

OD-28

CP/242/2013
IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

IN THE MATTER OF : AMAZAN AGRO PRODUCTS LTD –AND
VS
IN THE MATTER OF : ROSHAN PUBLICITY

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 22nd February, 2023.

Appearance:
Mrs. Smita Das De, Adv.
...for Official Liquidator

The Court:- The Status Report filed in respect of CP/217/2013 pertaining to the company (in liquidation) be kept with the records. It is submitted on behalf of the Official Liquidator that no irreversible situation has taken place insofar as liquidation proceedings are concerned. On a perusal of the Report, I also find that none of the assets of the company (in liquidation) have been sold.

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/242/2013 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CP/242/2013 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.)

SK.