

ATTENDANCE-CUM-ORDER SHEET OF HEARING

NATIONAL COMPANY LAW TRIBUNAL
GUWAHATI BENCH: GUWAHATI

T. P. No.34/391(1)/394/GB/2016
(C. P. No.14/2016)

Under Section: 391(1) and 394 of the Companies Act, 2013

In the matter of:

Netgen Power (Pvt.) Ltd.
Kauntia Consultants and Investments (Pvt.) Ltd.
N. E. Thermion (Pvt.) Ltd. ... Petitioners

-Versus-

XXXXXXXXXXXXXXXXXXXXXXXXXXXX Respondent

Coram:

Hon'ble Mr. Justice P. K. Saikia, Member (J)

For the Petitioners : Mr. N. J. Medhi

For the Respondent/ : Mr. Kanchan Sanyal, Assistant Director,

Central Govt. O/o. the Director (NER), M.C.A., Shillong

Date of Order: 10-07-2017

ORDER

Mr. N. J. Medhi, appearing for the Petitioners submits that the Regional Director, (N.E. Region), O/O. Registrar of Companies, Ministry of Company Affairs, Shillong has raised the following objections regarding amalgamation of the Transferring Company with the Transferor Company:

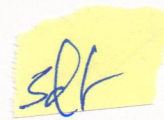
- (i) Clause under the Heading "the Incidental Objects" in the Memorandum of Association of (in short "MOA") is required to be suitably amended to accommodate amalgamation of the Transferor Company with the Transferee Company.
- (ii) Special Resolutions passed in that connection by both the Companies are required to be filed with the Registrar of Companies in Form NJT-14 of the Companies General Rules and Forms.

- (iii) The special resolutions, passed by the Companies approving amalgamation of these Companies, are required to be filed with the Registrar of Companies.

The learned Counsel for the petitioners has submitted that the Petitioners are already on the job in order to meet the queries made by the RD and, therefore, the Petitioners have prayed for some time to do the needful in regard to the matter aforesaid.

In this connection, I have also heard Mr. Kanchan Sanyal, Assistant Director O/O RD (NE Region), M.C.A. Shillong.

On hearing both the sides, the prayer of the Petitioners seeking adjournment is accepted and the matter is adjourned to 11-08-2017.



Member (Judicial)
National Company Law Tribunal
Guwahati Bench: Guwahati.

Dated, Guwahati, the 10th July, 2017

Deka/10-07-2017