

**IN THE COMMERCIAL COURT AT ALIPORE**

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

T.S. (Com) 27 of 2025  
CNR No. WBSP18-000174-2025

Shalimar Chemical Works Private Limited.

....Plaintiff

vs.

Samsuddin Sk.

....Defendant

Order: 03

Date: 02.01.2026

**Order**

The instant record is put up today by instigation of the plaintiff whereby and whereunder the plaintiff has prayed for hearing of the application under Order XXVI Rule 9 read with Section 151 of the Code of Civil Procedure, 1908 (being I.A. No. 03 of 2025) along with the application under Order XXXIX Rule 7 of the Code. Whereas any application under Order XXXIX Rule 7 is not filed.

More so, it appears from the record that by an Order dated 23.12.2025, this Court granted an *ex parte* order of injunction in favour of the plaintiff with a direction to serve the copy of the said order upon the defendant and accordingly, directed the plaintiff to file an affidavit regarding service of the same before this Court. But, till date the plaintiff does not file any affidavit showing the service of said order upon the defendant. It further appears from the record that despite the direction of serving the summons upon the defendant *vide* the Order dated 20.12.2025, the plaintiff till date does not take any step to serve the summons upon the defendant as well. The next date is fixed on 22.01.26.

Therefore, at this present scenario, this Court does not think fit to hear the aforesaid application(s) *ex parte*.

**To date** i.e. **22.01.2026 at 10:30 a.m** for fixing the date of hearing of the application being I.A No.03 of 2025.

Plaintiff is directed to submit explanation on the date fixed regarding non compliance of the direction of this Court *vide* order dated 23.12.2025.

Parties are to act forthwith on the basis of the downloaded copy of this Order.

Dictated and corrected by me

Sd/-

Judge, Commercial Court at Alipore,  
For South 24 Parganas, Purba Midnapore,  
Paschim Midnapore & Jhargram

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For South 24 Parganas, Purba Midnapore,  
Paschim Midnapore & Jhargram