

**NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA**

C.P.(IB) No. 42/KB/2018

**Present: 1. Hon'ble Member (J) Shri Vijai Pratap Singh  
2. Hon'ble Member (J) Shri Jinan K.R**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING ON 05<sup>th</sup> February 2018, 10.30 A.M**

Name of the Company		Surat Goods Transport Pvt.Ltd.-Vs- Cosmic Ferro Alloys Ltd.	
Under Section		9 IBC	
Sl. No.	Name & Designation of Authorized Representative (IN CAPITAL LETTERS)	Appearing on behalf of	Signature with date

Susanta Datta }  
Debraj De } Advocate

operational  
creditor.

Susanta Datta }  
Debraj De }  
Advocate.  
05/2/18

Shavnak Mitra }  
Prasanta Narkar } Advocate

Directors of  
Corporate  
Debtor

Prasanta Narkar }

**ORDER**

Ld. Counsel for the operational creditor and the corporate debtor is present.

Ld. Counsel appearing on behalf of the corporate debtor submits that the corporate debtor is undergoing CIRP vide order of this Tribunal in CP(IB) No. 596/KB/2017 passed on 16/01/2018 and accordingly this application is not maintainable under Section 11 of the Insolvency and Bankruptcy Code, 2016.

Ld. Counsel appearing on behalf of the operational creditor prayed that he may be permitted to withdraw the application with a leave to submit his claim before the Interim Resolution Professional (IRP) already appointed vide order dated 16/01/2018 in C.P. (IB) No. 596/KB/2017.

Prayer is allowed. Operational creditor is permitted to withdraw the petition with liberty to submit its claim before the IRP.

CP (IB) No. 42/KB/2018 is disposed of as above.



(Jinan K.R.)  
Member (J)