

IN THE HIGH COURT AT CALCUTTA  
Civil Appellate Jurisdiction  
ORIGINAL SIDE

APOT/285/2024  
WITH  
CP/111/2015  
IA NO: ACO/1/2024

PARTH ISPAT (INDIA) PRIVATE LIMITED  
VS  
SURYA ALLOYS INDUSTRIES LIMITED

BEFORE:  
The Hon'ble JUSTICE ARIJIT BANERJEE  
AND  
The Hon'ble JUSTICE RAI CHATTOPADHYAY  
Date : June 16, 2025.

**Appearance:**

*Mr. Ratnanko Banerjee, Sr. Adv.*  
*Mr. Siddhartha Sharma, Adv.*  
*Mr. Rishov Dutt, Adv.*  
*Mr. Danish Taslim, Adv.*  
*Mr. Pathik Choudhury, Adv.*  
*...for the appellant.*

*Mr. Joydip Kar, Sr. Adv.*  
*Mr. Tanay Chakraborty, Adv.*  
*Mr. Siddharth Shroff, Adv.*  
*...for the respondent.*

**Dictated by Arijit Banerjee, J.**

The Court: This appeal is directed against an order dated January 6, 2023, whereby a learned Judge of this Court has transferred CP No. 111 of 2015 along with all connected applications to the National Company Law Tribunal, Kolkata (NCLT).

The winding up petition was presented against the appellant company.

The appellant says that in the absence of any application for transfer the learned Judge ought not to have and could not have transferred the proceeding to NCLT. Additionally, and in any event, because of the special circumstances of this case the order of transfer should not have been made.

The first point urged by the appellant is also in issue in a bunch of matters which have been fixed tomorrow (June 17, 2025) at 12:30 p.m.

Let this matter be listed along with those matters on June 17, 2025.

(ARIJIT BANERJEE, J.)

(RAI CHATTOPADHYAY, J.)