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IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/472/2014

RE : MSP METALLICS LTD – AND
VS
RE : RAJESH KHAITAN

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 18th November, 2022.

Appearance:
Mr. K. C. Garg, Adv.

The Court:- This is a winding up petition.

It is submitted on behalf of the petitioning creditor that this matter is at a pre-advertisement stage, directions have been completed and the matter is ready for hearing.

In view of the amended provision of the Companies Act, 2013, the decisions reported 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 these proceedings.

In view of the aforesaid, CP/472/2014 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/472/2014 as disposed of insofar as the records of this Court are concerned.

It is needless to mention that all connected applications made in CP/472/2014 also stand transferred to the National Company Law Tribunal, Kolkata.

(RAVI KRISHAN KAPUR, J.)

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