

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

CSP NO 836 OF 2017

In the matter of the Companies Act, 2013;

AND

In the matter of Sections 230 to 232 of the Companies Act, 2013;
AND

In the matter of Scheme of Arrangement and Amalgamation between Apar Finlease Private Limited (Transferor Company), and Golden Peace Infrastructure Private Limited (Transferee Company) and their respective Shareholders

Golden Peace Infrastructure Private Limited,)

a company incorporated under the provisions)

of the Companies Act, 1956 and having its)

Registered Office at Hotel Neo Majestic, Plot)

No 104/1A, Opp Azad Bhavan, PorvorimBardez,)

Goa – 403521)

..... Petitioner Company

Coram:

Hon'ble **B.S.V. Prakash Kumar**, Member (J)
Hon'ble **V .Nallasenapathy**, Member (T)

For the Petitioner(s): Mr. Hemant Sethi i/b Hemant Sethi & Co

Per: **V .Nallasenapathy, Member (T)**

ORDER

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 4th day of October , 2017.
3. Learned Advocate for the Petitioner Company states that in pursuance of Order dated 22nd July 2016 passed by High Court (Goa Bench) in Company Application No. 38 of 2016, the convening and holding the meeting of the Equity Shareholders was dispensed with in view of consent given by all the Equity Shareholders. The meeting of the Creditors was also dispensed with.

4. At least 10 clear days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of the Petition in two newspapers, viz 'Times of India ' in English language and translation thereof in 'Lokmat' in Marathi language, both circulated in Goa.
5. The Petitioner Company is also directed to serve notices along with copy of scheme upon:- (i) concerned Income Tax Authority with in whose jurisdiction the Petitioner Company's assessments are made, (ii) the Central Government through the office of Regional Director, Western region, Mumbai and (iii) Registrar of Companies, Goa with a direction that they may submit their representations, if any, within a period of thirty days from the date of receipt of such notice to the Tribunal with copy of such representations shall simultaneously be served upon the Petitioner Company, failing which, it shall be presumed that the authorities have no representations to make on the proposals.
6. Petitioner Company to file affidavit of service in the Registry proving dispatch of notices upon Creditors, to the Regulatory authorities as stated in clause 6 above and publication of notice in newspapers.

Sd/-

V. Nallasenapathy, Member(T)

Sd/-

B.S.V. Prakash Kumar, Member (J)