

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CSP No. 624/230-232/NCLT/MB/MAH/2017

Under section 230-232 of the Companies Act, 2013

In the matter of
Cesare Bonetti India Pvt. Ltd.
602, 6th Floor, Western Edge – I, Western
Express Highway, Borivali (E), Mumbai -
400006.

.... Petitioner
(1st Transferor Company)

Judgement delivered on: 10.07.2017

Coram:

Hon'ble M.K. Shrawat, Member (J)
Hon'ble Dr. Ashok Kumar Mishra, Member, (T)

For the Petitioner : Mr. Rajesh Shah, Advocate

Per : Dr. Ashok Kumar Mishra, Member, (T)

ORDER

The Counsel for the Petitioner has sought following reliefs:

1. Fixing of the date of final hearing of the petition.
2. Directions for the issuance of public notice.

The averment made in the petition as follows:

1. The authorised share capital of the Petitioner company is ₹ 56,00,00,000/- (₹ Fifty Six Crore Only) and issued, subscribed and paid up capital is ₹ 54,35,83,020 (₹ Fifty Four Crore Thirty Five Lacs Eighty Three Thousand Twenty Only) having 4,02,18,300 Equity Shares of ₹ 10 each and 1,41,40,002 Compulsory Convertible Preference Shares of ₹ 10 each.
2. In pursuance of the Directions passed by this Bench in CSA 306/2017 order dated 20th April, 2017, the meeting of the Equity Shareholders, Preference Shareholders, Secured Creditors, and Unsecured Creditors was held on 12th June, 2017. The



requisite quorum was present for the meeting and the scheme was approved unanimously by the Equity Shareholders, Preference Shareholders, Secured Creditors, and Unsecured Creditors without modifications.

3. The chairman of the meeting has filed his report dated 14th June, 2017 which is annexed as Exhibit J to the Petition.

After going through the submissions made by the Counsel and averment made in the Petition and without commenting on the proposed scheme the following directions are issued to the Petitioner Company, that:

1. The petition is admitted.
2. The petition is fixed for hearing on 14th August, 2017.
3. To publish a notice of hearing of petition, in two local newspapers viz. one in English Language and one in Vernacular Language i.e. Marathi Newspaper, both having wide circulation in Mumbai as per Rule 15 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016, not less than 10 clear days before the date of hearing.
4. To file an affidavit of service regarding the directions given by the Tribunal has been duly complied with, before three clear days of the date fixed for hearing.
5. Ordered Accordingly.

Sd/-
DR. ĀSHOK KUMAR MISHRA
Member (Technical)

Sd/-
M. K. SHRAWAT
Member (Judicial)