



IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) No. 23928 of 2026
CNR No. ODHC010573162026**

***Punjab National Bank, Petitioner(s)
Bandutikira, Bargarh***

Mr. Anjan Biswal, Advocate

-versus-

***Aruna Kumar Nanda and Opp. Party(s)
another***

*Mr. Agnihotra Sahu, Advocate
(O.P.1)*

**CORAM:
THE HON'BLE MR. JUSTICE SIBO SANKAR MISHRA**

Order No.

**ORDER
17.08.2026**

- 02.
1. Heard.
 2. The present writ petition has been filed challenging the order dated 12.12.2025 passed by the State Consumer Forum in Review Application No. 17 of 2025 (Annexure-4) as well as the order dated 28.10.2021 passed in F.A. No. 78 of 2018 (Annexure-5).
 3. The opposite party no.1 herein approached the District Consumer Dispute Redresal Forum by filing Consumer Complaint Case No.53 of 2015. Vide order



dated 08.11.2017, the consumer complaint case was allowed with the following direction:-

"Hence in view of the aforesaid finding of the Forum the Opposite Party Bank is directed to give delivery of possession of the scheduled property given below in foot of the order within one month of the receipt of the order and also further directed to pay him an interest @9% (nine percent) per annum on the amount paid by the Complainant from the date of such payment till the date of the actual delivery of possession of the same, and with regard the compensation for the physical and mental harassment of the Complainant, the Opposite Party is further directed to pay an amount of Rs.20,000/-(Rupees twenty thousand)only as compensation in default of which interest @ 18% (eighteen percent) would accrue on the total amount, which would be calculated from the date of payments of the amount till the actual realization of the same.

In furtherance to the order the Opposite Party Bank is directed to take necessary and proper action on the officer concerned of the bank who has executed all such illegal act after proper inquiry, and also the Opposite Party Bank is warned not to repeat such type of attitude towards it's any customer in future, in the result the Complaint is allowed against the Opposite Party."

4. Aggrieved by the same, the petitioner-bank approached the State Consumer Dispute Redressal Commission, Odisha, Cuttack by filing F.A. No. 78 of 2018. The said appeal was dismissed for non-prosecution on 28.10.2021, as the counsel appearing for the petitioner-bank did not participate in the proceeding.



Against the said dismissal order dated 28.10.2021, a review petition was also preferred by the petitioner-bank before the State Consumer Commission being Review Petition No.17 of 2024. The review petition suffered a delay of 502 days. The State Consumer Commission rejected the application for condonation of delay, as a consequence of which the review petition was dismissed vide order dated 12.12.2025. Against the said dismissal order, the present writ petition has been filed.

5. Learned counsel appearing for both the parties argued the matter at length and taken me to the documents placed before this Court in this writ petition. But without entering into the merits of the case, I feel it appropriate to set aside the impugned order and restore the F.A. No. 78 of 2018 to the file of State Consumer Dispute Redressal Commission, Odisha, Cuttack, subject to the petitioner-bank paying cost of Rs.50,000/- (rupees fifty thousand) to the opposite party no.1 within a period of one month hence.

6. Since the First Appeal is culmination of the original proceeding and the statutory right of the petitioner-bank, the appeal is restored. The dispute pertains to the year 2016. Hence, the State Consumer Dispute Redressal Commission, Odisha, Cuttack is expected to



do well to see that the appeal is disposed of on its merit, as expeditiously as possible.

7. With the aforesaid observation, the writ petition is disposed of.

Ashok

(S.S. Mishra)
Judge