

**Present: Smt. Suparna Ray (JO Code:WB00711)**

**Judge, Commercial Court at Alipore**

**Title Suit 06 of 2022**

**Renumbered as T.S (Com) 33 of 2022**

**(CNR No:WBSP18-000054-2022)**

Order No. 29

30.07.2025

*In the matter of :  
Suit for declaration , damages and  
injunction valued at  
Rs.45,73,213/-.*

*And*

*In the matter of :  
Krishna Agrotech Ltd.*

*Vs.*

*Chakiat Agencies Pvt. Ltd. & anr.*

**ORDERED**

Today is fixed for production of original documents by the both sides.

Hazira filed on behalf of the plaintiff through Ld. Advocate.

Ld. Advocate of the plaintiff is present.

Defendant nos. 1 and 2 filed their respective hazira through their respective Ld. Advocates.

Ld. Advocates of the defendant nos. 1 and 2 is found present.

The copy of judgment passed by Hon'ble High Court at Calcutta in CO 2225 of 2025 on 21.07.2025 is filed by defendant no. 2 on firisti. Let it be kept with the record.

Heard Ld. Advocates of both sides.

Perused the judgment of Hon'ble High Court at Calcutta referred above. It appears that in the above referred judgment of Hon'ble High Court at Calcutta has been pleased to observe as follows:-

***“.....37. For the reasons as stated above, the impugned order is set aside. The portion of order dated December 17, 2019 thereby fixing the suit for ex parte hearing against the 2<sup>nd</sup> defendant is set aside. Application IA 2 of 2022 stands allowed. The portion of the order rejecting the IA 1 of 2022 is also set aside and such application stands restored to the file of the learned Judge, Commercial Court at Alipore, South 24 Parganas with a direction upon the learned Judge, Commercial Court to decide the application being IA 1 of 2022 afresh and dispose of the same in accordance with law as expeditiously as possible without grating any unnecessary adjournment to***

*either of the parties and after giving an opportunity of hearing to the respective parties and by passing a reasoned order without being influenced by the observations made in the order impugned.*

**38. It is, however, made clear that the plaintiff/opposite party will be at liberty to file an affidavit-in-opposition to the application for condonation of delay in filing the written statement within a week from the date of receipt of a server copy of this order and reply thereto, if any, be filed by the petitioner herein within a week thereafter.**

**39. With the above observation and direction, CO 2225 of 2025 stands disposed of, without any order as to costs....”**

Accordingly fix 22.08.2025 at 10:30 a.m to 11:00 a.m for hearing of I.A No. 1/2022.

In view of the order passed by Hon’ble High Court at Calcutta the plaintiff will be at liberty to file affidavit in opposition to the application for condonation of delay in filing the written statement within a week from the date of receipt of the server copy of the order and reply thereto, if any, be filed by the petitioner herein within a week thereafter.

Parties to take steps in the meantime.

Parties to act accordingly with the downloaded copy of order sheet from Ecourts App/Website.

*Dictated & corrected by me,*

*Sd/-*

*Judge, Commercial Court at Alipore  
For districts of South 24 Parganas, Purba Medinipur,  
Paschim Medinipur & Jhargram*

*Sd/-*

*Judge, Commercial Court at Alipore  
For districts of South 24 Parganas, Purba Medinipur,  
Paschim Medinipur & Jhargram*