

IN THE NATIONAL COMPANY LAW TRIBUNAL

MUMBAI BENCH

CSP No. 1140 /2017

Under Sections 230 to 232 read with Section 52 of the Companies Act, 2013 and other applicable provisions of the Companies Act, 2013

And

In the matter of Scheme of Amalgamation of Transwarranty Consultants Private Limited ('TCPL' or 'the Transferor Company') having CIN U65999MH2017PTC292889 with Transwarranty Finance Limited ('TFL' or 'the Transferee Company') having CIN L65920MH1994PLC080220 and their respective shareholders

TRANSWARRANTY CONSULTANTS PRIVATE LIMITED

..... Petitioner Company

Order delivered on 24th January, 2018

Coram:

Hon'ble **B.S.V. Prakash Kumar**, Member (J)Hon'ble **V. Nallasenapathy**, Member (T)

Mr. Rajesh Shah with Mr. Ahmed M. Chunawala i/b Rajesh Shah & Co., Advocates for the Petitioner.

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

ORDER

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 21st February, 2018.
3. Learned Advocate for the Petitioner states that in pursuance of the directions contained in Order dated 8th November, 2017 passed by the National Company Law Tribunal, Mumbai Bench ('Tribunal') in the Company Scheme Application No. 956 of 2017, the

meeting of Equity Shareholders was held on Thursday, 21st December, 2017 and the requisite quorum was present and the Scheme was approved with the requisite majority by the Equity Shareholders without modifications. The Chairperson appointed for the meeting has filed his report on 22nd December, 2017 which is annexed as Annexure 'J' to the petition. There are no secured creditors in the Petitioner Company. As per the directions of the Hon'ble Tribunal, notice to all its unsecured creditors were given on 14th November, 2017

4. The Learned Advocate for the Petitioner Company further submits that the Company Petition is filed in consonance with Sections 230 to 232 read with Section 52 of the Companies Act, 2013 along with the Order passed in Company Scheme Application No. 956 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, The Official Liquidator, Central Government through Regional Director, Registrar of Companies, Mumbai. 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 "Navashakti", 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)