

02.08.2025
DL.10

Court No.6
sg

C.O. 1251 of 2025

**The Acting Chief Manager, Baidyabati Sheoraphuli
Cooperative Bank Limited
Vs.
Smt. Sikha Dutta & Anr.**

Mrs. Praniti Bandopadhyay
Mr. Rahul Kumar Singh
Mr. Md. Danish Farooqui
....for the petitioner.

This application under Article 227 of the Constitution of India is at the instance of the judgement/debtor and is directed against an order dated November 20, 2024 passed by the learned District Consumer Redressal Commission, Hooghly, E.A. No. 39 of 2022 arising out of Consumer Case No. CC/190/2019.

By the impugned order, the application filed by the decree holder for issuing warrant of arrest against the judgement/debtor was fixed for hearing on 7th April, 2025 and for filing of the written objection in the mean time. On 7th April, 2025 the judgement/debtor prayed for time which was strongly opposed by the decree holder and 7th August, 2025 has been fixed for taking steps by the decree holder.

Learned advocate appearing for the petitioner submits that the District Commission lacked jurisdiction to entertain the consumer

complaint and, therefore, the orders passed by the District Commission and the subsequent orders affirming the same are nullity in the eye of law.

On query of the Court, learned advocate appearing for the petitioner could not satisfy the Court that such point was raised by the petitioner before the District Commission at the stage of hearing of the complaint petition or in the execution proceeding.

In view thereafter this Court is not inclined to grant any relief to the petitioner at this stage.

Accordingly, civil revisional application being CO 1251 of 2025 stands disposed of by leaving the petitioner free to take appropriate steps in accordance with law.

(Hiranmay Bhattacharyya, J.)