

IN THE HIGH COURT AT CALCUTTA
ORIGINAL JURISDICTION
ORIGINAL SIDE

CP/120/1965
IA NO: CA/1/2012(Old No:CA/266/2012)

IN THE MATTER OF BANGASWARI COTTON MILLS LTD(IN LIQN)

BEFORE:

The Hon'ble JUSTICE RAVI KRISHAN KAPUR

Date : 23rd August, 2023.

Appearance:
Mr. Ranajit Chowdhury, Adv.
...for Official Liquidator

The Court : The matter has been pending since 1965. A Status Report filed by the Official Liquidator that the liquidation proceeding have not yet been concluded and the proceedings have been procrastinating on one pretext of the other.

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/120/1965 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CP/120/1965 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.)

