

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/364/2013
IA NO: CA/3/2021

IN THE MATTER OF : M/S.
TARUN TEXTILE PVT LTD
-AND-
IN THE MATTER OF : SRI ANANI
PROJECTS PVT LTD

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 5th December, 2022.

The Court:- This is an application for winding up of the proceeding. It appears that the matter is at a pre-admission stage. Both parties remain unrepresented. It appears from the earlier order that despite the orders of Court, the parties have chosen not to appear in this matter.

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, in my view this Court does not have any jurisdiction to entertain this matter. There is no irreversible situation which has arisen warranting this Court retaining this liquidation proceeding.

In view of the aforesaid, CP/364/2013 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/364/2013 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