

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

COMPANY SCHEME PETITION NO. 393 OF 2017

IN

COMPANY SCHEME APPLICATION NO. 205 OF 2017.

In the matter of the Companies Act, 2013 (18 of 2013);

AND

In the matter of Sections 391 to 394 of the Companies Act, 2013 and other relevant provisions of the Companies Act, 2013 along with the Companies Act, 1956

AND

In the matter of Sections 230 to 232 of the Companies Act, 2013 and other relevant provisions of the Companies Act, 2013 along with the Companies Act, 1956

AND

In the matter of Scheme of Amalgamation of KHANDESH STEEL PRIVATE LIMITED, the Transferor Company with HITESH PLASTICS PRIVATE LIMITED, the Transferee Company.

KHANDESH STEEL PRIVATE LIMITED,)

a company incorporated under the)

Companies Act, 1956 having its registered)

office at Addl. MIDC, MIDC Area, Jalgaon-)

425 002.) ...Petitioner Company.

Called for Admission of Petition:

Rajesh Shah, Advocate along with Ahmed M. Chunawala, Advocate i/b Rajesh Shah & Co., Advocates for the Petitioner

Coram: Ms. Ina Malhotra, Hon'ble Member (J)

Date: 23rd June, 2017.

MINUTES OF THE ORDER

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 27th July, 2017.
3. Learned Counsel for the Petitioner states that in pursuance of the directions contained in Order dated 2nd March, 2017 passed by the National Company Law Tribunal, Mumbai Bench in the Company Application No. 205 of 2017, the meeting of Equity Shareholders was held on 15th April, 2017 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 18th April, 2017 which is annexed as Exhibit 'G' to the petition.
4. 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. 205 of 2017 by the National Company Law Tribunal, Mumbai Bench.
5. At least 10 days before the date fixed for hearing, Petitioner to publish the notice of hearing of Petition in two local newspapers viz. "Times of India –Aurangabad Edition", in English language and translation thereof in "Gavkari", in Marathi language, both having circulation in Mumbai as per Rule 15 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
6. The Petitioner to file an affidavit of service regarding the directions given by the Tribunal three 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/-

Ms. Ina Malhotra, Hon'ble Member (J)