

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

CA (CAA) NO. 04/Chd/Hry./2017

In the matter of scheme of amalgamation & arrangement of:

M/s. Minihyd Hydraulics Limited ... Applicant-Transferor Company No.1

And

M/s. Ganpati Handtex Pvt. Ltd.Applicant-Transferor Company No.2.

With

M/s. Cenlub Industries Limited ... Applicant-Transferee Company.

Present: - Mr. Swaran Kumar Jain, Practising Company Secretary for Applicants.

The Authorised Representative of the applicant-companies has filed affidavits of Mr. Vijendra Kumar Mittal of applicant/transferee company, Ms. Madhu Mittal, Authorised Representative of applicant/transferor-company No. 1 and that of Mr. Ansh Mittal, Authorised Representative of applicant/transferor-company No. 2. It is stated in the affidavits that there is no statutory regulator(s) apart from the regulators mentioned in the petition to whom the notice of meeting is to be issued. Let the affidavits be taken on record

Authorised Representative of the applicant-companies has also filed CA No. 50/2017 with the joint application on behalf of applicants with the prayer to place on record the correct proposed Scheme because the earlier Scheme placed on record did not contain paragraph No. 20.2 which was incorporated in order to comply with the directions of BSE and the said Scheme was passed in the resolution

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dated 11.02.2017 of the Board of Directors of all the companies. Authorised Representative of the applicants submits that the earlier scheme was filed inadvertently because that was the original Scheme which was passed in October, 2016. Let the same be taken on record. However, the applicants shall file fresh index of documents and complete Paper Book.

Authorised Representative of the applicants further submits that provisional statement of accounts of transferor-companies in whose case last Annual Accounts of the merging companies relating to the Financial Year for a period of more than six months have not been filed. It is further submitted that the meeting of the companies for the purpose of approving the Scheme as proposed in the instant application in the month of July, 2017, the provisional statement of accounts up to 28.02.2017 or 31.03.2017 shall have to be filed by the next date in order to comply with clause (e) of sub-section 232 (2) of the Companies Act, 2013. Let the said financial statement(s) be filed along with the affidavit and resolution of the Board. The said statement(s) be also made part of fresh index to be filed by the applicants.

The matter is adjourned for hearing to 11.05.2017. Let compliance be made at least three days before the date fixed



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



(Deepa Krishan)
Member (Technical)

April 26, 2017

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