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IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/236/2001

IA NO: CA/3/2006(Old No:CA/286/2006), CA/4/2006(Old No:CA/561/2006),
CA/7/2010(Old No:CA/483/2010)

IN THE MATTER OF :
BENGAL AIR SERVICES LTD. (IN LIQN.)

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 12th December, 2022.

The Court:- It appears from the Status Report filed on behalf of the Official Liquidator that there is no irreversible situation which has arisen warranting this Court retaining this liquidation 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, this Court does not have any jurisdiction to retain this proceeding.

In view of the aforesaid, CP/236/2001 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/236/2001 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