

BENCH-I

MENTIONING

NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CP(. 1B. .) No. . 1371. . . /KB/2018

CA(1B) NO. 1644 /KB/2019

Present: 1. Hon'ble Member (J), Shri Jinan K.R.

2. Hon'ble Member (T), Shri Harish Chander Suri

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON .. 02/12/2019, At 10:30 A.M

Name of the Company	Metro Sales Corporation — vs — Duncan Industries Limited.		
Under Section	9		
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

1. Sonal Shah
2. Kushape Shah
3. Aniket Choudhury

} Operational
CreditorShah
2/12/19.

1. RISHAV BANERJEE
2. AISHWARYA K. AWASTHI
3. RAJAASHI BANERJEE

} For Shareholder of,
Corporate
Debtor
(G.P Goenka)Rajash
Banerjee.

2/12/19

1. TUNIN KUMAR CHATTERJEE I R P

02/12/2019
T. Chatterjee.

ORDER

Ld. Interim Resolution Professional (IRP) appears. Ld. Counsel for the Operational Creditor appears. Ld. Counsel for one of the shareholder of Corporate Debtor (G.P Goenka) appears.

Ld. Counsel for the Operational Creditor as well as the Ld. Counsel appearing for the Corporate Debtor mentioned the CP 1371/KB/2018 today and submitted that the matter was settled out of the Tribunal and an interim application being CA(IB) No. 1644/KB/2019 was filed under Rule 11 of the NCLT Rules at the Registry for withdrawal of the CP and also praying for releasing the amount of Rs. 3 Lakhs deposited in the Escrow account. Ld. IRP submits that CoC has not been constituted so far. Registry is directed to release Rs. 1.30 Lakhs to IRP and refund the balance amount of Rs. 1.70 Lakhs to the Operational Creditor. IRP is requested to submit his request before the Dy. Registrar, NCLT, Kolkata Bench forthwith for Rs. 1.30 Lakhs and the balance amount of Rs. 1.70 Lakhs is to be refunded to the Operational Creditor, the applicant herein.. Further proceedings as against the Corporate Debtor is hereby stand closed and the IRP is directed to handover all the records to the Corporate Debtor forthwith. CA is disposed off. CP(IB) No. 1371/KB/2018 is disposed of as withdrawn vide order in CA.

Corporate Debtor is discharged from all the consequences upon passing order of admission in the CP.


(Harish Chander Suri)
Member (T)


(Jinan K...)
Member (J)