

**NATIONAL CONSUMER DISPUTES REDRESSAL COMMISSION
NEW DELHI**

REVISION PETITION NO. 1985 OF 2019

(Against the Order dated 22/04/2019 in Appeal No. 1161/2016 of the State Commission West Bengal)

1. MANAGING DIRECTOR GAURAV INSTITUTE OF
MANAGEMENT SCIENCES
MIDNAPUR CENTRE SEKHPURA STATION ROAD, P.O.
MIDNAPUR P.S. KOTWALI,
DISTRICT-PASCHIM MEDINIPUR
WEST BENGAL

.....Petitioner(s)

Versus

1. TARUN KUMAR DAS
S/O. GOVIND CHANDRA DAS, R/O. VILLAGE
VIDYASAGARPUR, PO INDA P.S. KHARAGPUR TOWN,
DISTRICT-PASCHIM MEDINIPUR
WEST BENGAL

.....Respondent(s)

BEFORE:

**HON'BLE MR. JUSTICE KARUNA NAND BAJPAYEE, PRESIDING
MEMBER**

FOR THE PETITIONER : NEMO
FOR THE RESPONDENT : NOT SERVED

Dated : 02 November 2023

ORDER

1. Repeatedly called out. None appears for the petitioner.
2. The petition is pending since 2019.

Perusal of the record indicates that petitioner has not filed respondent's set and, therefore, notice could not be issued. Order dated 04.01.2023 may be quoted in this regard hereinbelow:

Dated : 04.01.2023

ORDER

As per Office report, the Petitioner has not filed the Respondent set and, therefore, notice could not be issued. Let it be filed within two weeks, where-after the Registry shall issue notice to the Respondent, returnable on 25.04.2023.

List on 25.04.2023.

Interim Order to continue.

3. Matter was next taken up on 25.04.2023. However, the situation remained the same as respondent’s set was still not fled. Order dated 25.04.2023 may be quoted in this regard hereinbelow:

Dated : 25.04. 2023

ORDER

As per Office report, the Petitioner has not filed the Respondent’s set and, therefore, notice could not be issued. Let it be filed within three weeks, whereafter the Registry shall issue notice to the Respondent, returnable on 04.09.2023.

List on 04.09.2023.

4. Today again when the matter has been taken up none appears on behalf of the petitioner.

Neither learned counsel nor proxy counsel nor anybody else appeared on behalf of the petitioner. The office report dated 30.10.2023 indicates that respondent’s set has still not been filed. It appears that the matter is not being pursued in right earnest. It appears to be a case of non-prosecution.

The petition is dismissed in non-prosecution.

5. However, in the interest of justice it may be observed that if the petitioner is interested in pursuing the matter in right earnest with due diligence and feels aggrieved by this Order it may move appropriate application for recall of Order and restoration of petition in accordance with law while filing the respondent’s set along with it.

6. The Registry is requested to send a copy each of this Order to all parties in the petition and to the learned counsel for the petitioner. The stenographer is requested to upload this Order on the website of this Commission immediately.

.....J
KARUNA NAND BAJPAYEE
PRESIDING MEMBER