

ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION

IA NO.CA/94/2010
(Old No. CA/586/2010
CP/2/1987
IN THE MATTER OF :
CHAITAN CHOWDHURY & ANR.
VERSUS
OFFICIAL LIQUIDATOR, HIGH COURT, CALCUTTA
-AND-
KRISHNA MURARI TAPURIAH

IA NO.CA/106/2013
(Old No. CA/388/2013
CP/2/1987
IN THE MATTER OF :
BARANAGORE JUTE FACTORY PLC (IN LIQN.)
-AND
KRISHNA MURARI TAPURIAH
VERSUS
OFFICIAL LIQUIDATOR, HIGH COURT, CALCUTTA & ORS.

IA NO.CA/137/2017
(Old No. CA/99/2017
in CP/2/1987
IN THE MATTER OF :
RE: BARANAGORE JUTE FACTORY PLC (IN LIQN.)
-AND
KRISHNA MURARI TAPURIAH
VERSUS
OFFICIAL LIQUIDATOR, HIGH COURT, CALCUTTA & ORS.

IA NO.CA/146/2017
(Old No. CA/480/2017
in CP/2/1987
IN THE MATTER OF :
RE: BARANAGORE JUTE FACTORY PLC (IN LIQN.)
-AND
KRISHNA MURARI TAPURIAH
VERSUS
OFFICIAL LIQUIDATOR, HIGH COURT, CALCUTTA & ORS.

BEFORE:
The Hon'ble JUSTICE BIBEK CHAUDHURI
Date : 17th March , 2021

Appearance :
Mrs. Manju Agarwal,

Mr. Bajrang Manot, Advs.

Mr. D.K. Singh, Adv.

Mr. Arik Banerjee, Adv.,

*Mr. Sarvapriya Mukherjee,
Mr. A. Agarwalla,
Mr. B. Sharma, Advs.*

*Mr. Dhruva Ghosh, Sr. Adv.,
Mr. A. Kandia,
Mr. A. Basu, Advs.*

*Mr. Anirban Roy,
Mr. S. Ghosh,
Mr. P. Naskar, Advs.*

*Mr. Abhishek Halder,
Mr. Jaydeb Ghorai, Advs.*

The Court : I have heard the learned Advocates for the petitioner and the respondent. The judgment passed in CA 906 of 2010 along with other applications in CP 2 of 1987 delivered by Subrata Talukdar, J. on 4th December, 2019 is brought to my notice.

It is learnt from the learned Counsels for the respondent that against the aforesaid judgment, the respondent has already preferred an appeal and the next date of hearing of the appeal is fixed on 5th April, 2021.

It is submitted on behalf of the petitioner that by judgment dated 4th December, 2019, Subrata Talukdar, J. was pleased to constitute a Committee of Management consisting of three Members with certain directions for appointment of an auditor to carry out complete audit, including a forensic audit of the company and also to consult professionals of standing/experts on an advisory basis for arriving at a just conclusion with regard to the professional and financial health of the company. Till date, the said Committee has not filed any report. Without going into the merit of the matters, this

Court is of the prima facie view that the professional experts' report is absolutely necessary to revive the company for the sake of its workers and other stake holders.

Considering such aspect of the matters, the Committee is directed to submit its report by 5th April, 2021. The Company Matter Department is directed to circulate the report to the learned Counsels for the parties after the report is submitted before this Court.

The petitioner is requested to inform the Members of the Committee of Management the order passed by this Court for compliance. The above numbered applications be fixed for hearing on 9th April, 2021 at 2.00 P.M.

(BIBEK CHAUDHURI, J.)