

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

C.P.(CAA)/2754/MB/2018

IN

C.A. (CAA)/ 182/MB 2018

In the matter of the Companies Act, 2013;

AND

In the matter of Sections 230 to 232 read with Section 66 and other applicable provisions of the Companies Act, 2013;

AND

In the matter of Scheme of Arrangement between Man Made Fibres Private Limited, Resham Resha Private Limited, S M ShetiSeva Private Limited and Khandwala Enterprise Private Limited and their respective Shareholders.

(i) Man Made Fibres Private Limited, a private limited company incorporated under the provisions of the Companies Act, 1956 under the corporate identity number U17120MH1961PTC011933 and having its registered office at 3-D, Sindhu House, Nana Bhai Lane, Flora Fountain, Fort, Mumbai-400 001

.....**Petitioner /Demerged Company 1**

(ii) Resham Resha Private Limited, a private limited company incorporated under the provisions of the Companies Act, 1956 under the corporate identity number U17120MH1968PTC014036 and having its registered office at 6-C, Sindhu House, Nanabhai Lane, Flora Fountain, Fort, Mumbai- 400 001 in the state of Maharashtra; ....**Petitioner /Demerged**

**Company 2**

(iii) S M Sheti Seva Private Limited, a private limited company incorporated under the provisions of the Companies Act, 1956 under the corporate identity number U15100MH1975PTC018191 and having its registered office at 5-C, Sindhu House, Nanabhai Lane, Flora Fountain, Fort, Mumbai- 400 001;  
....**Petitioner /Demerged Company 3**

Coram:

Hon'ble **Bhaskara Pantula Mohan**, Member (J)

Hon'ble **V. Nallasenapathy**, Member (T)

For the Applicant(s): Mr. Hemant Sethi i/b. Hemant Sethi & Co.

Per: **Bhaskara Pantula Mohan**, Member (J)

**Dated: 7<sup>th</sup> day of August 2018**

**Order**

1. Petition admitted.
2. Petition fixed for hearing on 23<sup>rd</sup> August , 2018.
3. Learned Counsel for the First Petitioner Company submits that in pursuance of Order dated 19<sup>th</sup> June 2018 passed by this Tribunal in Company Scheme Application No 182 of 2018, meeting of the Equity Shareholders of the First , Second and Third Petitioner Companies were convened and held at 3-D, Sindhu House, Nana Bhai Lane, Flora Fountain, Fort, Mumbai-400 001 on 27<sup>th</sup> July, 2018 at 10.30 A.M at 11.30 am and 1.30 P.M respectively and the scheme was unanimously approved by the shareholders present in the respective meetings. The Report of the Chairperson is annexed at Annexures R1 to R3 respectively.
4. The Counsel for the Petitioner further submits that as directed by this Tribunal, notices have been served upon all the Regulatory Authorities namely, concerned Income Tax Authorities, Central Government through Regional Director and Registrar of Companies Mumbai.
5. At least 10 clear days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of the Petition in two local newspapers viz. "Free

Press Journal” in English and “Navshakti” in Marathi, both circulated in Mumbai.

6. The Petitioners to file an affidavit regarding the directions given by the Tribunal pertaining to advertisement of notice of hearing and do report to this Tribunal that the direction regarding the issue of advertisement of the notice has been duly complied with.

Sd/-

Sd/-

**V .Nallasenapathy, Member (T) Bhaskara Pantula Mohan, Member (J)**