum.

In the impugned order of January 15, 2020, the issue of maintainability was kept open to be decided at the final stage and even a final date of hearing and the time therefor were indicated. An interim order was refused on the reasoning furnished that it would amount to allowing the writ petition. There is nothing to detract from the order impugned. When the issue

as to the writ petitioner's entitlement to represent a third party had not been decided, an interim order to allow the writ petitioner to represent the third party in the interregnum could never have been passed. There is no error of any kind in the order impugned.

There are certain observations in the impugned order that the appellant takes exception to, particularly, in the discussion relating to the appellant being labelled as a "tout". It will be open to the appellant to disabuse the Single Bench of any perception at the time of final hearing. The appellant will, doubtless, be given an opportunity to justify his conduct at such final hearing.

With the aforesaid observation, the appeal and the connected application stand disposed of without interfering with the order impugned. The appellant will be at liberty to seek an early listing of the writ petition before the appropriate Bench.

APO No.58 of 2020 along with GA No.1 of 2020 (Old No. GA No.376 of 2020) stand disposed of without any order as to costs.

(SANJIB BANERJEE, J.)

(ARIJIT BANERJEE, J.)