

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

**CA No. 127/2017
IN
CP (CAA) NO. 10/Chd/Hry./2017**

In the matter of:

Sections 230-232 read with Section 66 and other applicable provisions of the Companies Act, 2013 and read with Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.

In the matter of scheme of Arrangement between:

Kajaria Securities Private Limited. Transferor/Petitioner Co.1
And
M/s. Kajaria Ceramics Limited. ... Transferee/Petitioner Co. 2
And
Their respective shareholders and creditors.

Present: - Ms. Munisha Gandhi, Sr. Advocate with Ms. Salina Chalana
& Ms. Sukhmani Kang, Advocates for applicant-companies.
Mr. Deepankur Sharma, Advocate with Mr. D.K. Singh, Official
Liquidator for himself and Regional Director.

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The application has been filed duly supported by the affidavit of learned counsel for the petitioner-companies for condonation of one day's delay in filing the second motion petition. Notice of this application to Mr. D.K. Singh, Official Liquidator. Having heard the parties and for the reasons stated in the application, the delay of one day in filing the petition is condoned. The application stands disposed of.

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This is a Second Motion Petition for sanction of 'Scheme'. The report of the Chairperson has been received. Learned Senior Counsel for the petitioner-companies submits that it has been stated in the instant petition that

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the petitioners have made the compliance of service of notice to all the concerned persons and also to the statutory authorities.

The matter be listed for hearing on 25.09.2017. Notice of hearing be published in the same newspapers in which the notice of meetings was advertised i.e. Business Standard (English) and Business Standard (Hindi), NCR Delhi Edition not later than 10 days before the date fixed for the hearing. The notice of hearing be also uploaded on the website of petitioner-companies. Learned Senior Counsel for the petitioner- companies submits that 'objections' to the 'Scheme' have not been received by the companies.

Notice to the Official Liquidator as well as to the Regional Director, Northern Region, Ministry of Corporate Affairs, New Delhi which is accepted by Mr. Deepankur Sharma, Advocate and Mr. D.K. Singh, Official Liquidator also representing the Regional Director. Official Liquidator's report has been received but the report of Regional Director is still to be filed for which the adjournment requested by Mr. D.K. Singh. The report of Regional Director by way of affidavit be filed at least one week before the date fixed with copy advance to the counsel for the petitioner-companies. The petitioners will also file compliance affidavit at least two days before the date fixed, also stating therein if any objections to the 'Scheme' have been received after the advertisement. The Registry will also make the report whether any objections to the 'Scheme' have been received in the Tribunal.

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

August 23, 2017

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