

IN THE NATIONAL COMPANY LAW TRIBUNAL : NEW DELHI

COURT-III

CA No.23/C-III/ND/2018
In CA(CAA)-120/ND/2017

In the matter of :

MEGA Airways Ltd with MEGA Corporation Limited

...PETITIONER

SECTION :

Under Section 230-232

Order delivered on 09.1.2018

Coram :

R. VARADHARAJAN,
Hon'ble Member (Judicial)

For the Petitioner /Op. Creditor : Mr. Mukesh Sukhija, Advocate

For the Respondent/Corporate Debtor : -

For the Intervener :

ORDER

Learned Counsel for the Applicant is present and moves the present CA No.23/C-III/ND/18. Perusal of the said Application shows that this Tribunal had passed the Order dated 04.12.2017 directing the Transferee Company-Applicant to convene a meeting of Equity shareholders and Unsecured Creditors in relation to the Scheme of Amalgamation proposed between the Applicant Transferee Company and the Applicant Transferor Company on 29.1.2018 at 10 AM, respectively, wherein several directions were also issued for the purpose of convening the meeting. It is represented by the Ld. Counsel for the Applicant that against the said order, an appeal was filed before the Hon'ble NCLAT and Hon'ble NCLAT was pleased to dismiss the ~~petition~~ ^{appeal} vide its Order dated 31st January, 2018 with the following directions :

"The appellant is given liberty to move NCLT to request resetting of the schedule and dates specified in the operative order as it appears that certain steps were to be taken on 29th January, 2018 and the said date has passed."

Contd.

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It is represented by the Ld. Counsel for the applicant that pursuant to the said directions, the above application has been filed seeking directions for convening the meeting and for this purpose, date, time and venue of the meetings proposed has been given at Paragraph 5 (i) at page-4 of the Application which may be considered by this Tribunal for re-setting of the schedule and dates in furtherance to the directions of the Hon'ble NCLAT as extracted above.

Taking into consideration the directions issued by the Hon'ble NCLAT and in view of the prayer contained in the application, date of the meeting stands reset and directed to be held on 20th of March, 2018 at 11 AM at " Hotel Capitol Hills, C-42, Greater Kailash, Part-I, New Delhi-110048" in relation to the Equity shareholders meeting and in relation to the Unsecured Creditors, at the abovesaid venue to be held at 2 PM on 20th March, 2018. Other terms & conditions as contained in the Order dated 04.12.2017 passed by this Tribunal in relation to directions for calling, convening and holding the meetings of equity shareholders and unsecured Creditors of the Applicant – Transferee Company shall stand and be complied with by the Applicants in CA (CAA)-120/ND/2017.

Dasti Process is allowed.


(R. VARADHARAJAN)
MEMBER (JUDICIAL)

Surjit
09.2.2018