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**IN THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH**

CP.(CAA) No. 2930 OF 2018

Under Section 230-232 of the Companies Act, 2013

In the matter of Scheme of Merger by Absorption between KAA VEE RETAIL INFRA LIMITED, the Transferor Company and PRECISION REALTY DEVELOPERS PRIVATE LIMITED, the Transferee Company and their respective shareholders.

KAA VEE RETAIL INFRA PRIVATE LIMITED

....Petitioner Company No.1

PRECISION REALTY DEVELOPERS PRIVATE LIMITED

....Petitioner Company No.2

Order delivered on 23rd August, 2018

Coram:

Hon'ble Shri B.S.V. Prakash Kumar, Member (Judicial)
Hon'ble Shri Ravikumar Duraisamy, Member (Technical)

For the Petitioner(s): Mr. Rajesh Shah, Advocate along with Ahmed M. Chunawala, Advocate i/b Rajesh Shah & Co.

Per Ravikumar Duraisamy, Member

ORDER

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 27th September, 2018.
3. Learned Counsel for the Petitioners states that in pursuance of the directions contained in Order dated 4th July, 2018 passed by the National Company Law Tribunal, Mumbai Bench in the Company

Scheme Application No. 236 of 2018, the meeting of Equity Shareholders was held on 6th August, 2018 and the requisite quorum was present and the Scheme was approved unanimously by the Equity Shareholders without modifications. The Chairman appointed for the meeting has filed his affidavit verifying his report dated 6th August, 2018 which is annexed as Exhibit "K-1 and K-2" to the petition.

4. The Counsel for the Petitioner Companies submits that as directed by this Tribunal, notices have been served upon all the Regulatory authorities, namely, (i) Regional Director, Western Region Mumbai, (ii) Registrar of Companies, Mumbai, (iii) the concerned Income Tax Authority within whose jurisdiction the Petitioner Companies' assessments are made, (iv) the Official Liquidator, Bombay High Court. Notices have also been served upon all the unsecured creditors of both the Petitioner Companies and to the secured creditors of Petitioner Company No. 1.
5. The Learned Counsel for the Petitioner Company further submits that the Company Petition is filed in consonance with section 230 to 232 of the Companies Act, 2013 along with the Order passed in Company Application No. 236 of 2018 by the National Company Law Tribunal, Mumbai Bench.
6. At least 10 days before the date fixed for hearing, Petitioner to publish the notice of hearing of Petition in two local newspapers viz. "Business Standard", in English language and translation thereof in "Navshakti", in Marathi language, both having wide circulation where registered office of the Companies are located as per Rule 16

of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.

7. The Petitioner to file an affidavit of service regarding the directions given by the Tribunal seven days before the date fixed for final hearing and do report to this Tribunal that the direction regarding the issue of advertisement of the notice has been duly complied with.

SD/-

Ravikumar Duraisamy
Member (Technical)

SD/-

B.S.V. Prakash Kumar
Member (Judicial)