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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.PET. 207/2011**

AIR INDIA LIMITED

.....Petitioner

Through: Mr. Avishkar Singhvi, Ms. Ruby Singh Ahuja, Ms. Tahira Karanjawala, Mr. Arjun Sharma, Ms. Megha Dugar, Mr. Tribhuvan N. Singh, Mr. Naved Ahmed, Advocates.

versus

ARYAN CARGO EXPRESS PRIVATE LTD

.....Respondent

Through: Mr. Vaibhav Dang, Advocate.

CORAM:

HON'BLE MR. JUSTICE PRATEEK JALAN

ORDER

05.12.2025

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1. This petition, for winding up, has been pending since 2011, with several opportunities having been afforded to the parties to settle their disputes.

2. It is recorded in the order dated 28.11.2023 that the winding up proceedings have not yet commenced. Counsel for the parties were granted time to take instructions as to whether the matter can be referred to the National Company Law Tribunal ["NCLT"], in view of the judgment of the Supreme Court in *Action Ispat and Power Pvt. Ltd. v. Shyam Metalics and Energy Limited* [(2021) 2 SCC 641]. Learned counsel for both parties submit that such a course would be appropriate, having regard to the status of the winding up proceedings.

CO.PET. 207/2011

Page 1 of 2



3. The winding up petition is, therefore, transferred to NCLT in terms of the Companies (Transfer of Pending Proceedings) Rules, 2016. The parties will appear before the Registrar, NCLT, Principal Bench, on 19.12.2025 for further directions.
4. The records be transmitted to the Registrar, NCLT, Principal Bench.
5. The company petition stands disposed of from the Board of this Court.

PRATEEK JALAN, J

DECEMBER 5, 2025
SS/KA/