

IN THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

CSP NO. 1046 OF 2017

Under Section 230-232 of the Companies
Act, 2013

In the matter of Scheme of Amalgamation of
AVIAT HEALTH CARE PRIVATE LIMITED,
the Transferor Company with USV PRIVATE
LIMITED, the Transferee Company.

USV PRIVATE LIMITED

....Petitioner Company/ the Transferee Company

Order delivered on 13th December, 2017

Coram:

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

Hon'ble V. Nallasenapathy Hon'ble Member (T)

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

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

ORDER

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 17th January, 2017.
3. Learned Counsel 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 in the
Company Application No. 849 of 2017, the meeting of Equity
Shareholders was held on 24th October, 2017 and the requisite

quorum was present and the Scheme was approved unanimously by the Equity Shareholders without modifications. The Chairman appointed for the meeting has filed his affidavit verifying his report dated 27th October, 2017 which is annexed as Exhibit 'H' to the petition.

4. The Learned Counsel for the Petitioner Company further submits that the Company Petition is filed in consonance with section 230 to 232 of the Companies Act, 2013 along with the Order passed in Company Application No. 849 of 2017 by the National Company Law Tribunal, Mumbai Bench.
5. 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 "Navashakti", in Marathi language, both having circulation in Mumbai as per Rule 15 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
6. 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)