

**NATIONAL COMPANY LAW TRIBUNAL
DIVISIONAL BENCH
CHENNAI**

**ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 23/3/2017 AT 10.30 AM**

**PRESENT: SHRI K. ANANTHA PADMANABHA SWAMY, MEMBER-JUDICIAL
SHRI Ch. MOHD SHARIEF TARIQ, MEMBER-JUDICIAL**

APPLICATION NUMBER : CA/3/CAA/2017

NAME OF THE TRANSFEROR. : BONFIGLIOLI RENEWABLE POWER CONVERSION INDIA PVT LTD

UNDER SECTION : 230

S.No.	NAME (IN CAPITAL)	DESIGNATION	SIGNATURE
REPRESENTATION BY WHOM			

1) K. RAMASAMY

G.V. MOHAN KUMAR

Counsel for Applicant
ORDER

G.V.

Shri K. Ramasamy, Counsel for Transferor and Transferee Companies present. There are two Applications came to be filed under Sections 230 to 232 of the Companies Act, 2013r/w Rules 11 and 14 of NLCT Rules, 2016, that have been numbered as CA/3/CAA/2017 and CA/4/CAA/2017. The first is the Transferor Company viz. M/s. Bonfiglioli Renewable Power Conversion India Private Ltd and the second is the Transferee Company viz. M/s. Bonfiglioli Transmissions Private Ltd. and they are falling within the jurisdiction of this Tribunal. One of the prayers in the application is to order for dispensing with convening of the meeting of shareholders of the 1st and 2nd Applicant companies. The perusal of the records show that there are only two shareholders each in both of the companies. Shri C. Karunanidhi and Shri A. Vikaraman, who have been duly authorised by the Board of Directors have filed affidavits confirming the Scheme of Compromise and consent for dispensing with the meeting of the shareholders. On perusal of the records and the affidavits placed on the file, we are satisfied that the requirement of law is fulfilled. There is no need to order the meeting of the equity shareholders. Therefore, we dispense with the meeting of the equity shareholders. In this matter, there is no requirement for passing any order in relation to Secured and Unsecured creditors. The Applicant companies are directed to present the C.P. within two weeks from the date of this order.

(Ch. Md. Sharief Tariq)
Member (Judicial)

(K. Anantha Padmanabha Swamy)
Member (Judicial)