

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

COMPANY SCHEME PETITION NO.451 OF 2017

IN

COMPANY SCHEME APPLICATION NO. 285 OF 2017.

In the matter of the Companies Act, 2013 (18 of 2013);

AND

In the matter of Sections 230 to 232 and other applicable provisions of the Companies Act, 2013 and Rules framed thereunder as in force from time to time;

AND

In the matter of Scheme of Amalgamation of RASAYANI TRADERS PRIVATE LIMITED ("Transferor Company") with CONNELL BROS COMPAY INDIA PRIVATE LIMITED ("Transferee Company") and their respective shareholders

RASAYANI TRADERS PRIVATE )  
LIMITED, a company incorporated under )  
the Companies Act, 1956 having its )  
registered office at Parag, 602, 6<sup>th</sup> Floor, )  
27, Peddar Road, Mumbai – 400026. ) ...Petitioner Company.

Called for Admission of Petition:

Rajesh Shah, Advocate along with Ahmed M. Chunawala, Advocate i/b Rajesh Shah & Co., Advocates for the Petitioner

Coram:

SH. B.S.V. Prakash Kumar Hon'ble Member (J) and SH. V. Nallasenapathy, Hon'ble Member (T)

Date: 5<sup>th</sup> July, 2017.

**MINUTES OF THE ORDER**

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 20<sup>th</sup> July, 2017.

3. Learned Advocate for the Petitioner states that in pursuance of the directions contained in Order dated 29<sup>th</sup> March, 2017 passed by the National Company Law Tribunal, Mumbai Bench ('Tribunal') in the Company Scheme Application No. 285 of 2017, the meeting of Equity Shareholders was held on Monday, 8<sup>th</sup> May, 2017 and the requisite quorum was present and the Scheme was approved unanimously by the Equity Shareholders without modifications. The Chairman appointed for the meeting of the equity shareholders has filed his affidavit verifying his report dated 8<sup>th</sup> May, 2017 which is annexed as Exhibit 'G' to the petition. There are no secured creditors of the Petitioner Company. As per the directions of the Hon'ble Tribunal vide Order dated 29<sup>th</sup> March, 2017, notice to its Unsecured Creditors were given on 4<sup>th</sup> and 5<sup>th</sup> April, 2017.
4. The Learned Advocate for the Petitioner Company further submits that the Company Petition is filed in consonance with sections 230 to 232 along with the Order passed in Company Scheme Application No. 285 of 2017 by the Tribunal.
5. At least 10 days before the date fixed for hearing, Petitioner to publish the notice of hearing of Petition in two local newspapers viz. "Free Press Journal", in English language and translation thereof in "Navashakti", in Marathi language, both having circulation in Mumbai as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
6. The Petitioner Company to file an affidavit of service regarding the directions given by the Tribunal three days before the date fixed for final hearing and do report to this Tribunal that the direction regarding the issue of advertisement of the notice has been duly complied with.

Sd/-  
V. Nallasenapathy, Member (T)

Sd/-  
B.S.V. Prakash Kumār, Member (J)