

29

**NATIONAL COMPANY LAW TRIBUNAL  
AHMEDABAD BENCH  
AHMEDABAD**

**IA 241/2017 In CP(CAA) No. 55/NCLT/AHM/2017  
c.w. Gujarat High Court CA no. 545/2016**

Coram:

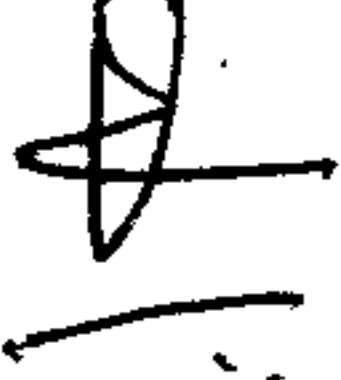
**Present: Hon'ble Mr. BIKKI RAVEENDRA BABU  
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD  
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 23.08.2017**

Name of the Company: Abellon Energy Ltd.

Section of the Companies Act: Section 230-232 of the Companies Act, 2013

**S.NO. NAME (CAPITAL LETTERS) DESIGNATION REPRESENTATION SIGNATURE**

1. VAIBHAVI .K . PARIKH } Advocate applicant.   
ASW. KAVANKUMAR MANKAD }

2.

**ORDER**

Learned Advocate Ms. Vaibhavi Parikh with Learned Advocate Mr. Kavankumar Mankad present for Applicant/ Original Petitioner.

Heard arguments of learned Counsel for Applicant in IA 241/2017.

This application is filed under section 230 of Companies Act, 2013 seeking dispense with the convening of the meeting of the Equity shareholders of the applicant company basing on the consent letters given by all the 7 equity shareholders of the company.


This application is filed along with this CP(CAA) 55/2017 which is filed by the applicant for the sanction of the scheme on the ground that Hon'ble High Court of Gujarat in Company Application no. 545/2016 vide its order made on 14.12.2016 dispensed with meetings of the equity shareholders and held that applicant transferee company did not seek approval of the creditors of the transferee company to the proposed scheme.

It is stated in the application that before Hon'ble High Court of Gujarat applicant produced the certificate of the Chartered Accountant stating that there is only six equity shareholders where as in fact there are seven equity shareholders and the said certificate was issued inadvertently.

According to the applicant this application is filed seeking dispensation of the meeting of the equity shareholders of the applicant company basing on the consent letters from all the shareholders. Along with the application the revised certificate of the Chartered Accountant is filed stating that there are seven shareholders in the company and all of them have given written consents approving the proposed scheme of arrangement.

In view of the fact that Hon'ble High Court of Gujarat already dispensed with the meeting of the equity shareholders on the basis of the consent letters six shareholders this Tribunal is granting exemption from holding the meeting of the equity shareholders of the applicant company in view of the consent letters of all the seven shareholders.

Application is disposed of accordingly.

  
**BIKKI RAVEENDRA BABU**  
**MEMBER JUDICIAL**

Dated this the 23rd day of August, 2017.