

08.02.2024
Court No. 19
Item No.44
Cp

C.O. No. 117 of 2024

Sri Swapan Karmakar & anr.

Vs.

M/s New Nest & ors.

Mr. Dyutiman Banerjee

Mr. Vishal Mallick

.....for the petitioners.

The petitioners have approached this court for an order of expeditious disposal of the proceedings being CC/377/2021, which is pending before the learned District Consumer Dispute Redressal Commission, Kolkata, Unit – III (South).

It is submitted that on an earlier occasion a similar order was passed by this court on July 4, 2023 directing the learned District Commission to dispose of the complaint of the petitioners within a period of three months from the next date fixed. It is submitted that the learned Commission has not complied with the order of this court.

I find from the records that the complainant has filed an application on September 8, 2023, praying for appointment of an engineer commissioner and prayed for some time for hearing of the said application.

Under such circumstances, it cannot be held that the Commission was responsible for not disposing of the application.

The learned Commission shall make serious endeavour to dispose of the complaint case expeditiously, preferably within the next six months.

This court has not expressed any opinion on the merits of the case. The learned Commission shall proceed independently and in accordance with law.

A copy of the revisional application along with a server copy of this order be served upon the opposite parties and/or the learned advocate contesting the matter on behalf of the opposite parties in the learned court below, within a week.

The revisional application is accordingly disposed of.

There shall be no order as to costs.

Parties are to act on the server copy of this order.

(Shampa Sarkar, J.)