

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

COMPANY SCHEME PETITION NO. 456 OF 2017

IN

COMPANY SCHEME APPLICATION NO. 253 OF 2017

In the matter of the Companies Act, 1956;

AND

In the matter of Sections 391 to 394 of the Companies Act, 1956; (to the extent applicable provisions of the Companies Act, 2013)

AND

In the matter of Scheme of Amalgamation of Ikebonsai Investments & Traders Private Limited ("Transferor Company") with Mogra Investments Private Limited ("Transferee Company") and their respective shareholders.

Ikebonsai Investment and Traders)
Private Limited, a company incorporated)
under the Companies Act, 1956 having its)
registered office at 62, Swastik Plaza V L)
Mehta Road, Juhu, Mumbai – 400 049)Petitioner Company

Called for Admission

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

CORAM: Ina Malhotra, Member (Judicial)

DATE: 20th June 2017

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 19th July 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of the Order dated 22nd March, 2017 passed by this Tribunal in Transferred Company Scheme Application No. 253 of 2017, meeting of the Equity Shareholders of the Petitioner Company was convened and held on 2nd day of May, 2017 for the purpose of considering and if thought fit, approving, with or without modification(s), the proposed Scheme of Amalgamation of Ikebonsai Investments & Traders Private Limited with Mogra Investments Private Limited and their respective shareholders.

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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/-

Ina Malhotra, Member (Judicial)