

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CSP No. 580/230-232/NCLT/MB/MAH/2017

Under section 230-232 of the Companies Act, 2013

In the matter of
Rotunda Capital & Finance (India) Pvt. Ltd.,
605, SBI Employees, Neelkamal CHS, CTS 640
A, Veera Desai Road, Andheri (W), Opp.
Andheri Sports Cl., Mumbai - 400058,
Maharashtra, India.

.... Petitioner
(Transferee Company)

Judgement delivered on: 14.07.2017

Coram:

Hon'ble M.K. Shrawat, Member (J)
Hon'ble Dr. Ashok Kumar Mishra, Member, (T)

For the Petitioner : Mr. Rajesh Shah, Advocate

Per : Dr. Ashok Kumar Mishra, Member, (T)

ORDER

The Counsel for the Petitioner has sought following reliefs:

1. Fixing of the date of final hearing of the petition.
2. Directions for the issuance of public notice.

The averment made in the petition as follows:

1. The Petitioner has sought the relief of this tribunal under provisions of the Sections 230-232 of the Companies Act, 2013 to a Scheme of Amalgamation.
2. The Transferor Companies and the Transferee Company have approved the said scheme by passing a Board Resolutions, respectively, which are annexed to the respective Scheme Petitions.
3. In pursuance of the Directions passed by this Bench in CSA 333/2017 order dated 19th April, 2017, the meeting of the Equity Shareholders was held on 6th June, 2017

and the meeting of the Preference Shareholders was held on 7th June, 2017 and the requisite quorum was present and the scheme was approved unanimously by the Equity and Preference Shareholders without modifications.

4. The chairman of the meeting has filed his report dated 8th June, 2017 which is annexed as Exhibit H to the Petition.

After going through the submissions made by the Counsel and averment made in the Petition and without commenting on the proposed scheme the following directions are issued to the Petitioner Company, that:

1. The petition is admitted.
2. The petition is fixed for hearing on 11th August, 2017.
3. To publish a notice of hearing of petition, in two local newspapers viz. one in English Language and one in Vernacular Language i.e. Marathi Newspaper, both having wide circulation in Mumbai as per Rule 15 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016, at least 10 clear days before the date of hearing.
4. To file an affidavit of service regarding the directions given by the Tribunal has been duly complied with, before three clear days of the date fixed for hearing.
5. Ordered Accordingly.

Sd/-

DR. ASHOK KUMAR MISHRA
Member (Technical)

Sd/-

M. K. SHRAWAT
Member (Judicial)

Dated : 14.07.2017