

22.01.2025
Item No.22
Ct. No. 30
Aloke

CO 3966 of 2024

**Authorised Signatory Directors
of Dutta Enterprise Developer
Vs
Utpal Kumar Das**

Mr. Sabyasachi Chatterjee
Mr. Dinesh Ch. Mandal
Mr. Debabrata Mondal
... for the petitioner

The present revisional application has been preferred against a final order/judgment dated 05.06.2024 passed by the learned District Consumer Disputes Redressal Commission, South 24 Parganas in Complaint Case No. CC/180 of 2022.

It appears that the petitioner has not invoked the provision of law under Section 41 of the Consumer Protection Act, 2019. He has relied upon the judgment of the Hon'ble Supreme Court in **Ibrat Faizan vs. Omaxe Buildhome Pvt. Ltd.** reported in **(2023) 11 SCC 594** in support of his contention as to the maintainability of the revisional application.

At the time of hearing the learned counsel has submitted that he now intends to invoke the provision of review as provided under Section 40 of the Consumer Protection Act, 2019 and the question of limitation may be considered by this Court.

Considering the relief as prayed for the revisional application on dispensing with the service in

this case is disposed of with the direction that the petitioner shall be at liberty to invoke the provision of review under the Act before the appropriate forum. The period of limitation shall be computed from the date of this order.

There will be no order as to costs.

All connected applications, if any, stand disposed of.

Interim order, if any, stands vacated.

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

(Shampa Dutt (Paul), J.)