

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH**

Company Application No. CAA-438/ND/2017

In the matter of:

**Section 230 and 232 and other applicable sections and provisions of the
Companies Act, 2013 read with Companies (Compromise, Arrangements,
and Amalgamation) Rules, 2016**

And

In the matter of Scheme of Amalgamation

Goyal Grain Merchants Private LimitedApplicant No. 1/ Transferor
Company

WITH

Goyal Dal Products Private Limited.... Applicant No. 2/ Transferee Company

CORAM- MS. INA MALHOTRA, MEMBER (JUDICIAL)

MR. S.K.MOHAPATRA (TECHNICAL)

Present- Mr. Santosh Kumar Giri, Advocate



ORDER

As Per Ms. Ina Malhotra (Member Judicial)

1. This petition by way of Second Motion is admitted and fixed for hearing and final disposal on 23rd February, 2018.
2. Learned Counsel for the Petitioner Companies submits that in terms of Order dated 3rd November, 2017 passed by this Tribunal in Company Application No. CAA-311(ND)2017, the meeting of all Equity Shareholders and Creditors of the applicant companies for the proposed Scheme of Amalgamation between the Transferor Companies WITH Transferee Company had been dispensed with in view of their consent affidavits being on record.
3. It is therefore now directed that the notice of final hearing fixed for 23rd February, 2018 and shall be advertised in the newspapers namely, English and Hindi edition of "The Business Standard" having circulation in Delhi, not less than 10 days before the aforesaid date fixed for hearing.
4. In addition to the above public notice, both the applicant companies shall individually serve the notice of the Petition on the following Authorities namely, (a) Central Government through Regional Director (Northern region), Ministry of Corporate Affairs (b) Registrar of Companies, NCT of Delhi & Haryana, Ministry of Corporate Affairs (c) the Income Tax Department, (d) Official Liquidator and to such other Sectoral Regulatory Authorities who may govern the working of the respective Companies involved in the Scheme at least 30 days before the date fixed for hearing of the above Petition.

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5. Both the applicants, shall at least 7 days before the date of hearing of the petition file an affidavit of service in relation to paper publication effected as well as service of notices on the Authorities specified above including the Sectoral Regulator.
6. Objections, if any, to the Scheme contemplated by the authorities to whom notices have been given, may file their objection on or before the date of hearing fixed herein, failing which it will be considered that there is no objection on the part of the authorities to the approval of the Scheme by this Tribunal, subject to other conditions being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed there under.

Sd/-

(S.K Mohapatra)
Member Technical

Sd/-

(Ina Malhotra)
Member Judicial