

OD - 9

ORDER SHEET

CC/62/2021

IN THE HIGH COURT AT CALCUTTA
Special Jurisdiction (Contempt)
ORIGINAL SIDE

DR. KUNAL SAHA

-VS-

THE STATE CONSUMER DISPUTES REDRESSAL COMMISSION AND ORS.

BEFORE:

The Hon'ble JUSTICE SABYASACHI BHATTACHARYYA

Date: January 10, 2022

[Via video conference]

Appearance:

Dr. Kunal Saha (In-person)

Mr. Manoj Malhotra, Adv.

Mr. Paritosh Sinha, Adv.

The Court: The confidential report filed today indicates that the corrections effected to the contempt application were undertaken prior to the filing of the same in the central filing section. Such report is accepted.

In view of the fact, which appears from the Report, that there was no fault on the part of the anybody concerned in effecting the correction which took place apparently prior to the filing of the application in this Court, no further action need be taken in that regard.

Dr. Saha, appearing in person, indicates that there are several other errors also, apart from the one corrected previously, and seeks leave to correct those errors and to serve fresh amended copy of the contempt application on the alleged contemnors.

However, as rightly suggested by learned counsel for the alleged contemnors, it would meet the ends of justice in the event the petitioner is permitted to withdraw the matter and file afresh.

Accordingly, CC/62/2021 is dismissed as withdrawn with liberty to the petitioner to file a fresh contempt application by incorporating the necessary corrections on the same cause of action.

When the above order is being passed, learned counsel appearing for the alleged contemnors indicates that the trouble lies with the fact that the petitioner, when he is appearing for a particular NGO, is not furnishing the appropriate authorisation letter/power in that regard, for which the other advocates appearing in the Consumer Disputes Redressal Commission are taking objection.

The petitioner, however, objects to such submission and contends that he was restrained from appearing for the NGO-in-question and other matters on different grounds than pleaded by the alleged contemnors.

Be that as it may, since the merit of the matter has not been entered into, all questions are kept open and will be decided only when the fresh contempt application, if any, is filed by the petitioner.

(SABYASACHI BHATTACHARYYA, J.)