

16

**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

**CP(CAA) No. 55/NCLT/AHM/2017
c.w. Gujarat High Court CA no. 545/2016**

Coram:


**Present: Hon'ble Mr. BIKKI RAVEENDRA BABU
MEMBER JUDICIAL**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF AHMEDABAD
BENCH OF THE NATIONAL COMPANY LAW TRIBUNAL ON 13.09.2017**

Name of the Company: Abellon Energy Ltd.

Section of the Companies Act: Section 230-232 of the Companies Act, 2013

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
--------------	-------------------------------	--------------------	-----------------------	------------------

1.	Vaibhavi Parikh	Advocate	Petitioner	
----	-----------------	----------	------------	---

2.

ORDER

Learned Advocate Ms. Vaibhavi Parikh present for Petitioner.

Abellon Energy Ltd filed this petition under section 230- 231 and 232 of Companies Act, 2013 for sanction of proposed scheme for arrangement and amalgamation between Pinetops Enterprise Pvt Ltd with Abellon Energy Ltd.

The Hon'ble High Court of Gujarat by its order dated 14.12.2016 made in CA no. 545/2016 dispense with the meetings of the equity shareholders and creditors.

Further this Tribunal vide its order dated 23.08.2017 made in IA no. 241/2017 dispense with the meetings of the equity shareholders in view of consent letters of all shareholders.

Heard learned counsel for petitioner.

Affidavit of authorised signatory of petitioner Transferee company filed.

Petition is admitted.

The hearing on this petition shall take place before this Tribunal on 26.10.2017.

}

Considering the section 230(5) and Rule 16 of Companies (Compromises, Arrangements and Amalgamations) Rules, 2016, this Tribunal passes the following order: -


- 1) Date of hearing fixed on 26.10.2017.
- 2) Notice of hearing of this petition shall be advertised in "Economic Times" Ahmedabad edition and "Divya Bhaskar" Ahmedabad edition not less than ten days before the fixed date of hearing, calling for objections, if any on or before the date of hearing.
- 3) Notice to following statutory authorities in Form no. CAA 3 accompanied with the copy of scheme of arrangement, copy of petition and its annexures along with the copy of this order to
 - a. Central Government through Concerned Regional Director
 - b. Concerned Registrar of Companies
 - c. Concerned Income Tax Authorities

Stating if they desire to make any representations the same shall be sent to this Tribunal within 30 days from the date of receipt of notice and in case no representation is received by this Tribunal within a period of thirty days, it shall be presumed that the above said authorities have no representation to make on the proposed scheme of arrangement.

- 4) Petitioner are directed to issue individual notices at least 10 days before date of hearing to shareholders, secured creditors and unsecured creditors, if any, informing the date of hearing and state their objection, if any, before this Tribunal on or before date of hearing.

Petitioner shall file proof of service in respect directions 1 to 4 before this Tribunal.

List the matter on 26.10.2017.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 13th day of September, 2017.