

CP/188/2014
IA NO: CA/5/2017(Old No:CA/90/2017), CA/6/2021
IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

IN THE MATTER OF : NVD SOLAR LTD. –AND
VS
IN THE MATTER OF : MR. FAIZ ELAHI PERVEZ ATHER

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 16th December, 2022.

Appearance:
Ms. Debjani Mitra Neogy, Adv.

The Court : The company was directed to be wound up in 2015. It appears from the Status Report that no irreversible situation has arisen which warrants 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/188/2014 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/188/2014 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.)