

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

IA NO. CA/1/2022
In CP/807/2015

IN THE MATTER OF:
M.R. NIRMAN PVT. LTD.
-ANDVs
DEENANATH NANDLAL PATNI

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 27th September, 2022.

Appearance:

Ms. Debnaji Mitra Neogy, Adv.
A. Choudhury, Adv.

The Court:- This is an application by a petitioning creditor for transfer of the proceeding to the National Company Law Tribunal. It is submitted on behalf of the petitioning creditor that the matter is at a pre-admission stage.

I have considered the averments made in the application. In view of the amendments to the Companies Act, 2013 and the decisions reported in *Action Ispat and Power Private Limited-versus-Shyam Metals 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, CA/1/2022 in CP/807/2015 stands transferred to the National Company Law Tribunal, Kolkata. The Department shall treat CA/1/2022 in CP/807/2015 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.)

D.Ghosh