

12.08.2022
Item No.31
Ct. No.7
CHC
(disposed of)

C.O.1783 of 2022

**Sri Swapan Paul
Vs.
Parag Ranjan Paul & anr.**

Mr. Pratip Mukherjee,
Mr. Omar Faruk Gazi,
Mr. Amarnath Agarwal
...for the petitioner

Petitioner assails order dated 7th June, 2022, passed by learned Member, District Consumer Disputes Redressal Forum, Kolkata, Unit-I, (North), issuing Warrant of Arrest against the petitioner/judgement-debtor.

Mr. Mukherjee, learned advocate appearing for the petitioner disputing with the legality of the order submits that Consumer Disputes Redressal Commission should not have issued non bailable Warrant of Arrest against the petitioner/judgement-debtor at the first instance.

It is also submitted by the petitioner that the petitioner against whom the Warrant of Arrest has been issued was not a party to the agreement.

The illegality of order issuing Warrant of Arrest, if any, may be decided by Consumer Disputes Redressal Commission and its apex body if there be any.

However, when petitioner undertakes to subject himself to the course of law, the revisional application be disposed of upon staying the order dated 7th June, 2022, passed by Consumer Disputes Redressal Commission, Kolkata-I, (North) passed in Execution Application No. EA/31/2019 in Complaint Case No.CC/267/2018, subject to the condition that petitioner shall ensure his appearance before the Consumer Disputes Redressal Commission, Kolkata-I (North) within fifteen (15) days from the date of this order.

Petitioner is directed to make communication of this order to the Consumer Disputes Redressal Commission, Kolkata-I (North).

With this observation/direction, the revisional application stands disposed of.

Urgent certified photostat copy of this order, if applied for, be given to the parties as expeditiously as possible on compliance of all necessary formalities.

(Subhasis Dasgupta, J.)