

**CRR 1095 of 2021**

In re : An application under Section 397/401 read with Section 482 of the Code of Criminal Procedure, 1973.

In the matter of : **Debjani Ghosh**

**..... petitioner**

**Mr. Moyukh Mukherjee  
Mr. Abijit Singh  
Mr. Sarthak Mondal**

**....For the petitioner**

**Mr. Arijit Ganguly  
Mr. Sanjib Kumar Dan**

**....For the State**

The impugned order dated 1<sup>st</sup> March, 2021 issued by the West Bengal State Consumer Disputes Redressal Commission, Kolkata issuing warrant of arrest against the petitioner, is the subject of challenge in this revisional application.

Mr. Ganguly, learned junior Government advocate for the State is present and he ordinarily defends as a learned advocate for the State. The copy of this revisional application be immediately handed over to Mr. Ganguly for the proper address of the issue involved in this case.

The petitioner is the developer against whom a warrant of arrest has been issued for recovery of some handful amount.

Learned advocate for the petitioner contends that the developer has already paid Rs.5,00,000/- and undertakes to surrender before the West Bengal State Consumer Disputes Redressal Commission subject to warrant of arrest being stayed against the petitioner.

Mr. Ganguly representing the State submits that for the recovery of some dues, the learned Commission has rightly

issued warrant of arrest in connection with an execution proceeding.

The warrant of arrest issued against the petitioner is a woman.

Having considered the submissions of both sides, the warrant of arrest issued against the petitioner be stayed for a fortnight subject to the condition that the petitioner shall surrender before the West Bengal State Consumer Disputes Redressal Commissioner, Kolkata at Kreta Suraksha Bhawan, 11A, Mirza Ghalib Street, Kolkata – 700 087 in connection with EA/173/2019 in Complaint Case No. CC/417/2014 within a fortnight from date, and if any application for her release is made before the learned Commission, the same shall be disposed of in accordance with the provision of law providing an opportunity of hearing to either of the parties of this case.

The Court makes no order as to the amount liable to be recovered from the petitioner, which is left to be considered by the concerned Commission for the purpose.

With this directions and observation, the revisional application is disposed of.

All parties shall act on the server copies of this order duly downloaded from the official website of this Court.

**(Subhasis Dasgupta, J.)**