

**IN THE NATIONAL COMPANY LAW TRIBUNAL
HYDERABAD BENCH, HYDERABAD**

CA 10/2017
in
CP No. 51/2009
(TP No.42/HDB/2016)

U/R 53 of NCLT Rules 2016

In the matter of

Dr. Jayaram Chigurupati
Plot No. 770E, Road No.44
Jubilee Hills
Hyderabad - 500033
& 2 others

..Applicants/ Petitioners

Versus

Zenotech Laboratories Limited
8-2-120/112/88-89/P/2, IV Floor
Park View Estate, Road No.2
Banjara Hills
Hyderabad – 500034
& 23 others

CERTIFIED TO BE TRUE COPY
OF THE ORIGINAL

...Respondents

Date of order: 07.07.2017

Coram:

Hon'ble Shri Rajeswara Rao Vittanala, Member (Judicial)
Hon'ble Shri Ravikumar Duraisamy, Member (Technical)

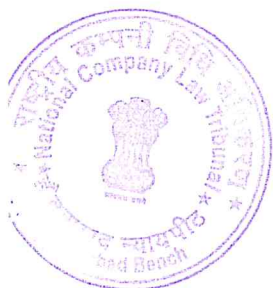
Parties Present

For the Petitioners

Shri Ashwin Reddy, Advocate
alongwith Shri K. Vivek Reddy
Advocate

For Respondent (R-6)

Shri Rajiv Nayar, Senior
Advocate along with Shri
Shyam Kumar and Shri
Shubhanshu Gupta, Advocates



For Respondent (R-1)	Shri Manik Dogra, Advocate alongwith Shri Rohan Jaitley, Advocate
For Respondents (2, 3, 5, 16, 23)	Shri Akhat Hansaria alongwith Shri Avinash Desai and Shri Nikhil, Advocates
For Respondent No. 4	Shri Aditya Chhibber, Advocate

Per: Rajeswara Rao Vittanala, Member (J)

ORDER

1. The Company Application bearing CA No.10/2017 in CP No. 15/2009 is filed by Dr. Jayaram Chigurupati and 02 (two) others under Rule 53 of the NCLT Rules, 2016, by seeking a direction to permit the Petitioner to array Sun Pharmaceutical Industries Limited as Respondent No. 24.
2. Heard Shri M. Ashwin Reddy, Learned Counsel alongwith Shri K. Vivek Reddy, Learned Counsel for the Petitioners and Shri Rajiv Nayar, Learned Senior Counsel along with Shri Shyam Kumar and Shri Shubhanshu Gupta, learned Counsel (R-6), Shri Manik Dogra alongwith Shri Rohan Jaitley, Learned Counsel (R-1), Shri Akshat Hansaria alongwith Shri Avinash Desai, Shri Nikhil, Learned Counsels (R-2,3,5,16,23) and Shri Aditya Chibber, Learned Counsel (R-4).
3. The Learned Counsel for the Petitioners submit that in pursuant to the Order of the Hon'ble High Court of Punjab & Haryana in CA Nos. 64 and 73 of 2015 and CA Nos 963-964 of 2014 in/and CP No. 165 of 2014 (O&M) dated 09.03.2015, the Ranbaxy Laboratories limited (Respondent No.6) was amalgamated into Sun Pharmaceuticals Industries Limited. However, at the time of filing of CP No.51/2009, Ranbaxy Laboratories Limited was not



amalgamated into Sun Pharmaceuticals Industries Limited. Hence, it is necessary to implead Sun Pharmaceuticals Ltd, as Respondent No.24.

4. The Learned Counsels for Respondent No.6 however submit that in view of the sanction of the Scheme of Arrangement between the Transferor Company i.e. M/s Ranbaxy Laboratories Limited and Transferee Company i.e. Sun Pharmaceuticals Industries Limited, there is no necessity to keep Ranbaxy Laboratories Limited as Respondent No.6 and in its place Sun Pharmaceuticals Industries Limited can be substituted as Respondent No.6.
5. We have considered the pleadings of both the parties and it is not in dispute that Ranbaxy Laboratories Limited is dissolved by virtue of the Scheme of Arrangement, as mentioned above. Hence, there is no necessity to keep Ranbaxy Laboratories Limited as a separate entity and in its place Sun Pharmaceuticals Industries Limited can be substituted.
6. In the result, CA No.10/2017 in CP No. 51/2009 is disposed of by permitting the Petitioners to substitute Sun Pharmaceuticals Industries Limited as 6th Respondent in place of Ranbaxy Laboratories Limited.



Sd/-
Ravikumar Duraisamy
Member (Technical)

Sd/-
Rajeswarā Rao Vittanala
Member (Judicial)

CERTIFIED TO BE TRUE COPY
OF THE ORIGINAL

[Signature]
for Dy. Regr./Asst. Regr./Court Officer/
National Company Law Tribunal, Hyderabad Bench

प्रमाणित प्रति
CERTIFIED TRUE COPY
केस संख्या
CASE NUMBER. CA 10/2017 IN CP No. 51/2009
निर्णय का तारीख (TP No. 43/HDB/2016)
DATE OF JUDGEMENT... 7.7.2017
प्रति तैयार किया गया तारीख
COPY MADE READY ON... 26.9.2017