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IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/329/2001

IA NO: CA/2/2006(Old No:CA/660/2006), CA/8/2013(Old No:CA/314/2013)

PARTECH COMPUTERS LTD. (IN
LIQN.) & EXPORT IMPORT BANK OF
VS
INDIA BHIMSEN AGARWALLA

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 5th December, 2022.

The Court:- The winding up petition has been pending since 2001. It appears from a Status Report filed on behalf of the Official Liquidator that the liquidation proceedings have still not concluded.

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/329/2001 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/329/2001 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