

CO. 4346 of 2025

23.03.26
D/L
SI-42
Ct. 06
(Samar)

**Aditya Mansion Developers & Ors
v.
Amit Roy**

Mr. Swapan Banerjee,
Mr. Partha Pratim Roy
Mr. Bratin Kumar Dey,
Mr. Subhankar Banerjee,
Mr. Kaustav Banerjee,

....for the Petitioners.

1. This revisional application is directed against an order dated November 17, 2025 passed by the learned District Consumer Disputes Redressal Commission, Hooghly whereby the petitioners' application seeking transfer of the complaint Case No. CC/211 of 2023 from the said District Consumer Disputes Redressal Commission has been rejected.
2. Mr. Banerjee, learned advocate appearing for the petitioner submits that the aforesaid application was necessitated in view of the fact that the President of the said District Commission has lodged a complaint against the petitioners' before the jurisdictional police that has led to registration of an FIR against the petitioner. He has handed up to court a copy of the complaint dated May 13, 2024 as well as the FIR registered pursuant thereto.
3. The same is taken on record. It is submitted by Mr.

Banerjee, that it will appear from the order impugned that the State Consumer Disputes Redressal Commission was requested for withdrawal of the case from the District Commission and for transferring the same to some other District Consumer Disputes Redressal Commission but such request had been rejected.

4. Mr. Banerjee, submits that it is apparent that since the President of the District Consumer Disputes Redressal Commission, Hooghly has himself lodged a complaint against the petitioners, and the same pertains to the same Complaint Case which is pending before the District Commission, there will be a conflict of interest and the case should be transferred to some other District Commissioner. However, since the transferring authority i.e. the State Commission has refused to withdraw the case from the District Consumer Disputes Redressal Commission, Hooghly, therefore, the petitioner has no other avenue but to approach this court under Article 227 of the Constitution of India.
5. Having heard the learned advocate appearing for the petitioner and having perused the material on record this court is of the *prima facie* view that since the President of the District Consumer Disputes Redressal Commission has himself lodged a complaint against the petitioners and the same has a bearing upon the ongoing complaint case,

therefore there may be a case of conflict of interest.

6. In such view of the matter, the District Consumer Disputes Redressal Commission, Hooghly is requested to adjourn the proceeding that has been fixed on March 24, 2026 to a date later than the date on which this revisional application is made returnable before this Court.
7. The petitioners shall serve a copy of the revisional application along with a notice on the opposite parties intimating them that the matter shall be taken up next on April 20, 2026. The petitioners shall file affidavit of service to that effect on the returnable date.
8. The learned Registrar of the District Consumer Disputes Redressal Commission, Hooghly shall furnish a copy of the letter bearing no. 221/DCDRC/Hooghly dated September 08, 2025 issued by the District Consumer Disputes Redressal Commission, Hooghly as well as letter dated September 24, 2025 bearing no. 1826/SC/2T-1/02(pt-III), which have been referred to in the order impugned dated November 17, 2025 to the learned Registrar General of the court before the returnable date, so that the same may be placed before this court by the learned Registrar General of this Court on the returnable date. The learned Registrar General of this court is requested to communicate this order to the learned Registrar of

District Consumer Disputes Redressal Commission,
Hooghly for compliance.

(Om Narayan Rai, J.)