

National Company Law Tribunal

Allahabad Bench

Allahabad

**CP No.54/2016
Connected with
CA No. 35/2016**

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF
ALLAHABAD BENCH OF THE NATIONAL COMPANY LAW
TRIBUNAL ON 21.04.2017.**

NAME OF THE COMPANY: Next Wave Communications Private Limited

**SECTION OF THE COMPANIES ACT: u/s 391 and 394 of the
Companies Act, 1956**

Sl. No.	Name	Designation	Representation	Signature
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1.

2.

Order Dated 21.04.2017

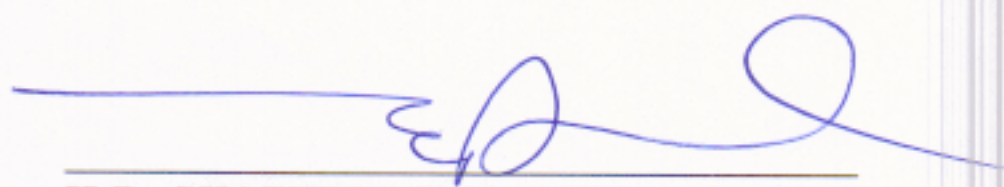
CP No.54/2016: Next Wave Communications Private Limited

The case is taken up for pronouncement of order today. The order in detail is recorded separately, the operative portion reads as under:

1. Having heard the submissions of the Learned Counsel Shri Navin Sinha, Senior Advocate Assisted by Shri Rahul Agarwal for Petitioner Company and Shri M.K Bagri Official Liquidator representing Central Government and by perusal of the material available on record, the proposed Scheme appears to be fair and reasonable and is not violative any provision of Law nor contrary to Public Policy nor detrimental to the interest of public at large.
2. Further all the statutory compliance seems to have been complied with or further undertaken to be complied with by Petitioner Companies as per their Affidavits. Therefore, Company Scheme Petition filed by the Petitioner is made absolute in terms of its Prayer Clause. Accordingly, the Company Scheme of Amalgamation between Next Wave

Communications Private Limited (Transferor Company) with MN Enterprises Private Limited (Transferee Company) is sanctioned.

3. Further a cost of Rs. 15,000/- is awarded in favour of the Central Government through the office of Regional Director (N.R.) towards legal expenses incurred which is payable by the company within four weeks from the receipt of authentic copy of this order.
4. The Petitioner Companies to lodge a copy of this order along with Scheme of Amalgamation to the office of Registrar of Companies (Northern Region) and also to communicate the office of superintendent of stamp of the UP State Government, for the purpose of adjudication of stamp duty if payable, within 60 days of receipt of this order.
5. The counsel of the company to furnish a copy of draft order of sanction of the Scheme as per the prescribed format under Companies Compromises, Arrangement and Amalgamations) Rules, 2016 read with other rules for scrutiny and authentication by the Registry of this Tribunal.
6. The parties to act upon as per operative portion of the order and to take necessary steps as per the provisions of Companies Act and Rules.
7. All concerned regulatory authorities may act on a copy of this order along with the Scheme duly authenticated by the Asst. Registrar, National Company Law Tribunal, Allahabad Bench.
8. Accordingly Petition stands disposed of.


H.P. CHATURVEDI, MEMBER-JUDICIAL

Dated : 21.04.2017