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IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/461/2014

RE : DEBIKAY TELECOM PVT LTD
-AND-
RE : CMC MANUFACTURING CO. PVT LTD

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 20th December, 2022.

The Court:- The matter had been repeatedly adjourned when the parties were not represented. It appears from the orders of Court that the matter is at a pre-admission stage and no final order of winding up has yet been passed in this 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, I find that this Court does not have any jurisdiction to retain this proceeding.

In view of the aforesaid, CP/461/2014 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/461/2014 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