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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

T.P. No. 65/NCLT/AHM/2017 (New)
Madhya Pradesh High Court Jabalpur Bench C.P. No. 51/2016 (Old)

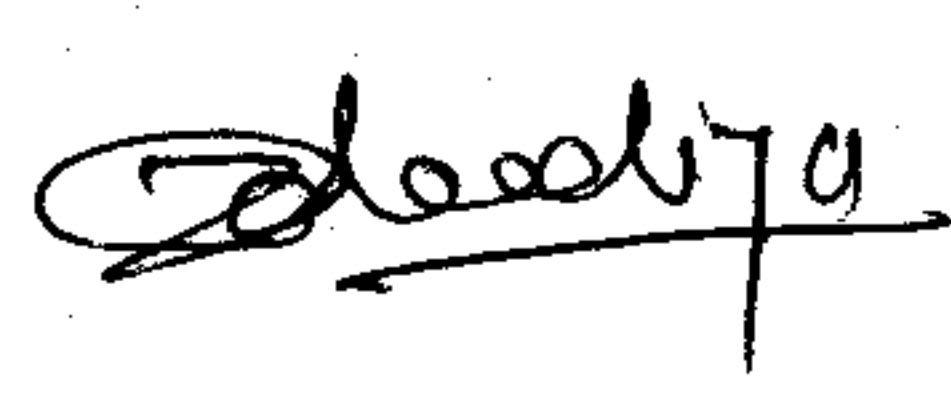
Coram:

**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 18.08.2017**

Name of the Company: Vindhyachal Merchants & Finance Pvt. Ltd.
With
Vindhyachal Distilleries Pvt. Ltd.

Section of the Companies Act: Section 391-394 of the Companies Act, 1956

<u>S.NO.</u>	<u>NAME (CAPITAL LETTERS)</u>	<u>DESIGNATION</u>	<u>REPRESENTATION</u>	<u>SIGNATURE</u>
1.	ZALAK DODIA	PCS	PETITIONER	

2. **ORDER**

Learned PCS Ms. Zalak Dodia present for Petitioner.

Vindhyachal Merchants & Finance Pvt Ltd. with Vindhyachal Distilleries Pvt Ltd. filed Company Petition no. 51/2016 before the Hon'ble High Court of Madhya Pradesh, Jabalpur Bench seeking sanction of amalgamation of Vindhyachal Merchants & Finance Pvt Ltd. with Vindhyachal Distilleries Pvt Ltd.

Hon'ble High Court of Madhya Pradesh Jabalpur Bench in Comp No. 49/2016 vide order dated 04.11.2016 dispensed with the meeting of members and it was observed that there are no debentures or creditors of the petitioner company Vindhyachal Merchants & Finance Pvt Ltd.

Hon'ble High Court of Madhya Pradesh Jabalpur Bench in Comp No. 50/2016 vide order dated 04.11.2016 dispensed with the meeting of members and creditors of the petitioner company Vindhyachal Distilleries Pvt Ltd.

Thereafter petitioner companies filed this joint Petition before Hon'ble High Court of Madhya Pradesh, Jabalpur bench.

Hon'ble High Court of Madhya Pradesh Jabalpur Bench transferred CP 51/2016 to this Tribunal and the same is renumbered as TP 65/2017.

Heard arguments of learned PCS for petitioner.

Learned PCS for petitioner contended that already publication of notice was made in the newspaper and notice already given to Regional Director as per the order of Hon'ble High Court of Madhya Pradesh, Jabalpur Bench dated 18.11.2017.

However, considering the change in forum and in view Rule 16(1) of the Companies (Compromise, Arrangements, and Amalgamation) Rules, 2016.

This Tribunal passed the following order: -

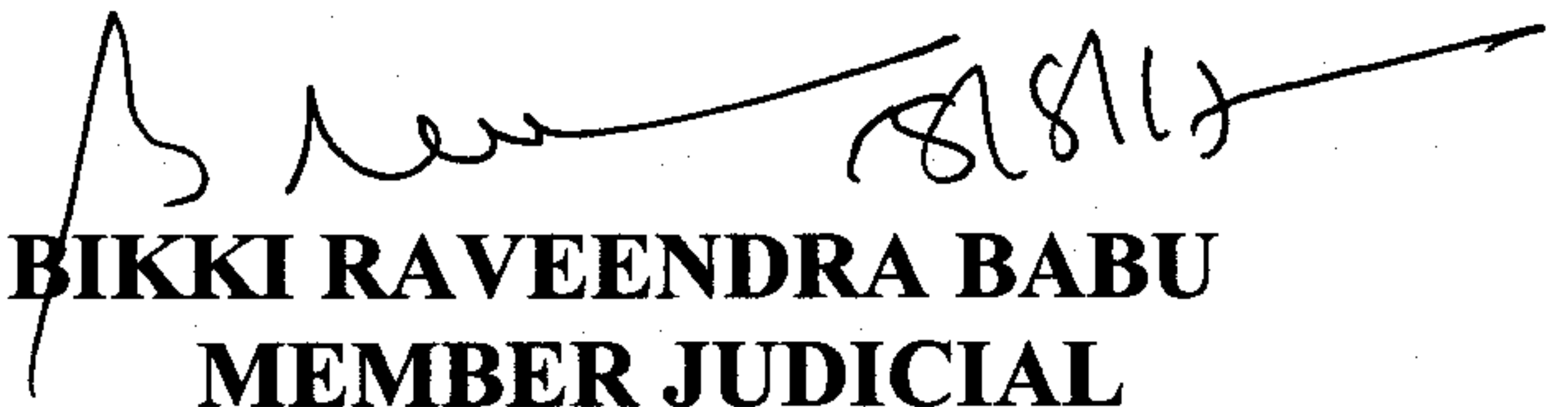
- 1) Date of hearing fixed as 03.10.2017.
- 2) Petitioner is directed to publish notice in the newspaper in which already publication has been made, informing the date of hearing with specific mention that it is in continuation of public notice issued as per the order of the Hon'ble High Court Madhya Pradesh, Jabalpur Bench dated 18.11.2017. publication of notice shall appear at least 10 ten days before the date of hearing fixed.
- 3) Petitioner is directed to serve notice to following statutory authorities: -
 - a. Central Government through Regional Director.
 - b. Concerned Registrar of Companies
 - c. Concerned Income Tax Authorities.
 - d. Official Liquidator in case of Transferor Companies

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) Petitioners are directed to issue individual notices at least 10 days before date of hearing to shareholders and 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 03.10.2017.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 18th day of August, 2017.