

11.02.2026
Item No.21
BR

CO 4216 of 2023
With
IA No. CAN 2 of 2024, CAN 3 of 2025
Dr. Rajkumar Singha Mahapatra
-vs-

Debiprasad Sarkar and another

Mr. Shibaji Kumr Das
Mr. Dipendu Sarkar
... for the petitioner

1. Affidavit of service filed by the petitioner be kept with the record.
2. The revisional application has been preferred challenging an order no. 5 dated 9th October, 2023 passed by the learned West Bengal State Consumer Disputes Redressal Commission, Asansol Circuit Bench, District – Paschim Burdwan in connection with Interlocutory Application No. **IA/57/2023** arising out of First Appeal No. **A/36/2023**).
3. On perusal of the said impugned order, it appears that the West Bengal State Consumer Disputes Redressal Commission, Asansol Circuit Bench, District – Paschim Burdwan in Consumer Complaint No. 52 of 2018 was pleased to reject the

petitioner's application for condonation of delay being **IA/57/2023** along with First Appeal No. **A/36/2023** both dated 15.5.2023 on the ground of delay.

4. It appears that there is a delay of around 50 days in preferring the said appeal.
5. None appears for the opposite party in spite of service.
6. On hearing the petitioner and on perusal of the application for condonation of delay and on perusal of the impugned order, this Court finds that the grounds praying for condonation of delay as stated before the Commission appears to be sufficient and in the interest of justice is accepted.
7. The delay of 50 days is hereby condoned, on setting aside the impugned order dated 17.10.2023 passed by West Bengal State Consumer Disputes Redressal Commission, Asansol.
8. **IA/57/2023** is accordingly allowed and **A/36/2023** is hereby restored to its file.
9. The commission shall now proceed to dispose of the appeal being A/36/2023 expeditiously preferably

within three months from the date of this order on hearing the parties, by passing a reasoned order in accordance with law.

10. The revisional application along with CAN 3 of 2025 stands disposed of.

11. Urgent Photostat certified copy of this order, if applied for be given to the learned counsel for the parties on usual undertakings.

(Shampa Dutt (Paul), J.)