

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.1635 of 2012**

- Allied Steels Limited A Company Incorporated And Registered Under The Indian Companies Act, 1956, Having Its Registered Office At Tatibandh Raipur (Madhya Pradesh).

---- Petitioner**Versus**

1. State Bank Of India A Body Corporate, Constituted Under The State Bank Of India Act, 1955, Having Its Central Office At Mumbai And Branch Office Inter Alia At Jaistambh Chowk, More Popularly Known As Main Branch, Raipur Madhya Pradesh.
2. Chhattisgarh State Industrial Development Corporation Ltd. Through Managing Director, Lic Commercial Complex Pandri, Raipur Chhattisgarh., District : Raipur, Chhattisgarh
3. I.R.B.I. Central Regional Office Through Its General Manager, 94, Mahatma Gandhi Road,, 1st Floor, Lucknow 226001.
4. Kotak Manindra Bank Ltd. A Banking Company With In The Meaning Of The Banking Regulation Act, 1949 And Registered Under The Companies Act 1956 Having Its Registered Office At 36-38a Mariman Bhawan, 227 Nariman Point, Mumbai Through Its Manager, Shri Venkatesh Chandrasekhar, S/o Shri N.V. Chandrasekhar Having Office At 2nd Floor, Kotak Infinity, Infinity I.T. Park, General A.K. Vaidya Marg, Malad - East, Mumbai - 97.

---- Respondents

For Petitioner	:	Dr. N. K. Shukla, Senior Advocate with Shri Priyankesh Chandrakar, Advocate
For Respondents No.2:		Shri Ayaz Naved, Advocate
For Respondent No.4:		Shri P. R. Patankar, Advocate

Single Bench: Hon'ble Shri Justice Manindra Mohan Shrivastava**Order On Board****09/01/2020**

Heard.

1. The aforesaid writ petition has been filed by the petitioner seeking relief, in view of the opinion of the Board for Industrial and Financial Re-construction dated 27-04-1994. The prayer made in this petition is for initiating winding up proceedings on the basis of the opinion rendered by the Board under the provisions of Section 20 of the Sick Industrial Companies (Special Provisions) Act, 1985.

2. In view of the statutory scheme of the Companies Act, 2013, the instant petition, praying for winding up proceedings, are required to be dealt with by the National Company Law Tribunal and even the cases pending before this Court stand transferred under Section 434(1)(c) of the Companies Act, 2013. Relief sought in the aforesaid petition cannot be granted by this Court.

3. Accordingly, this petition is dismissed as not maintainable. However, the petitioner would be at liberty to approach the competent forum for initiating winding up proceedings.

SD/-
(Manindra Mohan Shrivastava)
J U D G E