

OD-21

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/342/2014
IA NO: CA/3/2017(Old No:CA/243/2017),
CA/8/2019(Old No:CA/231/2019)

RE : JIBANDEEP GOLD LTD
-AND-
SUDHIN PAL & ORS.

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 20th December, 2022.

Appearance:
Mr. Apurba Kr. Ghosh, Adv.
Mrs. Annyasha Chakraborty, Adv.
Mr. Rudranil Ghosh, Adv.
...for the petitioner

The Court:- It appears from the Status Report filed by the Official Liquidator that there is no irreversible situation which has arisen warranting this Court retaining this proceeding. It further appears from the Status Report that possession of the assets of the company (in liquidation) has not yet been taken over by the Official Liquidator.

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/342/2014 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/342/2014 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.)

TO