

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
NEW DELHI BENCH**

**Company Application No. CAA-160/ND/2017**

In the matter of:

**Section 230 and 232 and other applicable sections and provisions of the Companies Act, 2013 read with Companies (Compromises, Arrangement, and Amalgamations) Rules, 2016.**

**And**

**In the matter of Scheme of Amalgamation**

**In the matter of**

**Max Medical services Limited**

**..... Transferor Company**

**And**

**Max Healthcare Institute Limited**

**..... Transferee Company**

**CORAM- MS. INA MALHOTRA, MEMBER (JUDICIAL)  
MR. S.K.MOHAPATRA, MEMBER (TECHNICAL)**

**ORDER**

**Ina Malhotra (Member Judicial)**


1. Petition admitted.
2. Date for hearing and final disposal is fixed for 31<sup>st</sup> August, 2017

3. Learned Counsel for the Petitioner Company submits that in terms of Order dated 08<sup>th</sup> May, 2017 passed by this Tribunal in Company Application No.16/PB/2017, the meeting of the unsecured creditors of the Transferee Company was held at the Auditorium of Indian Islamic Cultural Centre 87-88, New Delhi-110003 on 27<sup>th</sup> June, 2017 at 11 a.m after duly notifying each of them and effecting publications in the newspapers.
4. The applicants submit that the Scheme was unanimously approved by the each shareholders of both the companies as well as the secured and unsecured creditor which fact is also corroborated by the Chairperson's report. As per the report of the Chairperson, Shri. Asheesh Jain, the said meeting was attended by the unsecured creditors. In view of the consent and/or no objections received, the applicants have filed this by way of second motion before us for fixing a date of hearing as well as for other directions in terms of provisions of Section 230 to 232 of Companies Act, 2013 read with Companies (Compromises, Arrangement, and Amalgamations) Rules, 2016.
5. It is therefore now directed that the notice of the hearing shall be advertised in the newspapers namely, Business Standard (English, Delhi edition) and Jansatta in Hindi, Delhi edition not less than 10 days before the aforesaid date fixed for hearing.
6. In addition to the above public notice, each of the petitioners shall serve the notice of the Petition on the following Authorities namely, (a) Central Government through Regional Director (Northern region), Ministry of Corporate Affairs (b) Registrar of Companies, NCT of Delhi & Haryana, Ministry of Corporate Affairs (c) the Income Tax Department, and to such other Sectoral Regulatory Authorities who may govern the working of the

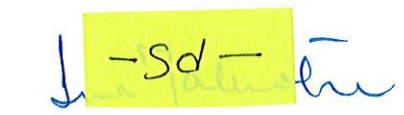
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respective Companies involved in the Scheme at least 30 days before the date fixed for hearing of the above Petition.

7. The applicant shall at least 7 days before the date of hearing of the petition file an affidavit of service in relation to paper publication effected as well as service of notices on the Authorities specified above including the Sectoral Regulator.
8. Objections, if any, to the Scheme contemplated by the authorities to whom notice has been given on or before the date of hearing fixed herein may be filed, failing which it will be considered that there is no objection to the approval of the Scheme on the part of the authorities by this Tribunal and subject to other condition being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed there under.



**(S.K Mohapatra)**  
**Member Technical**



**(Ina Malhotra)**  
**Member Judicial**