

**In the High Court at Calcutta
Commercial Division
Original Side**

**CS-COM/354/2024
[Old Case No. CS/41/2022]
IA No. GA/1/2022, GA-COM/7/2024, GA-COM/11/2025**

**DIVIJ MERCANTILES PRIVATE LIMITED
VS
ASHOKA HAWAI AND SHOES PVT LTD**

**BEFORE:
The Hon'ble JUSTICE ANIRUDDHA ROY
Date : July 9, 2026.**

Appearance:
Mr. Jishnu Chowdhury, Sr. Adv.
Mr. Hemant Tiwari, Adv.
Mr. Shantanu Mishra, Adv.
... for the plaintiff

Mr. VVV Sastry, Adv.
Mr. Debargha Basu, adv.
Ms. Khushi Gupta, Adv.
... for the defendant

The Court: At the time of commencing reply to deal with the submissions made on behalf of the plaintiff, in this application filed by the defendant, praying for rejection of plaint, Mr. VVV Sastry, learned Advocate appearing for the defendant submits that he needs to place some orders passed by the Hon'ble Supreme Court, in the meantime, which may have some bearing on the pending issue.

In view of the above, the defendant shall file a supplementary affidavit disclosing whatever it wishes to disclose with regard to the directive of the Hon'ble Supreme Court and such supplementary affidavit

shall be filed on or before **July 16, 2026**. A copy shall be furnished upon Mr. Hemant Tiwari, learned Advocate on Record for the plaintiff.

Plaintiff shall be at liberty to deal with the same by filing a counter affidavit on or before **July 30, 2026**.

The matter shall appear under the heading “**For Orders**” on **August 12, 2026**.

It is made clear that the defendant shall restrict its reply only on the point of law and with regard to the judgments cited on behalf of the plaintiff.

(ANIRUDDHA ROY, J.)

RS