

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/419/2013
IA NO: CA/8/2022
IN THE MATTER OF :
M/S. TOTAL PLASTIC SOLUTIONS (P) LTD -
AND VS
IN THE MATTER OF :
M/S. DURGA TRADING CORPORATION

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 12th December, 2022.

Appearance:

Mr. Deepak Kr. Singh, Adv.
Mrs. S. Pramanick, Adv.

Ms. Debjani Mitra Neogy, Adv.

The Court:- The Status Report filed by the Official Liquidator be kept with the records.

In view of the amended provisions of the Companies Act, 2013 and 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/419/2013 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CA/8/2022 in CP/419/2013 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.)