

IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH
KOLKATA

CA(CAA) No. 295/2017

Coram:

Hon'ble Shri Vijai Pratap Singh, Member (Judicial)
Hon'ble Shri K.R.Jinan, Member (Judicial)

In the matter of:

Companies Act, 2013;

-And

In the matter of:

Section 230 read with Sections
66, 232 and other applicable provisions of the
Companies Act, 2013;

-And-

In the matter of:

PIC Departmentals Private Limited, having its
registered office at 20A, Nellie Sengupta Sarani,
1st Floor, Room No. 6, Humayun Court, Kolkata –
700087 within the aforesaid jurisdiction;

.... Demerged Company/ Transferee Company

-And-

In the matter of:

Space Resort Private Limited, having its
registered office at 20A, Nellie Sengupta Sarani,
1st Floor, Room No. 6, Kolkata 700087 within
the aforesaid jurisdiction;

..... Transferor Company

-And-

In the matter of:

Rudrakmukhi Realestate Private Limited, having
its registered office at 20A, Nellie Sengupta Sarani,
1st Floor, Room No. 6, Kolkata 700087 within the
aforesaid jurisdiction;

.... Resulting Company

-And-

In the matter of:

1. PIC Departmentals Private Limited
2. Space Resort Private Limited
3. Rudrakukhi Realestate Private Limited ...Applicants

Counsel on Record

1. Mr. Arkodeb Sinha, Advocate] For the Applicants

Date of pronouncing the order:06.09.17

ORDER

Per Shri K. R. Jinan, Member (Judicial)

PIC Departmentals Pvt. Ltd. (the Demerged Company/Transferee Company), Space Resort Pvt. Ltd. (Transferor Company) and Rudramukhi Realestate Pvt. Ltd. (Resultant Company) filed the application under Section 230 and 232 of the Companies Act, 2013 read with Companies (Compromises, Arrangements and Amalgamations) Rules, 2016 in relation to the Scheme of Demerger and Amalgamation proposed between Demerged Company/Transferee Company, Transferor Company and the Resulting Company.

We have perused the documents annexed to the application and have heard the submissions made on behalf of the Ld. Counsel appearing for the applicants. It appears that applicants have filed Powers of Attorney of the Constituted Attorney on Non Judicial Stamp Paper of Rs.20/-, instead of on Non Judicial Stamp Paper of Rs.50/-, as per relevant Act. Moreover, applicants have not enclosed Auditor's Certificate and Valuation Report with their application.

In view of the above, applicants are directed to submit the following documents in the form of a supplementary affidavit annexing the same within 15 days from date of the order. List on 4/10/17 for F.O.

- (1) Powers of Attorney to be executed on Non-Judicial Stamp Paper of Rs. 50/-, instead of Rs.20/-.
- (2) Auditor's Certificate.
- (3) Valuation Report.

Sd/-

(Vijai Pratap Singh)
Member (Judicial)

Sd/-

(K.R.Jinan)
Member (Judicial)

Signed on this, the 6th day of September, 2017.