

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/384/2013

IN THE MATTER OF : SIYA
INVESTMENT CO. PVT LTD
-AND-
IN THE MATTER OF : PRADEEP MAJUMDAR

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 5th December, 2022.

Appearance:
Mrs. Debjani Mitra Neogy, Adv.
...for the Official Liquidator

The Court:- The Official Liquidator is represented. A Status Report filed on behalf of the Official Liquidator be kept with the records. 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. The Official Liquidator fairly submits that the matter be transferred to the National Company Law Tribunal.

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.

In view of the aforesaid, CP/384/2013 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/384/2013 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