

IN THE NATIONAL COMPANYMY LAW TRIBUNAL  
MUMBAI BENCH

CSP No. 1047/2017

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

**D. Navinchandra Jewels Private Limited... Petitioner Company**

Order delivered on 30<sup>th</sup> 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 21<sup>st</sup> December, 2017.
3. Learned Advocate for the Petitioner states that in pursuance of the directions contained in Order dated 14<sup>th</sup> September, 2017 passed by the National Company Law Tribunal, Mumbai Bench ('Tribunal') in the Company Scheme Application No. 857 of 2017, the meeting of Equity



Shareholders was held on Wednesday, 18<sup>th</sup> 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 9<sup>th</sup> November, 2017 which is annexed as Annexure 'G' 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. 857 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 Official Liquidator, High Court, Bombay. No representation is received by the Petitioner Company from any Regulatory Authority.
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/-

**V. Nallasenapathy, Member (T)**

Sd/-

**B.S.V. Prakash Kumar, Member (J)**