

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

**CA No.88/2021 IN
CA (CAA) No.35/Chd/CHD/2020
(1st Motion)**

Under Sections 230-232 of the Companies Act, 2013.

In the matter of:

Janak Global REsources
Pvt. Limited & Ors. ... Applicants-Amalgamating-Transferor Companies

With

Amartex Industries Ltd. ... Applicant-Transferee Company.

Present through video conferencing:

Mr. Atul V. Sood, Advocate for the applicant companies.

CA No.88/2021

The joint First Motion application filed by the applicant companies was disposed of by this Tribunal vide order dated 10.02.2021 in CA (CAA) No.35/Chd/Chd/2020 (Annexure-A). The instant CA is filed by the applicant companies seeking following reliefs:-

- a. That the Amended Memo of Parties (Annexure B) pursuant to change of registered office of Applicant Co. No.4/Transferee Company may kindly be taken on record;
 - b. That this Hon'ble Tribunal may be pleased to direct a fresh date for convening of meetings of secured creditors and unsecured creditors of Applicant Co. No.4;
 - c. Any other that this Hon'ble Bench may deem fit in the facts and circumstances of the case may kindly be passed.
2. It is submitted that after disposal of the First Motion application, the registered address of Applicant No.4-Transferee Company has been changed and

accordingly the meetings of Secured Creditors and Unsecured Creditors of Applicant No.4 company could not be conducted as directed by this Tribunal. Hence, the application.

3. In the circumstances and in the interest of justice the Annexure-B i.e., the amended Memo of Parties is taken on record.

4. In respect of Applicant Company No.4-Transferee Company, certain directions were issued vide order dated 10.02.2021 in CA(CAA) No.35/Chd/CHD/2020 in para No.45(D) (a) to (o) and E to H of the said order. Out of the same the following paragraphs are modified as under:-

“b. Meeting of Secured Creditors to be convened on 18.09.2021 vide video conferencing at 10 A.M., subject to notice of meeting being issued. The quorum of the meeting of the Secured Creditors shall be 02 in number and 40% of value of Secured Creditors.

c. Meeting of Unsecured Creditors to be convened on 18.09.2021 vide video conferencing at 11 A.M., subject to notice of meeting being issued. The quorum of the meeting of the Unsecured Creditors shall be 126 in number and 40% of value of Unsecured Creditors.”

5. Except the above, the remaining order dated 10.02.2021 in CA(CAA) No.35/Chd/CHD/2020 is continued to be the same. This order forms part of the order dated 10.02.2021.

6. Accordingly, the instant CA No.88/2021 in CA(CAA) No.35/Chd/CHD/2020 is disposed of.

Sd/-
(Raghu Nayyar)
Member(Technical)

(Ajay Kumar Vatsavayi)
Member (Judicial)

July 09, 2021
pc