

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,  
MUMBAI BENCH

COMPANY SCHEME PETITION NO. 369 OF 2017

IN

COMPANY SCHEME APPLICATION NO. 28 OF 2017

In the matter of the Companies Act, 2013 (18 of 2013);

AND

In the matter of Sections 391 to 394 of the Companies Act, 2013 and other relevant provisions of the Companies Act, 2013 along with the Companies Act, 1956;

AND

In the matter of Sections 230 to 232 of the Companies Act, 2013 and other relevant provisions of the Companies Act, 2013 along with the Companies Act, 1956;

AND

In the matter of Scheme of Amalgamation of AHMEDNAGAR ELECTRONICS PRIVATE LIMITED, the First Transferor Company; FIZGIC PROPERTIES AND INVESTMENTS PRIVATE LIMITED, the Second Transferor Company and GREENFIELD APPLIANCES PRIVATE LIMITED, the Third Transferor Company with PROFICIENT ENGINEERING PRIVATE LIMITED, the Transferee Company.

PROFICIENT ENGINEERING )

PRIVATE LIMITED, a company )

incorporated under the Companies Act, )

1956 having its registered office at Twin )

Bungalow No. 10, Pratap Nagar, New )

Osmanpura, Aurangabad 431 005. )

...Petitioner Company/

transferee company.

Called for Admission of Petition:



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

Coram: SH. M.K Shrawat Hon'ble Member (J)

Date: 1<sup>st</sup> May, 2017.

**MINUTES OF THE ORDER**

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 13<sup>th</sup> June, 2017.
3. Learned Counsel for the Petitioner states that in pursuance of the directions contained in Order dated 15<sup>th</sup> February, 2017 passed by the National Company Law Tribunal, Mumbai Bench in the Company Application No. 28 of 2017, the meeting of Equity Shareholders was held on Friday, 24<sup>th</sup> March, 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 30<sup>th</sup> March, 2017 which is annexed as Exhibit 'I' 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. 28 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/-

M.K Shrawat Member (J)