

HIGH COURT OF CHHATTISGARH, BILASPUR**WPC No.1880 of 2012**

- Allied Steels Limited Its Registered Office At Tatibandh, Ps And Post Tatibundh, Raipur, Cg, Chhattisgarh

---- Petitioner**Versus**

1. High Court Of Madhya Pradesh At Jabalpur Through The Registrar General, High Court Of Madhya Pradesh, Jabalpur, Madhya Pradesh
2. High Court Of C.G. Through Registrar General High Court Of C.G., Bilaspur, Cg,
3. Official Liquidator Attached To The High Court Of Madhya Pradesh, Jabalpur, Mp, District : Jabalpur, Madhya Pradesh
4. Official Liquidator Attached To The High Cort Of C.G., Bilaspur, Cg, District : Bilaspur, Chhattisgarh
5. State Bank Of India Sbi Its Central Office At Mumbai And Branch Office Inter Alia At Jaistambh Chowk, Popularly Known As Main Branch , Raipur, Ps And Post Civil Lines, Raipur, Cg, District : Raipur, Chhattisgarh
6. Industrial Development Bank Of India Idbi Represented By The Manager, Rfd, Idbi Tower, Cuffe Parade, Mumbai, District : Mumbai (Suburban) *, Maharashtra
7. Industrial Credit And Investment Corporation Of India Icici, Represented By The General Manager, 163, Backbay Reclamation, Nariman Point, Mumbai, District : Mumbai, Maharashtra
8. M.P. Financial Corporation Through Its Managing Director, Finance House, Bombay Agra Road, Indore, Mp, District : Indore, Madhya Pradesh
9. C.G. State Industrial Development Corporation, Csidc, Through Its Managing Director, Jeevan Bhima Parisar, Pandri, Raipur, Cg, District : Raipur, Chhattisgarh
10. Irbi Central Regional Office, Through Its General Manager, 94, Mahatma Gandhi Road, 1st Floor, Lucknow, District : Lucknow, Uttar Pradesh
11. Industrial Finance Corporation Of India Through Its Managing Director, 10, Sansad Marg Newe Delhi, District : New Delhi, Delhi
12. Board For Industrial And Financial Reconstruction Bifr, Through The Registrar, Bifr, Through The Registrar, Bifr, Jawahar Byapatr Bhawan, Tolstoy Marg, New Delhi, District : New Delhi, Delhi
13. Kotak Mahindra Bank Ltd Its Registered Officer At 36-38a, Nariman Bhawan, 227 Nariman Point, Mumbai, District : Mumbai, Maharashtra

---- Respondents

For Petitioner : Dr. N. K. Shukla, Senior Advocate with Shri Priyankesh
Chandrakar, Advocate
For Respondent No.1: Ms. Sharmila Singhai, Advocate
For Respondents No.8 & 9: Shri Ayaz Naved, Advocate
For Respondent No.13: 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