

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

**C. P. NO.**  
**CA. NO. 29/14/2017**

**PRESENT: SMT. INA MALHOTRA**  
**Hon'ble Member (J)**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF NEW DELHI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 10.04.2017**

**NAME OF THE COMPANY:** M/s. Hindustan Aqua Ltd.

**SECTION OF THE COMPANIES ACT:** 14(1)

<b>S.NO.</b>	<b>NAME</b>	<b>DESIGNATION</b>	<b>REPRESENTATION</b>	<b>SIGNATURE</b>
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**Present:** Mr. Arvind Kumar, Practicing Company Secretary

**ORDER**

Vide this Petition under section 14(1) of the Companies Act 2013, M/s. Hindustan Aqua Limited (hereinafter called the Company) CIN No. U65929DL1986PLC025956 prays for conversion of its status from a Public Company to a Private one.

2. The petitioner Company is stated to be a closely held with twelve shareholders. Its fund requirements are primarily met by its shareholders and it does not intend to raise any funds from the public. Under such circumstances, with a view to do away with the onerous compliances required from a public limited company, a

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decision was taken by the Board of Directors on 01.08.2016 for converting its status to a Private Company. Notice was issued for circulating the Agenda alongwith the explanatory note for holding the EGM on 26.08.2016.

3. Necessary steps for altering the Company's Articles of Association and Memorandum of Association were also initiated. Subsequently, the Company in its Extra Ordinary General Meeting held on 26.08.2016, duly attended by its six shareholders, unanimously resolved to convert the Company into a Private Limited Company and the name of the Company was proposed to be changed from "M/s. Hindustan Aqua Limited" to "M/s. Hindustan Aqua Private Limited" subject to approval of this Tribunal.

4. The petition is accompanied with an affidavit of the Company's Directors, Sh. Mukesh Aggarwal, Ms. Sonia Gupta, Sh. Prince Goyal and Sh. Sanjeev Agrawal deposing that all due compliances have been carried out. Publication has been effected in English and Hindi in the daily newspapers, The Financial Express and Awam-e-Hind, dated 28.03.2017, which have been filed on record. The petition is duly annexed with the audited Financial Statements for the year ending 31.03.2016, a certified copy of the Resolution passed in the EGM dated 27.08.2016, compliance of filing MGT-14 with the office of the RoC. It is also





submitted that the company has eleven creditors who have been notified vide registered post. Pursuant to the notices issued and publication effected, no objection has been received. It is also certified that the company was never listed on any stock exchange and that the said conversion shall not prejudicially affect its shareholders.

5. As the company has complied with statutory requirements, due approval is accorded to it for conversion to a Pvt. Ltd. Company. Its name shall be changed from "M/s. Hindustan Aqua Limited" to "M/s. Hindustan Aqua Private Limited" in terms of its Articles of Association, with the status of all concerned to be in the same position as prior to conversion.

6. The Company petition stands allowed. Fresh Certificate of Incorporation be issued.

2d/-

**(Ina Malhotra)**  
**Member Judicial**