

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 14815 of 2022

Chief Manager, UCO Bank, Zonal Office, Sambalpur and Others **Petitioner**

Mr. S.K. Mishra, Advocate

- Versus -

Kunal Panda and Others **Opposite Parties**

Mr. P. Bharadwaj, ASC

**CORAM:
JUSTICE SASHIKANTA MISHRA**

**ORDER
13.06.2022**

Order No.

1.

1. This matter is taken up through hybrid mode.
2. The petitioners are aggrieved by order dated 07.06.2022 passed by the State Consumer Disputes Redressal Commission, Cuttack in Revision Petition No.31 of 2022.
3. It is submitted by the learned counsel for the petitioners that challenging the order passed by the learned District Consumer Dispute Redressal Commission, Nuapada, the aforesaid revision has been filed along with an application for stay operation of the order passed by the District Commission and for stay of further proceedings before it.
4. It is submitted that an application has been filed by the Opposite Party (complainant) before the District Commission with prayer to issue non-bailable warrant of arrest against the petitioners which is fixed to 16.06.2022 for hearing.
5. The learned State Commission did not grant any stay as prayed, rather issued notice by fixing the date to 22.06.2022 for hearing of the Revision Petition as also the stay matter.
6. It is further submitted that the District Commission has fixed the case to 16.06.2022 and in case, the petition filed by the present

Opposite Party (complainant) is allowed on that date, coercive steps including issuance of NBW may be taken against the petitioners, all of whom are senior Bank officials and in such event they shall be greatly prejudiced. Therefore, according to the learned counsel for the petitioners, in all fairness, learned State Commission ought to have stayed further proceedings of the case before the District Commission in view of pendency of the Revision before it.

7. Since no order has yet been passed by the District Commission on the petition filed by the Opposite Party, it would not be proper for this Court to pass any order at this stage. However, the Writ Petition is disposed of granting liberty to the petitioners to move an application before the District Commission on the date fixed to keep the proceeding in abeyance till 22.06.2022, on which date the State Commission is expected to take up the matter relating to stay for consideration as already fixed by it. It goes without saying that such application shall be considered by the District Commission in accordance with law as also having regard to pendency of the Revision Petition before the learned State Commission and the date fixed by it for hearing in the stay matter.

8. Urgent certified copy of this order be issued as per rules.

(Sashikanta Mishra, J)
Vacation Judge

B. Swain