

IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH

CP. NO. 257 OF 2017

In the matter of section 66 read with of
the Companies Act, 2013 and the Rules
framed thereunder

AND

In the matter of the Reduction of Share
Capital of Jivana Health Resorts Private
Limited

Jivana Health Resorts Private Limited, }

A company incorporated under the provisions }
Of the Companies Act, 1956, having its }
registered office at c/o Angela Coutinho, }
H. No. 53, Bastora Xell, Bardez, Goa- 403507 }
CIN: U85199GA2003PTC003202 }

.... Applicant Company

Order delivered on 04th October, 2017

CORAM: Hon'ble SH. B.S.V. PRAKASH KUMAR, Member (J)

Hon'ble SH. V. NALLASENAPATHY, Member (T)

For the Petitioner(s): Dipika Biyani, Practicing Company Secretary for Petitioner

Per: V. Nallasenapathy, Member (T)

ORDER

1. Petition admitted.
2. Petition fixed for hearing on 10th January, 2018.
3. The learned Counsel for the Applicant Company submits that this application is for confirmation of a special resolution for alteration of memorandum of association by reducing from **Rs. 1,63,53,300 (Rupees One Crore SixtyThree Lakhs Fifty Three Thousand Three Hundred Only)** divided into **1,63,533 (One Lakh Sixty Three Thousand Five Hundred Thirty Three)** fully paid up Equity Shares of Rs. 100/- (Rupees Hundred Only) each, held by Mr. Photis Kally and Mr. Robin Thomas Maylon to **Rs. 98,10,800 (Ninety Eight Lakhs Fifty Ten Thousand Eight Hundred Only)** divided into **98,108 (Ninety Eight Thousand One Hundred and Eight)**

Equity Shares of Rs.100/- (Rupees Hundred Only) each. The said special resolution was passed by the Applicant Company in its Extra Ordinary General Meeting held on **13th April, 2017**.

4. The Applicant Company is also directed to serve notices along with copy of application upon:- (i) the Registrar of Companies, Goa (ii) the Regional Director, Western region, Goa, with a direction that they may submit their representation to the Tribunal, if any, within a period of three months from the date of receipt of such notice and copy of such representations shall simultaneously be served upon the Applicant Company, failing which, it shall be presumed that the authorities have no representations to make on the proposed capital reduction.
5. Within 7 days from the date of this, the Applicant Company to publish notice of the date of hearing of Application in "O Herald O" in English language and translation thereof in "Tarun Bharat" in Marathi language both having circulation in the State of Goa.
6. The Applicant Company to file affidavit in this Tribunal not later than 7 days from the date of issuance of such notices mentioned in paragraph 5 above and publication of the notices.

Sd/-

V. Nallasenapathy, Member (T)

Sd/-

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