

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH
(through web-based video conferencing platform)**

**CP (CAA) No. 16/Chd/Pb/2021
(2nd Motion)**

**Under Sections 230-232 and
other applicable provisions of
the Companies Act, 2013**

In the matter of the Scheme of Arrangement between:

ANR Motors Private Limited

CIN: U67100PB1999PTC022194

....Demerged Company/Petitioner Company No. 1

With

JPA Motors Private Limited

CIN: U50400PB2020PTC050551

....Resulting Company/Petitioner Company No. 2

Order delivered on: 23.07.2021

**Coram: HON'BLE MR. AJAY KUMAR VATSAVAYI, MEMBER (JUDICIAL)
HON'BLE MR. RAGHU NAYYAR, MEMBER (TECHNICAL)**

For the Petitioner-Companies : 1. Mr. Anand Chhibbar, Senior Advocate
2. Mr. Devansh Khanna, Advocate

Per: Ajay Kumar Vatsavayi, Member (Judicial)

ORDER

This is a Second Motion Company Petition filed by the Petitioner Companies, namely; **ANR Motors Private Limited** (Demerged Company/Petitioner Company No. 1) and **JPA Motors Private Limited** (Resulting Company/Petitioner Company No.2) for sanction of the scheme of arrangement and for fixing a date of hearing of the main Company Petition as well as for a direction in relation to publication in press to be effected and notices to be

issued to the authorities concerned in relation to date of hearing of the Petition and calling for the objections, if any. The First Motion Application seeking directions for convening the meeting of secured creditors and unsecured creditors of Applicant Company No.1 and for dispensing with the meeting of Equity Shareholders of all applicant companies and Secured Creditors and unsecured creditors of Applicant Companies No.2 was filed before this Tribunal vide Company Application No.CA (CAA) No.29/Chd/CHD/2020 and based on such joint application moved under Sections 230-232 of the Companies Act, 2013, necessary directions were issued on 19.03.2021.

3. In compliance of the directions issued by this Tribunal, the meeting of Secured Creditors and Unsecured Creditors were held on 08.05.2021 for which Chairperson, Alternative Chairperson and the Scrutinizer were appointed and they have filed their reports as detailed hereunder (Diary No.00395/4 and 00395/5 both dated 01.06.2021).

Sr. No.	Meeting of	Chairperson/Alternate Chairperson/Scrutinizer	Chairpersons Report		Date of meeting
			Date of Report	Date of filing	
1	Secured Creditor of Applicant Company No.1	Mr. Harsh Garg, Advocate Mr. Vishav Bharti Gupta, Advocate Mr. S.K. Sikka, Company Secretary	31.05.2021	01.06.2021	08.05.2021
2	Unsecured Creditor of Applicant Company No.1	-do-	31.05.2021	01.06.2021	08.05.2021

The Scheme was unanimously approved by all the secured creditors and unsecured creditors present and voting at their respective meetings.

4. The Petition be listed for hearing on 17.09.2021. Notice of hearing be advertised in “Business Standard” (English), and “Jagbani” (Punjabi) both Punjab Edition, not less than 10 days before the aforesaid date fixed for hearing.

6. Notice be also served upon the Objector(s) or their representatives as contemplated under sub-section (4) of Section 230 of the Act, who may have made a representation and who have desired to be heard in their representation along with a copy of the Petition and the annexures filed therewith at least 15 days before the date fixed for hearing. It be specified in the notices that the objections, if any, to the Scheme contemplated by the authorities to whom notice has been given on or before the date of hearing fixed herein may be filed, failing which it will be considered that there is no objection to the approval of the Scheme on the part of the authorities by this Tribunal and subject to other conditions being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed thereunder.

7. In addition to the above public notice, each of the petitioner-companies shall serve the notice of the petition on the following Authorities namely, (a) Central Government through Regional Director (Northern Region), Ministry of Corporate Affairs, New Delhi (b) Registrar of Companies, Punjab and Chandigarh (c) Official Liquidator, attached to Punjab & Haryana (d) Competition

Commission of India (CCI) (e) Income Tax Department through the Nodal Officer - Principal Chief Commissioner of Income Tax, NWR, Aaykar Bhawan, Sector 17-E, Chandigarh by mentioning the PAN of the companies or to such other Sectoral Regulator(s) who may govern the working of the respective companies involved in the Scheme. along with copy of this petition by speed post immediately

8. The Petitioner Companies shall at least 7 days' before the date of hearing of the Company Petition file an affidavit of service regarding newspaper publication and service of notices on the authorities specified above including the sectoral regulator and objectors, if any. Objections, if any, to the Scheme contemplated by the authorities to whom notice has been given on or before the date of hearing fixed herein may be filed, failing which it will be considered that there is no objection to the approval of the Scheme on the part of the authorities by this Tribunal and subject to other condition being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed thereunder.

9. Registry shall also report before the date fixed as to whether any objection has been received to the proposed Scheme.

Sd/-
(Raghu Nayyar)
Member (Technical)

Sd/-
(Ajay Kumar Vatsavayi)
Member (Judicial)

July 23, 2021
AV