

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

CSP No. 1081 of 2017

Under Section 230 to 232 of Companies Act, 2013;
AND

In the matter of Scheme of Amalgamation between Morganite
Crucible (India) Limited having CIN
L26920MH1986PLC038607 ('Transferee Company') and
Diamond Crucible Company Limited having CIN
U27100MH1981PLC269185 ('Transferor Company') and
their respective Shareholders and Creditors ('the Scheme')

Morganite Crucible (India) Limited

.....First Petitioner Company/Transferee Company

AND

Diamond Crucible Company Limited

.....Second Petitioner Company /Transferor Company

Order delivered on 21st December, 2017.

Coram: M.K Shrawat , Member (J)

V .Nallasenapathy, Member (T)

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

Per: : V .Nallasenapathy, Member (T)

ORDER

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 24th January 2018.
3. Learned Counsel for the Petitioners submit that meetings of first and second Petitioner Companies were held in pursuance of Order dated 13th September, 2017 passed by this Tribunal in Company Scheme Application No 861 of 2017, on 2nd November 2017 at B-11, MIDC Waluj, Aurangabad – 431136,

Maharashtra for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed Scheme of Amalgamation of Morganite Crucible (India) Limited (“the “Transferee Company”) and Diamond Crucible Company Limited (“the “Transferor Company”) and their respective shareholders and creditors and the Scheme was approved by requisite majority of the shareholders present at the respective meeting. The Chairman of the said meetings has submitted his report stating the outcome of the meeting.

4. The Counsel for the Petitioners 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) Central Government through Regional Director, Western Region, Mumbai, and (iii) Registrar of Companies, Mumbai (iv) Official Liquidator (v) Bombay Stock Exchange Limited and (vi) Securities Exchange Board of India.
5. At least 10 clear days before the date fixed for hearing, Petitioner Companies to publish notice of hearing of the Petition in two local newspapers viz. “The Times of India” in English and “Sakal” in Marathi, both Aurangabad editions.
6. The Petitioners to file an affidavit regarding the directions given by the Tribunal pertaining to advertisement of notice of hearing and do 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)

Date: 21.12.2017

Sd/-

M.K Shrawat , Member (J)