

ORDER SHEET
WPO NO.375 OF 2020
IN THE HIGH COURT AT CALCUTTA
Constitutional Writ Jurisdiction
ORIGINAL SIDE

TAPAS DUTTA
Versus
STATE OF WEST BENGAL & ORS.

BEFORE:
The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA
Date : 14th December, 2020

Appearance :
Mr. Mrityunjay Halder, Adv.,
for the petitioner.

Mr. Debjit Mukherjee, Adv.,
Ms. S. Chatterjee, Adv.,
for the respondent.

The Court : The grievance of the petitioner is that in spite of a direction of this Court dated August 17, 2018 passed in C.O. No.1627 of 2018 for the respondent no.2 to dispose of the petitioner's execution case bearing No.EA/19 of 2010 and despite an order of the Supreme Court dated November 11, 2013 directing the respondent no.3 (petitioner therein) to pay the amount due to the present petitioner, the respondent no.2 has not yet disposed of the execution case.

Learned Counsel appearing for the respondent authorities argues that, in the meantime, a resolution was taken by the Bar Association of the State Consumer Disputes Redressal Commission, by which the Bar Association communicated that there might not be any adverse orders in the absence of the any side.

However, the respondent no.2 was not bound by such decision. Although, for the sake of courtesy, adjudicatory authorities ought to work in co-operation with the Bar Association, that *ipso facto* cannot be a pretext of contravening a specific direction of this Court.

Accordingly, WPO No.375 of 2020 is disposed of by directing the respondent no.2 to dispose of Execution Case No. EA/19 of 2010 peremptorily within December 24, 2020, without granting any adjournment to either side on any ground. The respondent no.2 shall act on the communication by advocates, without insisting upon production of a certified copy of this order.

It is made clear that the respondent no.2 shall be at liberty to allocate the matter to any of its benches for the purpose of implementation of this order.

No order as to costs.

Urgent photostat certified copy of this order, if applied for, be supplied to the parties subject to compliance with all requisite formalities.

(SABYASACHI BHATTACHARYYA, J.)