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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL SIDE

IA No. CA/13/2019
(OLD No. CA/117/2019)
In CP/77/2012

IN THE MATTER OF: FORTUNE FURNITECH PRIVATE LIMITED
-AND-
Versus
ASSET RECONSTRUCTION COMPANY(INDIA) LTD.
Versus
THE O/L

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 20th January, 2022.
(via video conference)

Appearance:
Mr. Avishek Guha, Adv.
Mr. Akash Chopra, Adv.

Mr. Sukanta Ghosh, Adv.
Ms. Jayati Chowdhury, Adv.

Ms. Smita Das De, Adv.

The Court: This is an application filed for transfer of the proceedings to the National Company Law Tribunal, Kolkata. The Official Liquidator is represented and submits that no sale of the assets of the company(in liquidation) has yet taken place. It is submitted on behalf of the applicant that in view of the change of law and the decision reported in 2021 (2) SCC 641 (Action Ispat and Power Limited vs. Shyam Metalics and Energy Limited), the instant winding up proceedings ought to be transferred to the National Company Law Tribunal, Kolkata.

In view of the submissions made on behalf of the parties and the judgment reported in 2021 (2) SCC 641 (Action Ispat and Power Limited vs. Shyam Metalics and Energy Limited the present company petition being CP/77/2012

along with all connected interlocutory applications stands transferred to the National Company Law Tribunal, Kolkata.

The Department will treat CP/77/2012 along with all connected interlocutory applications as disposed of in so far as the records of this Court are concerned.

(RAVI KRISHAN KAPUR, J.)

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