

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

CP(CAA)No.12/Chd/Hry/2017

In the matter of:

SCHEME OF AMALGAMATION BETWEEN

M/s Cotys Buildcon Pvt. Ltd. & Ors ...Applicant/Transferor companies

AND

M/s Pariksha Builders & Developers Pvt.Ltd. ...Applicant/Transferee Co.

Present: Mr. Praveen Gupta, Advocate for the applicants.

This is second motion petition for sanction of the Scheme of Amalgamation of the transfer of Petitioner Company Nos. 5, 6 and 7 in the Transferee Company. The first motion petition was allowed by this Tribunal in CA(CAA) No.07/Chd/Hry/2017 vide order dated 08.08.2017 by dispensing with the convening and calling of the meetings. While disposing of the petition, it was specifically observed that petitioner companies shall make a specific prayer while moving the second motion petition for sending notices of hearing to the statutory authorities including Income Tax Department and other regulators. Learned counsel for petitioners submits that there are 5 other companies which are to be amalgamated with the Transferee Company and for that the petition is pending before NCLT, New Delhi Bench. Learned counsel referred to the affidavit dated 21.08.2017 of the Authorised Representative of all the 3 petitioner companies that there is no other

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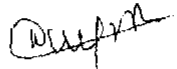
regulator in respect of the petitioner companies apart from the statutory authorities.


The petition be listed for hearing on 10.10.2017. Notice of hearing be advertised in dailies 'Hindustan Times' (English) and 'Veer Arjun' (Hindi), NCT of Delhi and Haryana Edition which are stated to be having wide circulation at the place the Registered Office of the company is situated, not less than 10 days before the date fixed for hearing.

The notice of this petition be also issued in Form CAA-3 accompanied with copy of the petition, Scheme of Amalgamation, explanatory statement and the disclosures as per requirement of Rule 6 of the Companies (Compromise, Arrangement and Amalgamation) Rules, 2016, to the Central Government through the Regional Director, Northern Region, Ministry of Corporate Affairs, New Delhi, Registrar of Companies, Chandigarh and Haryana, Official Liquidator, Chandigarh, to the Commissioner of Income Tax, Gurgaon where the petitioner companies are statedly being assessed by mentioning the PAN numbers of each of the company. The aforesaid notices be dispatched by the petitioner to the aforesaid authorities by Speed Post along with copies of the documents aforesaid within a period of 7 days and shall file affidavit stating compliance by attaching copies of the notices sent to these authorities, postal receipts and the track reports of the post office. Affidavit be filed at least 2 days before the date fixed stating therein as to whether the company has received any objection/representation from any person against the Scheme. The Registry is also directed to make a report at least 2 days before the date

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fixed as to whether any objections / representations have been received in this Tribunal against the proposed Scheme from any quarter.


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

 August 30, 2017
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