

05.12.2023
Serial no. 1
[G.S.D]

CRR 546 of 2023
With
CRAN 1 of 2023

In the matter of : Ranjit Mondal

... .. Petitioner

Md. N. Rahber
Mr. Muhammad Jawwad

... For the petitioner

Mr. R. R. Chowdhury
Mr. Mainak Gupta

... For the State

In view of the observations made by His Lordship, the Hon'ble Justice Chowdhury in CRR 2955 of 2022 the warrant of arrest so issued against the petitioner is set aside in connection with EA No. 99 of 2018. The relevant part of the judgment of His Lordship is set out as follows:

"For the reasons stated above, this Court comes to an irresistible conclusion that in an execution application, the commission cannot issue warrant of arrest for enforcement of its order. The commission has, of course, the authority to issue warrant for detention of the judgement debtor in civil prison in accordance with the provision under the Code of Civil Procedure. It cannot issue warrant of arrest against the judgement debtor following the part 'B' of Chapter VI of the Code of Criminal Procedure"

Having considered the observations made above, the

Id. District Consumer Disputes Redressal Forum, 24

Parganas (South), is directed to follow the procedure laid down therein.

With the aforesaid observations, CRR 546 of 2023 along with CRAN 1 of 2023 is disposed of.

Pending application, if any, is also disposed of.

Parties to act on a server copy of this order, duly collected from the official website of the Hon'ble High Court, Calcutta.

Urgent Photostat certified copy of this order, if applied for, be supplied to the parties, subject to compliance with all requisite formalities.

(Tirthankar Ghosh, J.)