

IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/519/1998
IA NO: CA/1/1998(Old No:CA/519/1998), CA/4/2009(Old No:CA/403/2009),
CA/7/2014(Old No:CA/94/2014)

IN THE MATTER OF : MEWAR
GROWTH LTD. (IN LIQN.)
VS
RAJASTHAN BANK FINANCIAL SERVICES LTD.

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 2nd March, 2023

Appearance:
Ms. Smita Das De, Adv.
...for the O/L

The Court:- It is submitted on behalf of the Official Liquidator that the winding up order has been passed as far back as on 28th September, 2004. The proceeding has been pending for nearly two decades. The Official Liquidator submits that though initial steps have been taken, there is no irreversible situation which has arisen warranting this Court retaining this proceeding.

In view of the amended provisions of the Companies Act, 2013 and 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.

In view of the aforesaid, CP/519/1998 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CP/519/1998 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.)

TO