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IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

CP/105/2011
IA NO: CA/9/2018(Old No:CA/330/2018)

IN THE MATTER OF:V.K.INKS & COATING PVT.LTD.-AND
VS
IN THE MATTER OF EAST INDIA TRADE CORPORATION

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 13th June, 2023

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

The Court:- The petitioning creditor is represented and submits that notwithstanding the company having gone into liquidation no effective steps have yet been taken in the liquidation proceedings.

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 proceeding.

In view of the aforesaid, CP/105/2011 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CP/105/2011 as disposed of insofar as the records of this Court are concerned.

It is needless to mention that all connected applications also stand transferred to the National Company Law Tribunal, Kolkata.

(RAVI KRISHAN KAPUR, J.)

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