

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
KOLKATA BENCH  
KOLKATA

CORAM: Shri Vijai Pratap Singh  
Hon'ble Member (J)

Shri S Vijayaraghavan  
Hon'ble Member (T)

T.P. NO. 77 OF 2017  
CONNECTED WITH  
COMPANY PETITION NO. 459 OF 2016 (H.C.)  
CONNECTED WITH  
COMPANY APPLICATION NO. 262 OF 2016 (H.C.)

In the matter of :  
The Companies Act, 1956.

And

In the matter of :  
An application under sections 391(2) and 394 of the said Act;  
And

In the matter of :  
SUPERKING ELECTRICALS PRIVATE LIMITED, a company incorporated under the companies Act, 1956 and having its Registered office at Ashoka House, 3A, Hare Street, 6<sup>th</sup> Floor, Room No.602, Kolkata – 700 001, within the aforesaid jurisdiction ;

And

In the matter of :  
PAYAL CREDIT PRIVATE LIMITED, a Company incorporated under the Companies Act, 1956 and having its Registered office at Ashoka House, 3A,

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Hare Street, 6<sup>th</sup> Floor, Room No.602, Kolkata – 700 001, within the aforesaid jurisdiction;

And

In the matter of:

RICCO HOLDINGS PRIVATE LIMITED, a Company incorporated under the companies Act, 1956 and having its Registered office at Ashoka House, 3A, Hare Street, 6<sup>th</sup> Floor, Room No.602, Kolkata – 700 001, within the aforesaid jurisdiction;

And

In the matter of :

- 1) SUPERKING ELECTRICALS PRIVATE LIMITED
- 2) PAYAL CREDIT PRIVATE LIMITED
- 3) RICCO HOLDINGS PRIVATE LIMITED

.... PETITIONERS

Counsels on record :

- |                                |                      |
|--------------------------------|----------------------|
| 1) Mr Amitabh Shukla, Advocate | ] For the petitioner |
| 2) Ms Riya Sinha, Advocate     | ]                    |

Date of pronouncing the order: 17-5-2017

ORDER

Per Sri Vijay Pratap Singh, Member (Judicial)

This is an application under Section 391(2) and Section 394 of the Companies Act, 1956 for sanctioning the scheme of amalgamation between (1) Superking Electricals Private Limited (the Transferee

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Company), (2) Payal Credit Private Limited and (3) Ricco Holdings Private Limited (the Transferor Companies).

On perusal of the documents it appears from the record that petitioners have not annexed the following documents with the petition:

- 1) Board Resolution,
- 2) Latest audited Balance Sheet, and
- 3) Auditor's Certificate under Section 232(3) of the Companies Act, 2013.

Therefore, petitioners are directed to file supplementary affidavit annexing aforesaid documents within 10 days.

List the matter on 6/7/17

*Sd/-*  
(S. Vijayaraghavan )  
Member (Technical)

*Sd/-*  
(Vijai Pratap Singh)  
Member (Judicial)

Signed on this the, 17<sup>th</sup> day of May 2017.