

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH**

CSP NO.: 965/230-232/NCLT/MB/MAH/2017

Under Section 230 to 232 of Companies Act, 2013

In the matter of Scheme of Amalgamation of Alpana Infracon Private Limited (First Petitioner Company / First Transferor Company) and Bonafide Builders Private Limited (Second Petitioner Company / Second Transferor Company) and Brightgold Construction Private Limited (Third Petitioner Company / Third Transferor Company) AND Chandrakrupa Developers and Farms Private Limited (Fourth Petitioner Company / Fourth Transferor Company) and Kesarinandan Township Private Limited (Fifth Petitioner Company / Fifth Transferor Company) and LoknathInfracon Private Limited (Sixth Petitioner Company / Sixth Transferor Company) and Maheshvilla Developers & Farms Private Limited (Seventh Petitioner Company / Seventh Transferor Company) and Nutech Realtors Private Limited (Eighth Petitioner Company / Eighth Transferor Company) and Shankeshwar Paraswanath Builders Private Limited (Ninth Petitioner Company / Ninth Transferor Company) and Suvidhinath Quality Construction Private Limited (Tenth Petitioner Company / Tenth Transferor Company) and Suvrata Infrabuild and Farms Private Limited (Eleventh Petitioner Company / Eleventh Transferor Company) and Suvrata Software Development Private Limited (Twelfth Petitioner

Company / Twelfth Transferor Company) and
Vardhvinayak Township Development Private Limited
(Thirteenth Petitioner Company / Thirteenth Transferor
Company) with Lodha Impression Real Estate Private
Limited (Fourteenth Petitioner Company / Transferee
Company) AND Their Respective Shareholders and
Creditors.

AlpanaInfracon Private Limited

...First Petitioner Company

Bonafide Builders Private Limited

...Second Petitioner Company

Brightgold Construction Private Limited

...Third Petitioner Company

Chandrakrupa Developers And Farms Private Limited

...Fourth Petitioner Company

Kesarinandan Township Private Limited

...Fifth Petitioner Company

LoknathInfracon Private Limited

...Sixth Petitioner Company

Maheshvilla Developers & Farms Private Limited

...Seventh Petitioner Company

Nutech Realtors Private Limited

...Eighth Petitioner Company

ShankeshwarParaswanath Builders Private Limited

...Ninth Petitioner Company

Suvidhinath Quality Construction Private Limited

...Tenth Petitioner Company

SuvrataInfrabuild and Farms Private Limited

...Eleventh Petitioner Company

Suvrata Software Development Private Limited

...Twelfth Petitioner Company

Vardhvinayak Township Development Private Limited

... Thirteenth Petitioner Company

Lodha Impression Real Estate Private Limited

...Fourteenth Petitioner Company

Judgment / Order delivered on 24th November, 2017

Coram:

Hon'ble M.K. Shrawat, Member (Judicial)

Hon'ble Bhaskara Pantula Mohan, Member (Judicial)

For the Petitioner(s):

Mr. Ajit Singh Tawar i/b Ajit Singh Tawar & Co., Advocates for Petitioner Companies

Per: Bhaskara Pantula Mohan, Member (J)

Order

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 15th day of December, 2017
3. Learned Counsel for the Petitioner Companies states that in pursuance of the directions contained in Order dated 08th day of August, 2017 passed by the National Company Law Tribunal, Mumbai Bench in the Company Scheme Application No. 778 the meeting of Equity Shareholders was held on Tuesday, 19th September, 2017 and the requisite quorum was present and the Scheme was approved unanimously by the Equity Shareholders of all Petitioner Companies without modifications. The

Chairman appointed for the respective meeting has filed their report along with affidavit verifying their report dated 26th Day of September, 2017 which is annexed to the Affidavit verifying petition as Annexure A1 to A14 respectively. The meeting of Secured Creditors was not required to be held as there are no secured creditors in other Petitioner Companies except for Kesarinandan Township Private Limited (Fifth Petitioner Company) and Lodha Impression Real Estate Private Limited (Fourteenth Petitioner Company) and both the Petitioner Companies had sent individual notices to all its Unsecured Creditors on 18th August, 2017 as per the directions given in the Order, also The meeting of the Unsecured Creditors was also not required to be held and the Petitioner Companies had sent individual notices to all its Unsecured Creditors on 18th August, 2017 and 22nd August, 2017 as per the directions given in the Order.

4. The Counsel for the Petitioner Companies further submits as per the directions contained in Order dated 08th August, 2017 passed by the National Company Law Tribunal, Mumbai Bench in the Company Scheme Application No. 778 the Petitioner Companies submits that 30 days' notice was served upon the Regional Director, Western Region, Ministry of Corporate Affairs, Mumbai Maharashtra and/or the Central Government on 16th August, 2017 by all the Petitioner Companies and to Registrar of Companies, Maharashtra, Mumbai, on 21st August, 2017 by all the Petitioner Companies and to Official Liquidator, Bombay High Court on 16th August, 2017 by all the Transferor Companies and to Income Tax Department on 24th day of August, 2017 by the First, Second, Fourth, Sixth and Twelfth Petitioner Companies, and on 16th day of August, 2017 by the Third, Seventh, Eighth, Ninth, Tenth and Eleventh Petitioner Companies and 18th day of August, 2017 by the Fifth, Thirteenth and Fourteenth Petitioner Companies.
5. The Learned Counsel for the Petitioner Companies further submits that the Petition is filed in consonance with section 230 to 232 of the Companies Act, 2013 along

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH
CSP NO.: 965/230-232/NCLT/MB/MAH/2017
with the Order passed in Company Scheme Application No. 778 of 2017 by the
National Company Law Tribunal, Mumbai Bench.

6. At least 10 days before the date fixed for hearing, Petitioner Companies to publish the notice of hearing of Petition in two local newspapers viz. "Free Press Journal", in English language and translation thereof in "Navashakti", in Marathi language, both having circulation in Mumbai as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
7. The Petitioner Companies are require to file an Affidavit of Service regarding the directions given by the Tribunal 3 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/-

BHASKARA PANTULA MOHAN

MEMBER (J)

Sd/-

M.K. SHRAWAT

MEMBER (J)

Date: 24.11.2017