

ORDER SHEET

IN THE HIGH COURT AT CALCUTTA  
ORIGINAL SIDE  
[COMMERCIAL DIVISION]

IA NO. GA/2/2021  
In  
CS-COM/214/2024

M/S. ASTREX ENTERPRISE PRIVATE LIMITED  
Vs  
SUNIL KISHIN PUNWANI

BEFORE:

The Hon'ble JUSTICE KRISHNA RAO

Date : 3<sup>rd</sup> April, 2025.

Appearance:

*Mr. Kuldip Mullick , Adv.*

*Mr. Anil Choudhury, Adv.*

*...for the defendant*

1. Mr. Kuldip Mullick, learned Advocate, is appearing for the defendant.
2. None appears on behalf of the plaintiff.
3. The plaintiff has filed an application being GA/2/2021 under Section 10 of the Code of Civil Procedure praying for stay of the instant proceeding on the ground that on the self-same cause of action earlier suit has been filed before the City Civil Court, 6<sup>th</sup> Bench being Money Suit No. 177 of 2020.
4. Heard the learned Counsel for the defendant, none appears on behalf of the plaintiff, but this Court finds that one opportunity should be given to the plaintiff, accordingly for the interest of justice, the case is adjourned.
5. Let the matter be listed on 10<sup>th</sup> April, 2025 under the heading "New Motion".

6. It is made clear that on the date fixed if the plaintiff is failed to appear before this Court the matter being GA/2/2021 will be taken up for hearing in the absence of the plaintiff.
7. Counsel for the plaintiff submits that the plaintiff has filed an application being GA/1/2021 and obtained an interim order but the GA/1/2021 is not in the list, accordingly the Department is directed to place the record of GA/1/2021 along with GA/2/2021 in connection with CS-COM/214/2024 before the next date of hearing.
8. The supplementary affidavit filed by the defendant in connection with GA/2/2021 be kept with the record.

(KRISHNA RAO, J.)