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ORDER SHEET
IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/127/1962

BHADANI BROTHERS PRIVATE LIMITED (IN LIQN.)

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 5th December, 2022.

Appearance:
Ms. Sanchari Chakraborty, Adv.
Mr. S. Dasgupta, Adv.
Ms. A. Chowdhury, Adv.
... for the applicant.

Mr. Shiv Chandra Prasad, Adv.
... for the O/L..

The Court : The winding up order in respect of the company Bhadani Brothers Private Limited (in liquidation) was passed as far back as on 13th August, 1962.

The Status Report filed by the Official Liquidator is taken on record.

It appears from the Status Report that notwithstanding the passage of more time the Official Liquidator has still not been able to sell the assets of the company (in liquidation). The other steps taken up by the Official Liquidator do not warrant retaining the matter before this Court.

In view of the amended provisions of Companies Act, 2013 and 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, in my view, there is no irreversible situation which has arisen warranting this Court retaining this liquidation

proceeding. This pathetic state of affairs in the office of the Official Liquidator demonstrates that despite this proceeding being kept pending for more than fifty years the same have not been concluded.

In view of the aforesaid, CP/127/1962 alongwith all connected applications stand transferred to the National Company Law Tribunal, Kolkata, Eastern Region.

Accordingly, CP/127/1962 is disposed of insofar as the records of this case are concerned.

(RAVI KRISHAN KAPUR, J.)

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