

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH
COMPANY SCHEME PETITION NO 585 OF 2017
IN
COMPANY SCHEME APPLICATION NO 354 OF 2017

In the matter of the Companies Act, 2013

And

In the matter of Section 230 to Section 232 and other applicable
provisions of Companies Act, 2013

And

In the matter of Scheme of Amalgamation amongst Sears
Constructions Private Limited and Hiranandani Realtors Private
Limited and their respective shareholders

Sears Constructions Private Limited, a Company	}	
incorporated under the provisions of Companies Act, 1956	}	
having its Registered Office at 514 Dalamal Towers,	}	
FPJ Marg, Nariman Point, Mumbai	}Petitioner Company 1

Hiranandani Realtors Private Limited, a Company	}	
incorporated under the provisions of Companies Act, 1956	}	
having its Registered Office at 514 Dalamal Towers,	}	
FPJ Marg, Nariman Point, Mumbai	} Petitioner Company 2

Called for admission

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

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

V. Nallasenapathy, Member (Technical)

DATE: 5th July , 2017

1. Petition admitted.
2. Petition fixed for hearing on 26th July, 2017.
3. Learned Counsel for the Petitioner Companies submit that in pursuance of Order dated 12th April, 2017 passed by this Tribunal in Company Scheme Application No 354 of 2017, meetings of the Equity Shareholders of the First Petitioner Company, and Second Petitioner Company were convened and held at its Corporate Office at Olympia, Central Avenue, Hiranandani Gardens, Powai, Mumbai – 400 076 on 20th May, 2017 at 9:30 A.M and 10:00 AM respectively for the purpose of considering

and, if thought fit, approving with or without modification(s) the proposed arrangement embodied in the Scheme of Amalgamation between Sears Constructions Private Limited ('the Transferor Company') and Hiranandani Realtors Private Limited ('the Transferee Company') and their respective shareholders. In the said meetings, the Scheme of Amalgamation was approved by requisite majority of the Equity Shareholders of the First and Second Petitioner Company and by the Preference Shareholders of the Second Petitioner Company.

4. The Counsel for the Petitioner Companies submit that as directed by this Tribunal notices have been served upon all the Regulatory Authorities namely, concerned Income Tax Authorities, Central Government through Regional Director, Registrar of Companies and Official Liquidator. The notices have also been served upon all the Creditors of the First and Second Petitioner Company.
5. At least 10 clear days before the date fixed for hearing, Petitioner Companies to publish the notice of hearing of the Petition in two local newspapers viz. "Free Press Journal" in English and "Navshakti" in Marathi, both circulated in Mumbai.
6. The Petitioner Companies to file an affidavit of service regarding the directions given by the Tribunal and do report to this Tribunal that the directions regarding the issue of advertisement of the notice has been duly complied with.

Sd/-
V. Nallasenapathy, Member (T)

Sd/-
B.S.V. Prakash Kumar (J)