

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH
COMPANY APPLICATION NO. 544 OF 2017

In the matter of Section 66 read with Section 52 of the
Companies Act 2013 and the Rules framed thereunder
AND

In the matter of Reduction of Equity Share Capital of
Archoma India Private Limited

Archroma India Private Limited, a company }
incorporated under the provisions of the }
Companies Act, 1956 having its registered }
office at 9th Floor, 'D' Building, MBC Park, }
Near Hyper City Mall, Ghodbunder Road, }
Kasarvadavali, Thane (West) – 400 615 }....Applicant Company

Called for admission

Mr. Hemant Sethi i/b. Hemant Sethi & Co., Advocates for the Applicant Company

CORAM: B.S.V. Prakash Kumar, Member (Judicial)

V. Nallasenapathy, Member (Technical)

DATE: 3rd May, 2017

1. Application admitted.
2. Application fixed for hearing on 16th August, 2017.
3. The learned Counsel for the Applicant Company submits that this application is for confirmation of a special resolution passed by the Applicant Company for reduction of its equity share capital by reducing the paid-up equity share capital of 84,020 (Eighty Four Thousand and Twenty) Equity Shares of Rs. 1 each for a cash consideration of Rs. 5,951 (Rupees Five Thousand Nine Hundred and Fifty One) per Equity Share. The said special resolution was passed by the Applicant Company in its Extra Ordinary General Meeting held on 21st April, 2017.

4. The Counsel for the Applicant Company further states that there are no Secured Creditors in the Applicant Company.
5. Within seven days from the date of this order, the Applicant Company is directed to serve notices upon the Unsecured Creditors of the Applicant Company to whose amounts are due and payable with a direction that they may submit their representations to the Tribunal, if any, within a period of three months from the date of receipt of such notice and copy of such representations shall simultaneously be served upon the Applicant Company, failing which, it shall be presumed that such Unsecured Creditors have no representations to make on the proposed capital reduction.
6. The Applicant Company is also directed to serve notices along with copy of application upon:- (i) the Registrar of Companies, Mumbai (ii) the Regional Director, Western Region, Mumbai, with a direction that they may submit their representations to the Tribunal, if any, within a period of three months from the date of receipt of such notice and copy of such representations shall simultaneously be served upon the Applicant Company, failing which, it shall be presumed that the authorities have no representations to make on the proposed capital reduction.
7. Within 7 days from the date of this order, the Applicant Company to publish notice of the date of hearing of Application in 'Free Press Journal' in English language and translation thereof in Marathi language in 'Navshakti' newspaper both having circulation in the State of Maharashtra.
8. The Applicant Company to file affidavit in this Tribunal not later than 7 days from the date of issuance of such notices mentioned in paragraph 5 and 6 above and publication of the notices.

Sd/-

V. Nallasenapathy, Member(T)

Sd/-

B.S.V. Prakash Kumar, Member (J)