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IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/584/2014

RE : M/S. FILTER MANUFACTURING INDUSTRIES P.LTD
-AND-
RE : PRABHAKAR MISHRA

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 20th December, 2022.

*Appearance;
Mr. Debdut Mukherjee, Adv.
...for the petitioner*

The Court:- The petitioning creditor is represented.

It is submitted on behalf of the petitioning creditor 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 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, this Court does not have any jurisdiction to retain this proceeding. There is no irreversible situation which has arisen warranting this Court retaining these proceedings.

In view of the aforesaid, CP/584/2014 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CP/584/2014 as disposed of insofar as the records of this Court are concerned.

It is needless to mention that all connected applications made in CP/584/2014 also stand transferred to the National Company Law Tribunal, Kolkata.

(RAVI KRISHAN KAPUR, J.)

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