

30.11.2021.
Court No.13
Item No. 32

pk

**W.P.A. No. 16455 of 2021
(Through Video Conference)**

**Sushanta Ghosh
Versus
The State of West Bengal & Ors.**

Mr. Tapas Kumar Dey,
Mr. Ashis Kumar Dutta

...For the petitioner.

Mr. Jishnu Choudhury,
Mr. Amrita Lal Chatterjee

...For the State.

Counsel for the petitioner submits that, although his client was convicted by the District Consumer Redressal Forum, which was upheld by the State Commission for a period of 2½ years and with fine, his incarceration is still continuing.

It is submitted that the original period of 2½ years has been completed and the balance six months in lieu of non-payment of fine is yet to expire. It is also submitted that, in two separate and other proceedings, the writ petitioner has been convicted for the same length of time and fine. The said conviction orders have also been upheld by the State Commission.

Since there is no clarification or order holding the sentence to be running concurrently, this Court is of the view that no relief can be granted to the petitioner under Article 226 of the Constitution of India. The petitioner may approach an appropriate

forum to seek redressal of his grievance, indicated herein above.

Counsel for the petitioner alternatively prays for 15 days parole to enable him to complete certain family obligations and attend to some property issues.

The said prayer may be made before the appropriate authorities and the same may be considered in accordance with Law and the applicable Rules.

With the aforesaid observations, the writ petition is disposed of.

There will be no order as to costs.

All parties are directed to act on a server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)