

**IN THE NATIONAL COMPANY LAW TRIBUNAL
BENGALURU BENCH**

CP(CAA)NO.35/BB/17

Under Section 230 to 232 of Companies Act, 2013

**IN THE MATTER OF
RUUKKI METALS TRADING AND MARKETING INDIA PRIVATE LIMITED
AND
SSAB SWEDISH STEEL (INDIA) PRIVATE LIMITED**

Order delivered on: 29th August, 2017

Coram: Hon'ble Shri Ratakonda Murali, Member (Judicial)
Hon'ble Shri Ashok Kumar Mishra, Member (Technical)

For the Petitioner (s) 1. Ms.Maneesha Kongovi, Advocate

Per: Hon'ble Shri Ratakonda Murali, Member (Judicial)

ORDER

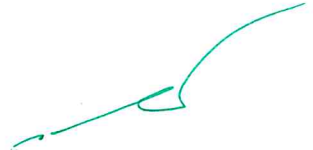
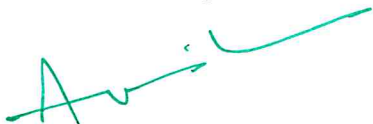
This Company Petition is filed by Petitioner Company is coming before us for admission and for fixing the date of hearing of the main Company Petition as well as for a direction in relation to publication in press to be effected and notices to be issued to the authorities concerned in relation to date of hearing of the Petition and calling for the objections, if any, to the Scheme of Amalgamation where under the Rukki Metals Trading & Marketing India Private Limited (Transferor Company) to be demerged from SSAB Swedish Steel (India) Private Limited(Transferee Company).

From the records, it is seen that the First Motion seeking direction to dispense with the meetings of the Shareholders and Creditors of the Transferor Company and Transferee Company was filed before this Tribunal and was numbered as CA(CAA)No.12/BB/17.

Directions were issued by this Tribunal to dispense with the convening of meeting of Shareholders and Creditors in view of their consents by way of affidavit vide order dated 5th June, 2017 and is shown as **Annexure-J**.

After hearing the counsel we pass the following order:

- i. The date of hearing of the Petition filed by the Petitioner for the approval of the Scheme is fixed on 16th October, 2017
- ii. Notice of the hearing shall be advertised in the newspapers namely, The Hindu and Udayavani (Kannada Daily) not less than 10 days before the aforesaid date fixed for hearing.



- iii. Registry is directed to prepare notices and the Petitioner Counsel to send the notices on the following Authorities namely, (a) Regional Director, Ministry of Corporate Affairs, South-East Region, (b) Registrar of Companies, (c) Income Tax Department of the assessee Jurisdiction (d) Official Liquidator at least 30 days before the date fixed for hearing of the above Petition, apart from all other applicable authorities as per section 230(5) of the Companies Act, 2013 like RBI, CCI, Sectoral Regulators, if applicable.
- iv. Further, notice shall also be served to Objector(s) or to their representative as contemplated under Sub-Section(4) of Section 230 of the Act who may have made representation and who have desired to be heard in their representation along with a copy of the Petition and the Annexures filed therewith at least 15 days before the date fixed for hearing.
- v. Objections, if any, to the Scheme contemplated by the authorities to whom notices have been given on or before the date of hearing fixed herein may be filed, failing which it will be considered that there is no objection to the approval of the Scheme on the part of the authorities by this Tribunal and subject to other condition being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed there under.
- vi. The next date of hearing of the Petition shall be on 16th October, 2017 for consideration of the approval of the Scheme of Amalgamation.


(ASHOK KUMAR MISHRA)
MEMBER, TECHNICAL


(RATAKONDA MURALI)
MEMBER, JUDICIAL