

OD-2

ORDER SHEET  
IN THE HIGH COURT AT CALCUTTA  
Constitutional Writ Jurisdiction  
ORIGINAL SIDE

WPO/22/2021

TAPAS DUTTA  
VERSUS  
STATE OF WEST BENGAL AND OTHERS

BEFORE:

The Hon'ble JUSTICE RAJASEKHAR MANTHA

Date : 24<sup>th</sup> February, 2022

Appearance:

*Mr. Sabyasachi Chatterjee, Adv.*

*Mr. Akashdeep Mukherjee, Adv.*

*Mr. Sandipan Das, Adv.*

*Mr. Ankur Sharma, Adv.*

*Mr. Debjit Mukherjee, Adv.*

*Ms. Susmita Chatterjee, Adv.*

The Court :- The writ petitioner is directed against an order dated 22<sup>nd</sup> December, 2020 passed by the Hon'ble The State Consumer Disputes Redressal Commission, West Bengal in MA No. 30 of 2020 arising out of EA No. 19 of 2020.

It appears that the Bench of the State Commission was acting in compliance with an order of a Co-ordinate Bench dated 14<sup>th</sup> December, 2020 passed in WPO No. 375 of 2020 (Tapas Dutta Vs. State of West Bengal & Ors.).

It is seen that in terms of the order, the Bench of the Commission was only seeking to dispose of petitioner's application expeditiously being MA No. 30 of 2020.

The grievance of the petitioner as set out in ground nos. 1 to 6 is singularly and completely directed personally against the President of the State Commission.

The order is judicially sound. The petitioner sought re-opening of an execution case which was otherwise disposed of and dealt with.

It appears in no uncertain terms to this Court, that having failed on the merits, the writ petitioner has sought to attack the President of the State Commission in person which is extremely in bad taste and deserves condemnation and reprimand.

It is explained across the bar that the reason as to why the Commission was requesting the erstwhile Advocate of the judgment debtor to represent him, was to comply with orders of the Co-ordinate Bench. It is possible that an Advocate may not have further instructions from his client but as an officer of the Court can definitely be requested to assist it.

The writ petitioner in equally bad taste and gross impropriety has also addressed the Commission by way of a communication dated 17<sup>th</sup> December, 2020. These are gross attempts at intimidating judicial authority. This is deprecable and is deprecated.

The conduct of the writ petitioner, to say the least, is reprehensible. Under normal circumstances this Court would have been required to refer the matter to the Bar Council. This Court short of doing so in the interest of justice and with a view to put an end to the unfortunate fracas generated by the writ petitioner.

The writ petition is thus disposed of with token costs assessed at Rs.5,100/- payable by the writ petitioner to the officer of the Registrar, State

Consumer Disputes Redressal Commission. The Registrar shall receive such costs and deposit the same in the revenue account of the Commission.

(RAJASEKHAR MANTHA, J.)

mg/S. Chandra