

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CSP No. 1048/2017

Under Sections 230 to 232 and Section 234 of the
Companies Act, 2013

And

In the matter of Scheme of Amalgamation of D.
Navinchandra Jewels Private Limited ('The
Transferor Company 1') And Kalpana
International Mauritius Limited ('The Transferor
Company 2') With P. D. Mehta Export Private
Limited ('The Transferee Company') And Their
Respective Shareholders

P. D. Mehta Export Private Limited... Petitioner Company

Order delivered on 30th November, 2017

Coram:

Hon'ble B.S.V. Prakash Kumar, Member (J)

Hon'ble V. Nallasenapathy, Member (T)

For the Petitioner(s): Mr. Rajesh Shah with Mr. Ahmed M Chunawala i/b
M/s. Rajesh Shah & Co., Advocate for the Petitioner.

Per: B.S.V. Prakash Kumar, Member (J)

ORDER

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 21st December, 2017.
3. Learned Advocate for the Petitioner states that in pursuance of the directions contained in Order dated 14th September, 2017 passed by the National Company Law Tribunal, Mumbai Bench ('Tribunal') in the

Company Scheme Application No. 858 of 2017, the meeting of Equity Shareholders was held on Wednesday, 18th October, 2017 and the requisite quorum was present and the modified Scheme was approved with the requisite majority by the Equity Shareholders. The Chairman appointed for the meeting has filed his report dated 9th November, 2017 which is annexed as Annexure 'K' to the petition.

4. The Learned Advocate for the Petitioner Company further submits that the Company Petition is filed in consonance with section 230 to 232 and Section 234 of the Companies Act, 2013 along with the Order passed in Company Scheme Application No. 858 of 2017 by the Tribunal.
5. 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, Registrar of Companies, Mumbai, and Reserve Bank of India ("RBI"). No representation is received by the Petitioner Company from any Regulatory Authority except RBI. RBI has given their No Objection letter dated October 31, 2017 which is annexed as Annexure 'L' to the petition.
6. At least 10 days before the date fixed for hearing, Petitioner to publish the notice of hearing of Petition in two local newspapers viz. "Free Press Journal", in English language and translation thereof in "Navshakti", in Marathi language, both having circulation in Mumbai as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
7. The Petitioner to file an affidavit of service regarding the directions given by the Tribunal three days before the date fixed for final hearing and do report to this Tribunal that the direction regarding the issue of advertisement of the notice has been duly complied with.

Sd/-

Sd/-

V. Nallasenapathy, Member (T) B.S.V. Prakash Kumar, Member (J)