

NATIONAL COMPANY LAW TRIBUNAL

NEW DELHI BENCH

CA(CAA) 108(ND)/ 2017

CORAM:

**PRESENT: SH. S. K. MOHAPATRA
HON'BLE MEMBER(T)**

**SH. R. VARADHARAJAN
HON'BLE MEMBER (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 21.09.2017**

NAME OF THE COMPANY: M/s Krypton Datamatics Ltd. And M/s Dev Dutt
Engincers Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 230-232

S.NO.	NAME	DESIGNATION	REPRESENTATION	SIGNATURE
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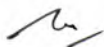
For the Petitioner (s): Counsel for the Petitioner

For the Respondent(s): None

ORDER

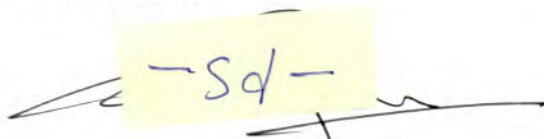
Original Company Application, CA(CAA) 108 of 2017 was originally listed on 6.9.2017 and thereafter on 7.9.2017 and 21.9.2017 i.e. today but reposted to 3.10.2017. However, based on the mentioning of the Ld. Counsel for the Applicant that an application has been filed for the purpose of withdrawal of the main Application in CA No. 237/C-II/2017, the same is taken up today due to inconvenience expressed by the counsel for the Applicant to be present on the reposted date. The Application is for withdrawal of the main CA (CAA) 108 of 2017 titled Krypton Datamatics Limited And Fizza Plastics Private Limited And Dev Dutt Engincers Private Limited, in relation to the scheme of the amalgamation contemplated between the Applicant companies. Ld. Counsel for the Applicant further represents that in view of Clause 26(C) of the scheme, annexed as Annexure A-1 to the main Application, the Board of Directors is empowered to withdraw the scheme at any time. Pursuant to the said clause, the Ld. Counsel for the Applicant

(Lekh Raj Singh)

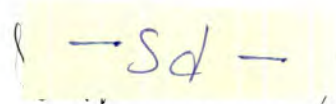


submits that a Board Resolution dated 11.9.2017 has been passed by all the three companies involved in the scheme and hence this application may be permitted to be withdrawn as prayed for. In view of the clause contained in the scheme as mentioned by the Id. Counsel as well as the Board Resolution which has been passed on 11.09.2017 and the averments of the applicant companies individually contained in the application being CA No. 237/C-II/2017, this Tribunal permits the Applicants to withdraw.

In view of the aforesaid, CA(CAA) No. 108(ND)/2017 is dismissed as withdrawn.

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(S. K. Mohapatra)
Member (T)

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(R. Varadharajan)
Member (J)