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**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH
AHMEDABAD**

**T.P. No. 41/NCLT/AHM/2017 (New)
C.P. No. 32/2016 (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 29.03.2017**

Name of the Company: Jaideep Ispat and Alloys Pvt.Ltd. & Ors.

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>
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1.

2.

ORDER

None present for petitioner.

Jaideep Ispat and Alloys Pvt. Ltd. (Transferee Company) filed Company Petition no. 32/2016 before the Hon'ble High Court of Madhya Pradesh, Indore Bench seeking sanction of amalgamation of Moira Steels Ltd (Transferor Company no. 1), Rath Iron and Steel Industries Ltd (Transferor Company no. 2), Bharti Ingot Pvt Ltd (Transferor Company no. 3), Ridhhi Ispat Pvt Ltd (Transferor Company no. 4), Avi Ispat Pvt Ltd (Transferor Company no. 5), Gunjan Iron and Steel (India) Pvt Ltd (Transferor Company no. 6), Shubham Fininevst (India) Pvt Ltd (Transferor Company no. 7), Kamyabi Dealer Pvt Ltd (Transferor Company no. 8), Broadway Traders Pvt. Ltd (Transferor Company no. 9), Bhooootnath Ispat Traders Pvt Ltd (Transferor Company no. 10) with Jaideep Ispat and Alloys Pvt Ltd (Transferee Company).

The Hon'ble High Court of Madhya Pradesh, Indore Bench by its order dated 23.08.2016 made in CP 32/2016 fixed the date of hearing as 29.09.2016.

Petitioner filed IA 8982/2016 before the Hon'ble Madhya Pradesh High Court Indore Bench for amendment and it was allowed. Later the matter underwent several

Heard arguments of learned Chartered Accountant for petitioner.

It is stated by the Learned Chartered Accountant that no notice is required to be issued to Reserve Bank of India and Competition Commission of India, Bombay Stock Exchange, National Stock Exchange and SEBI as they are not applicable in the present case.

Learned Chartered Accountant 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 dated 23.08.2016.

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. Petitioner is directed to publish common 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 of Madhya Pradesh, Indore Bench dated 05.05.2017. publication of notice shall appear at least 10 ten days before the date of hearing fixed.
2. Petitioner is directed to serve notice to following statutory authorities: -
 - a) Central Government through Regional Director.
 - b) Registrar of Companies, Madhya Pradesh
 - d) concerned Income Tax Authorities.
 - e) Official Liquidator in case of Transferor Companies
 - f) Reserve Bank of India

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.

3. Petitioners (Transferor Companies no. 1 to 10 and Transferee Company) are directed to issue individual notices at least 10 days before date of hearing to equity shareholders, secured 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 3 before this Tribunal.

List the matter on 05.05.2017.


BIKKI RAVEENDRA BABU
MEMBER JUDICIAL

Dated this the 29th day of March, 2017.