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IN THE HIGH COURT AT CALCUTTA
Original Jurisdiction
ORIGINAL SIDE

CP/1130/2014
IA NO: CA/23/2016(Old No:CA/842/2016),
CA/28/2017(Old No:CA/479/2017),
CA/29/2017(Old No:CA/496/2017)

IN THE MATTER OF:
PATHBREAKING PROJECTS LTD.
-AND-
RAJ KUMAR

BEFORE:
The Hon'ble JUSTICE RAVI KRISHAN KAPUR
Date : 16th January, 2023

Appearance:
Mrs. Debjani Mitra Neogy, Adv.
...for the Official Liquidator

The Court :- It is submitted on behalf of the Official Liquidator that a connected proceeding pertaining to the company (in liquidation) i.e. Pathbreaking Projects Limited has already been transferred to the National Company Law Tribunal.

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. There is no irreversible situation which has arisen warranting this Court retaining this proceeding.

In view of the aforesaid, CP/1130/2014 stands transferred to the National Company Law Tribunal, Kolkata.

The Department shall treat CP/1130/2014 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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