

**NATIONAL COMPANY LAW TRIBUNAL,  
CHANDIGARH BENCH, CHANDIGARH.**

**CP (CAA) No.6/Chd/HP/2017.**

In the matter of:

Him Teknoforge Ltd. ....Petitioner/Transferor Company.

And

Gujarat Automotive Gears Ltd. ....Petitioner/Transferee Company.

Present: Mr.Anil Kumar Aggarwal, Advocate for petitioners.

This is a second motion petition filed for sanction of the scheme of amalgamation. Learned counsel for the petitioners submits that the scheme was approved with 100% of the valid votes of those present in favour of scheme in the meeting of the shareholders, ~~creditors~~ secured and unsecured creditors of both the companies. The application is stated to have been filed within the prescribed time of receipt of the report of Chairperson.

The instant application is filed in terms of Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016. The matter be now fixed for hearing on 24.08.2017. Notice of the date of hearing be published in Financial Express (English) and Jan Satta (Hindi), Chandigarh Edition not less than 10 days before the date fixed for hearing.

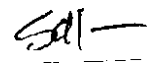
Learned counsel for the petitioners has also referred to the proceedings of the Chairperson of the meeting and one Allied Asia

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Gears Limited, registered office at Flat No.2, Om Natraj Building, Behind Boon Bon, 7, Bungalows, Juhu, Versova Link Road, End, Andheri (W), Mumbai filed objections. The learned counsel, however, submits that this objector was not entered as one of the creditors in the record of the company and even otherwise the outstanding amount of ₹21 lacs stood paid long back and thus, such a person cannot file the objections to the proposed scheme. That is, however, a matter to be seen at the final stage.

Notice of this petition be issued to the Registrar of Companies, Himachal Pradesh, Official Liquidator and the aforesaid objector by speed post by attaching copy of the petition. The notices be despatched within five days and the petitioner would file affidavit stating the compliance along with the copy of the newspapers clippings, postal receipts and track reports of the postal department with regard to the despatch of the notices. The office has also made the report that no objections to the scheme have been received in the Tribunal, so far

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(Justice R.P. Nagrath)  
Member (Judicial)

 July 13, 2017  
Ashwani