

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CP-167-2016(O&M)
Date of Order: 12.07.2022

KASHIRATAN ENTERPRISES

..Petitioner

Versus

JHAMB COTTON PVT. LTD.

..Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Jivesh Malik, Advocate
for Ms. Nupur Chaudhary, Adocate
for the petitioner.

Mr. Reshabh Bajaj, Advocate
for respondent.

ANIL KSHETARPAL, J(Oral)

As per the office report despite order, the petitioner has not carried out the publication. On 04.05.2022, after forming a *prima facie* opinion that the respondent-Company is unable to pay its debt, the company petition was ordered to be admitted.

At this stage, the learned counsel representing the petitioner submits that let the matter be transferred to the National Company Law Tribunal, Chandigarh Bench, in view of the judgment passed in **Civil Appeal No.4041-2020, titled as "Action Ispat and Power Pvt. Ltd. Vs. Shyam Metalics and Energy Ltd.", decided on 15.12.2020, reported in AIR 2021 SC 309.**

Keeping in view the aforesaid facts, the order dated 04.05.2022, is recalled. As prayed for, let the matter be transferred to the National Company Law Tribunal, Chandigarh Bench.

The parties through their counsels are directed to appear before the National Company Law Tribunal, Chandigarh Bench, on 10.08.2022.

July 12th, 2022

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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned

: Yes/No

Whether reportable

: Yes/No