

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH**

C.A.No.46 of 2021 in  
C.P.(CAA) No.11/BB/2021  
U/Ss.230 - 232 of the Companies Act, 2013  
and other applicable provisions of the  
Companies Act, 2013  
R/w. Companies (CAA) Rules, 2016  
and the NCLT Rules, 2016

**In the matter of:**

Healthium OEM Private Limited  
Rep. by Mr. Mohammed Azeez,  
Director

R/o. at 472/D, 4<sup>th</sup> Phase,  
13<sup>th</sup> Cross, Peenya Industrial Area,  
Bengaluru – 560 058

- Applicant No.1/  
Transferor Company

**And**

Healthium Medtech Private Limited  
Rep. by Mr. Mohammed Azeez,  
Whole time Director

R/o. at 472/D, 4<sup>th</sup> Phase,  
13<sup>th</sup> Cross, Peenya Industrial Area,  
Bengaluru – 560 058

- Applicant No.2/  
Transferee Company

**Date of Order: 06.08.2021**

**Coram:** 1. Hon'ble Shri Bhaskara Pantula Mohan, Acting President  
2. Hon'ble Shri Hemant Kumar Sarangi, Member (Technical)

**Parties/Counsel Present (Video Conference):**

For the Applicant Companies : Shri P Sriram



**ORDER**

**Per:** *Bhaskara Pantula Mohan, Acting President*

1. C.A.No.46 of 2021 in C.P.(CAA)No.11/BB/2021 is filed by Healthium OEM Private Limited and Anr. (Applicant Companies), U/Ss.230 - 232 of the Companies Act, 2013 and other applicable provisions of the Companies Act, 2013 R/w. Companies (CAA) Rules, 2016 and the NCLT Rules, 2016, by seeking to direct the Petitioner Companies to issue publication of the Advertisement Detailing Petition in Form NCLT-3A in English Newspaper "Business Standard" Bengaluru Edition and Kannada Newspaper "Kannada Prabha" Bengaluru Edition.
2. Brief facts of the case, as mentioned in the Application, which are relevant to the issue in question, are as follows:
  - (1) The Applicant Companies had filed a Joint Petition U/Ss.230 to 232 of the Companies Act, 2013, seeking directions from this Tribunal for approving the Scheme of Arrangements between Transferor and Transferee Company. The aforesaid joint Petition came up for hearing before the Tribunal on 01.04.2021.
  - (2) Whereas the Applicant Companies vide their Petition had prayed for approval of the Scheme and inter alia sought for direction for publication of advertisement in "Business Standard" and "Kannada Prabha". The Tribunal vide Order dated 23.04.2021, had admitted said Petition and ordered to collect notice from the Registry. However, since there was no specific direction by the Tribunal regarding the publication of the Advertisement detailing Petition in "Form NCLT-3A". Hence, this Application is filed.
3. Heard Shri P. Sriram, learned PCS for the Applicant Companies, through Video Conference. We have carefully perused the pleadings of the party along with extant provisions of law.



4. We are convinced with the reasons as cited by the Applicant, therefore, it is necessary to permit the Applicant to issue publication of the Advertisement Detailing Petition as sought for.
5. In the result, C.A.No.46 of 2021 in C.P. (CAA) No.11/BB/2021 is hereby allowed by permitting the Applicant/Petitioner Companies to cause paper publication of the Petition in Form NCLT-3A in English Newspaper "*Business Standard*", Bengaluru Edition and Kannada Newspaper "*Kannada Prabha*", Bengaluru Edition as per law, and file the necessary copies of the publication in the Registry. No order as to costs.

**BHASKARA PANTULA MOHAN  
ACTING PRESIDENT**

**HEMANT KUMAR SARANGI  
MEMBER, TECHNICAL**

Shruthi