

**National Company Law Tribunal**

**Allahabad Bench**

CP NO. 1 / 2015, CA NO. 2/2016

**ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF ALLAHABAD BENCH  
OF THE NATIONAL COMPANY LAW TRIBUNAL ON 31.01.2018**

NAME OF THE COMPANY: Shanti Coils & Refrigerators Pvt Ltd

SECTION OF THE COMPANIES ACT: 391/394 of the Companies Act of 1956

<u>Sl. NO.</u>	<u>Name</u>	<u>Designation</u>	<u>Representation</u>	<u>Signature</u>
<u>1.</u>				
<u>2.</u>				

**C.P. No. 1/2015 with CA No. 2/2016**

None for the petitioner. The Case is fixed for pronouncement of order in respect of present Company Petition. The order in detail is recorded separately.

In the present matter, the argument for counsel of both the parties earlier were heard and the counsel for both the parties have consensus that there is no serious kind of objection which goes against sanction of the proposed Company Scheme. Further there appears serious irregularity in the company's record which may create a bar for sanction of the Proposed Company Scheme.

Keeping in view of the above stated submissions, we have considered the merits of the Proposed Company Scheme and we feel that the present Company Scheme deserves for sanction. Therefore, the order in detail is dictated separately.

The present Company petition is allowed in terms of its prayer clause. In the result, the Proposed Composite Scheme of arrangement / amalgamation approved and sanctioned as per the order recorded separately.

Further, it is matter of record that a cost of Rs. 25,000/- (Rs. Twenty-Five Thousand only) was earlier imposed on the Central Government by this Courts' order dated 11.08.2017, later on the payment thereof was deferred on being filed an application for waiver of the same. We also considered the issue of waiver of the cost imposed against the Central Government and perused the facts narrated in its application showing reason for not filing its report

within stipulated time. As the Central Government through office of ROC has informed to this court that a copy of the present petition was not made available to the ROC, who is having additional charge of Official Liquidator to the Utrakhand. Hence, such report could not be prepared and submitted to this court in time.

Considering such circumstances, we feel that the reason as shown for waiver of cost appears to be sufficient and reasonable. Hence, that the cost imposed to the Central Government can be waived. Hence, the application of Central Government is allowed.

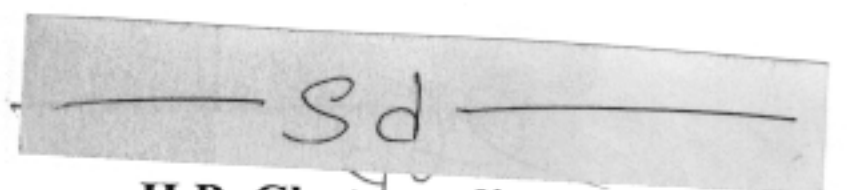
Since, in the present matter the cost imposed to the Central Government has now been waived. We, feel appropriate not to imposed any cost on applicant companies for sanction of the present scheme. Thus, present Company Petition is allowed in terms of its prayer clause and the proposed company scheme of arrangement/ amalgamation of applicant Companies are hereby sanctioned.

The counsel for the petitioner Company is instructed to file a copy of the draft order of sanction of the Scheme in prescribed format under the provision of Companies Act and Rules made thereunder for a purpose of scrutiny and authentication by this Registry of Tribunal. All Regulatory Authority/ concern parties may act as per the authentic copy issued by this Tribunal.

Accordingly, the present Company Petition is stand finally disposed of.

Date: 31/01/2018

*Typed by*  
*Jyoti*  
*(Stenographer)*



**H.P. Chaturvedi,**  
**Member(Judicial)**