

OD-8

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/137/1983
IA NO: CA/1/1991(Old No:CA/64/1991),
CA/3/2010(Old No:CA/230/2010)

S. & P. ENGINEERING PRODUCTS LTD.(IN LIQN.)
VS
O/L

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 12th December, 2022.

Appearance:
Mr. Ranajit Chowdhury, Adv.
...for the Official Liquidator

The Court:- This liquidation proceedings have been pending since 1983. The Status Report filed on behalf of the Official Liquidator demonstrates that there is no irreversible situation which has arisen warranting this Court retaining this proceeding.

In view of the amended provisions of the Companies Act, 2013 and in view of the decisions in *Action Ispat and Power Private Limited-versus-Shyam Metalics and Energy Limited* reported in (2021) 2 SCC 641 and in *A. Navinchandra Steels Private Limited -versus- Srei Equipment Finance Limited and Others* reported in AIR 2021 SC 1180, I find that this Court does not have any jurisdiction to retain this proceeding.

In view of the aforesaid, CP/137/1983 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/137/1983 as disposed of insofar as the records of this Court are concerned.

It needless to mention that all connected applications also stand transferred to the National Company Law Tribunal, Kolkata.

(RAVI KRISHAN KAPUR, J.)

TO