

IN THE NATIONAL COMPANY LAW TRIBUNAL
KOLKATA BENCH, KOLKATA

Company Petition (CAA) No. 442 /KB/2017
Connected with
Company Application (CAA) No.110/KB/2017

Coram : Shri Vijai Pratap Singh, Hon'ble Member(Judicial)
&
Shri Jinan K.R, .Hon.ble Member(Judicial)

In the matter of :

An application under section 232(3) and other applicable provisions of the Companies Act, 2013 read with Companies (Compromises, Arrangements and Amalgamations) Rules, 2016

And

In the matter of :

Spatial Services Private Limited, a company incorporated under the Companies Act, 1956 and having its Registered Office at 2, India Exchange Place, 2nd Floor, Kolkat-700001.

..... Transferor Company No. 1

AND

ACB Advisors Private Limited, a company incorporated under the Companies Act, 2013 and having its registered office at 19, Abhoy Guha Road, Liluah, Howrah-711204, West Bengal

..... Transferor Company No.2

AND

Tirupati Fincon Private Limited, a company incorporated under the Companies Act, 2013 and having its registered office at 2, India Exchange Place, 2nd Floor, Kolkata – 700001.

..... Transferee Company

Sd/-

Sd/-

For the Petitioners:

Ms. Meenakshi Mannot, Advocate

Order delivered on: 17th October 2017.

ORDER

Per: Shri V.P. Singh, Member (Judicial)

Upon mentioning by the Advocate for the petitioners, it has brought to our notice that an order was to be issued for fixing a date of hearing of the main petition and for a direction in relation to publication of notice in newspapers as well as to the sectoral regulators / authorities concerned and calling for the objection, if any, to the Scheme of Amalgamation contemplated between the petitioner companies. Instead, inadvertently an order was issued on 13.10.2017, sanctioning the Scheme of Amalgamation between the petitioner companies, although that stage has not yet reached.

2. Since a wrong order was issued on 13.10.2017 due to misprint of the order meant for other companies in the order dated 13.10.2017 in respect of the above-named companies, this apparent mistake on the record needs to be rectified. This Tribunal has been vested with the power under section 420 of the Companies Act, 2013 read with Rule 154 of the NCLT Rules, 2016 to rectify the mistake apparent from the record and to correct the order dated 13.10.2017, on its own motion.

Sd/-

Sd/-

3. Accordingly, the order dated 13.10.2017 is hereby recalled and a correct order is being passed separately.

4. Certified copy of the order may be issued, if applied for, upon compliance of all requisite formalities.

Sd/-

(Jinani K.R.)
Member(J)

Sd/-

(V.P.Singh)
Member (J)

Signed this 17th day of October, 2017.