

NATIONAL COMPANY LAW TRIBUNAL
DIVISIONAL BENCH
CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF CHENNAI BENCH, CHENNAI
NATIONAL COMPANY LAW TRIBUNAL, HELD ON 26/04/2017 AT 10.30 AM

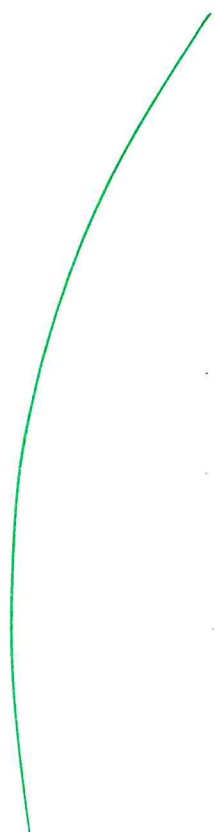
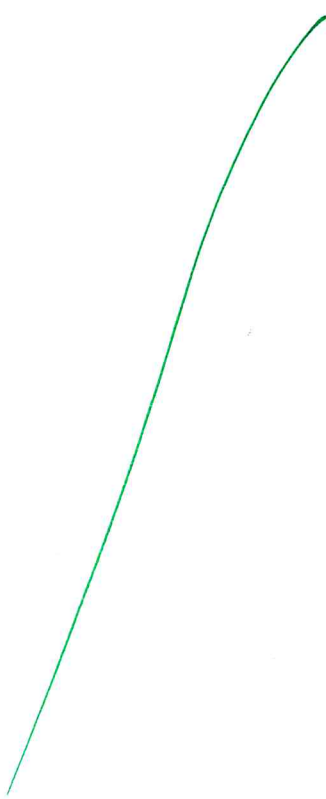
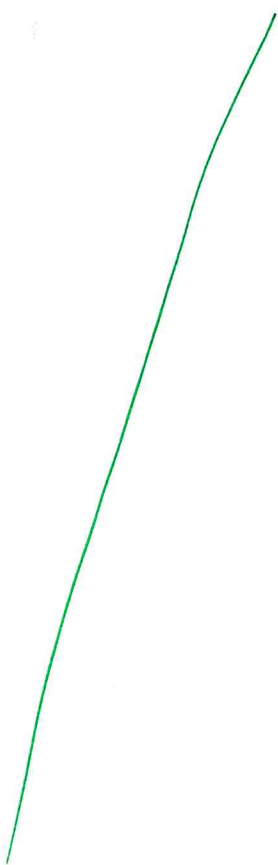
PRESENT: SHRI. K. ANANTHA PADMANABHA SWAMY, MEMBER – JUDICIAL
SHRI CH. MOHD SHARIEF TARIQ, MEMBER - JUDICIAL

APPLICATION NUMBER :
PETITION NUMBER : CP/CAA/52 & 53/17
NAME OF THE TRANSFEROR : AMRUTANJAN PHARMAESSENCE PVT LTD
NAME OF THE TRANSFEREE : AMRUTANJAN HEALTH CARE LIMITED
UNDER SECTION : 230

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

1. P. SRIRAM

PCS for the
Petitioners



BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, CHENNAI

Arguments heard on 26.04.2017

Orders passed on 26.04.2017

CP/52 & 53/CAA/2017
(Under Section 230 to 232 of the Companies Act, 2013)
In the matter of scheme of Amalgamation

of

M/s Amrutanjan Pharmaessence Pvt Ltd

with

M/s.Amruthanjan Health Care Limited

and

Their Respective Shareholders and Creditors

Applicant companies rep. by : Counsel Mr.P Sriram

CORAM

ANANTHA PADMANABHA SWAMY & CH.MOHD SHARIEF TARIQ,
MEMBERS (JUDICIAL)

CH. MOHD SHARIEF TARIQ, MEMBER (JUDICIAL) : ORAL

Under consideration is the CP 52 & 53 relating to CA 14 & 15/2017 with regard to which this Bench has passed the order on 6.4.2017 dispensing with the meeting of the equity shareholders and the creditors.

2. Looking to the contents of the petitions and the scheme annexed thereto, we take both the company petitions together to pass a common order.

CP/52/2017 - M/s Amruthanjan Pharmaessence Pvt Ltd (Transferor Company)

3. We are inclined to direct the Registry to issue notice to Regional Director, Ministry of Corporate Affairs, ROC concerned, and Income Tax authorities. There is no requirement to issue notice to RBI, SEBI and Competition Commission of India.

4. We direct the Registry to issue notice to the Office Liquidator in relation to the transferor company with the direction to appoint Chartered Accountant on his own and submit a report about the statutory compliance of the transferor company within four weeks before this Bench. The petitioner company is directed to publish notices in the newspaper, one in English, Financial Express and one in vernacular, Malai Malar, at least not less than 30 days before company petition is presented. We also direct the petitioner company to issue private notices to the authorities. In case the authorities are desirous of filing objections/representations, they may file their objections/representations within 30 days from the date of receipt of notice. In case no representation is made within the stipulated time, it shall be presumed that they have no objections/representations to make.

5. The petitioner company is directed to upload the notice on the website and also display on the notice board at its Registered Office. The Registry is directed to display the notice on the notice board of this Bench.

CP 53/2017 - M/s Amruthanjan Health Care Limited - Transferee Company


6. We are inclined to direct the Registry to issue notice to Regional Director, Ministry of Corporate Affairs, ROC concerned, Income Tax authorities, RBI, SEBI and Competition Commission of India. The petitioner company is directed to issue notices in the newspaper, one in English, Financial

Express and one in vernacular, Malai Malar, at least not less than 30 days before company petition is presented. We also direct the petitioner company to issue private notices to the authorities. The authorities may file their objections/representations within 30 days from the date of receipt of notice. In case no representation is made within the stipulated time, it shall be presumed that they have no objections/representations to make.

7. The petitioner company is directed to upload the notice on the website and also display on the notice board at its registered office. The Registry is directed to display the notice on the notice board of this Bench.

8. The petitioner company is directed to confirm the compliance of the order for issuance of the notices and publications in the newspapers by way of affidavits before the next date of hearing.

9. Put up on **15.06.2017 at 10.30 A.M.**


(K. Anantha Padmanabha Swamy)
Member (Judicial)


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