

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CSP NO. 956 OF 2017

IN

CSA NO. 784 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 Bellissimo Crown Buildmart
Private Limited (Transferor Company) and
Lodha Developers Private Limited
(Transferee Company) and their respective
shareholders

Lodha Developers Private Limited,	}
a Company incorporated under the provisions	}
of Companies Act, 1956	}
having its registered office at 412, Floor 4,	}
17G Vardhaman Chamber, Cawasji Patel Road,	}
Horniman Circle, Fort, Mumbai 400001.	}
CIN U45200MH1995PTC093041	}
	}.....Petitioner Company

Order delivered on 29th day of November , 2017

Coram:

Hon'ble B.S.V. Prakash Kumar, Member (Judicial)

Hon'ble V. Nallasenapathy, Member (Technical)

For the Petitioner(s): Hemant Sethi i/b. Hemant Sethi & Co., Advocates for Petitioners

Per: **V. Nallasenapathy, Member (Technical)**

Order

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 20th December 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of the Order dated 10th August, 2017 passed by this Tribunal in Company Scheme Application

No. 784 of 2017, meetings of the Equity Shareholders of the Petitioner Company were convened and held on 22nd September, 2017 for the purpose of considering and if thought fit, approving, with or without modification(s), the Scheme of Amalgamation between Bellissimo Crown Buildmart Private Limited (Transferor Company) and Lodha Developers Private Limited (Transferee Company) and their respective shareholders. In the said meetings, the Scheme was approved by the requisite majority of the Shareholders present and voting at the meetings.

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, (iii) Registrar of Companies, and (iv) the authorities under the Real Estate (Regulation and Development) Act, 2016 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/-

V .Nallasenapathy, Member (T)

Sd/-

B.S.V. Prakash Kumar, Member (J)