

IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

CP/127/1964
IA NO: CA/1/1977(Old No:CA/23/1977)

DAS BANK LTD. (A BANKING CO.) IN LIQN.
VS
O/L, SRI GANESH CHANDRA SADHUKHA

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 23rd August, 2023.

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

The Court : This proceeding has been pending since 1964. By an order dated 3 March, 1965 the company namely Dass Bank Ltd. was directed to be wound up.

The Official Liquidator could not take possession of the registered office of the bank (in liquidation) situated at 30, Strand Road, Kolkata.

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/127/1964 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CP/127/1964 and all connected applications are 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.)

