

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

COMPANY SCHEME PETITION NO. 454 OF 2017

IN

COMPANY SCHEME APPLICATION NO. 233 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 Amalgamation between Ashish
Interbuild Private Limited (“Transferor Company”) with
Ashish Furniture Private Limited (“Transferee Company”)
and their respective shareholders.

Ashish Interbuild Private Limited, a)
company incorporated under the Companies)
Act, 1956 having its registered office at 204,)
Ark Industrial Estate, Makawana Road, Marol)
Naka, Andheri (East), Mumbai – 400 059)Petitioner Company
(Transferor Company)

Called for Admission

Mr. Hemant Sethi i/b. Hemant Sethi & Co., Advocates for the Petitioner

CORAM: M.K. Shrawat , Member(Judicial)

DATE: 15th June 2017

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 21ST July 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of the Order dated 15th March, 2017 passed by this Tribunal in Company Scheme Application No. 233 of 2017, meeting of the Equity Shareholders of the Petitioner Company was convened and held at the registered office of Ashish Interbuild Pvt. Ltd., 204, Ark Industrial Estate, Makawana Road, Marol Naka, Andheri (East), Mumbai – 400 059 on 27th day of April, 2017 at 11 a.m. for the purpose of considering and if thought fit, approving, with or without modification(s), the proposed Scheme of Amalgamation between Ashish Interbuild Private Limited, the Transferor Company

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and Ashish Furniture Private Limited, the Transferee Company and their respective shareholders. In the said meeting, the Scheme was approved by the requisite majority of the Shareholders present and voting at the meeting.

4. The Counsel for the Petitioner Company further submits that as directed by this Tribunal notices have been served upon all the Regulatory Authorities namely, (i) concerned Income Tax Authorities 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,(iv) Official Liquidator, High Court, Bombay, as per Rule 8 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
5. At least 10 (ten) clear days before the date fixed for hearing, Petitioner Company to publish a notice of hearing of the Petition in 2 (two) local newspapers viz "Free Press Journal" in English and "Navshakti" in Marathi, both circulated in Mumbai.
6. The Petitioner Company to file an affidavit regarding the directions given by the Tribunal pertaining to advertisement of notice of hearing and report to this Tribunal that the direction regarding the issue of advertisement of the notice has been duly complied with.

Sd/-
M.K. Shrawat , Member (J)