

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

COMPANY SCHEME PETITION NO 469 OF 2017

IN

COMPANY SCHEME APPLICATION NO 207 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 of Arimas Developers Private Limited having CIN U45203MH2007PTC176643 ('Transferor Company' or 'ADPL') with Kalpataru Properties (Thane) Private Limited having CIN U58628MH1990PTC058628 ('Transferee Company' or 'KPTPL' or 'Petitioner Company') and their respective Shareholders

**Kalpataru Properties (Thane) Private Limited**

a Company incorporated under the provisions of Companies Act, 1956, having its registered office at 92, Kalpataru Synergy, Opp Grand Hyatt, Santacruz East, Mumbai – 400055 [CIN U58628MH1990PTC058628] ).....Petitioner Company

**Called for admission**

Mr. Hemant Sethi i/b. Hemant Sethi & Co., Advocates for the Petitioner Company

**CORAM: Ina Malhotra , Member (Judicial)**

**DATE: 19<sup>th</sup> June, 2017**

1. Petition admitted.
2. Petition fixed for hearing on 12<sup>th</sup> July, 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of Order dated April 5, 2017 passed by this Tribunal passed in Company Scheme Application No 207 of 2017, the meeting of the Equity Shareholders of the Petitioner Company was convened and held at 92, Kalpataru Synergy, Opp Grand Hyatt, Santacruz East, Mumbai 400 055 on Thursday, 11<sup>th</sup> May, 2017 at 11:00 A.M. for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed arrangement embodied in the Scheme of Amalgamation of Arimas Developers Private Limited (Transferor Company) with



Kalpataru Properties (Thane) Private Limited (Transferee Company) and their respective Shareholders. In the said meeting the Scheme was approved by requisite majority representing three fourth in value and majority in number of the equity shareholders present at the meeting.

4. The Counsel for the Petitioner further submits that as directed by this Tribunal notices have been served upon all the Regulatory Authorities namely, concerned Income Tax Authorities, Central Government through Regional Director and Registrar of Companies Mumbai. No representation is received by the Petitioner Company from any Regulatory Authority. The requisite information called for by the office of Regional Director has already been submitted by the Petitioner Company and no further information has been sought for.
5. At least 10 clear days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of the Petition in two local newspapers viz. "Free Press Journal" in English and "Navshakti" in Marathi, both circulated in Mumbai.
6. The Petitioner 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/-  
**Ina Malhotra , Member (Judicial)**