

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

COMPANY SCHEME PETITION NO 613 OF 2017

IN

COMPANY SCHEME APPLICATION NO 350 (MAH) OF 2017

In the matter of the Companies Act, 2013;

AND

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

AND

In the matter of Scheme of Arrangement amongst APL Agencies India Private Limited and APL (India) Private Limited and CMA CGM East & South India Private Limited and CMA CGM Global (India) Private Limited and NOL Properties (India) Private Limited and CMA CGM Agencies (India) Private Limited and their respective shareholders

CMA CGM Global (India) Private Limited, a company }
incorporated under the provisions of Companies Act, 1956 }
having its registered office at Tower 3, 8th Floor, India Bulls }
Finance Center, Senapati Bapat Marg, Elphinstone Road (West), }
Mumbai, Maharashtra – 400013 }

.....First Petitioner Company

CMA CGM Agencies (India) Private Limited, a company }
incorporated under the provisions of Companies Act, 1956 }
having its registered office at 219, 2nd Floor, Metro House, }
Mangaldas Road, Pune, Maharashtra- 411001. }

.....Second Petitioner Company

Called for Admission

Mr. Hemant Sethi i/b. Hemant Sethi & Co. Advocate for the Petitioner Companies

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

V. Nallasenapathy, Member (Technical)

Date : 6th July, 2017

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 3rd August 2017.

3. Learned Counsel for the Petitioner Company submits that in pursuance of Order dated 19th April, 2017 passed by this Tribunal in Company Scheme Application No 350 of 2017, meeting of the Equity Shareholders of the First Petitioner Company was convened and held Tower 3, 8th Floor, India Bulls Finance Centre, Senapati Bapat Marg, Elphinstone Road (West), Mumbai, Maharashtra – 400013 on 8th June, 2017 at 10:00 A.M. for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed Scheme of Arrangement amongst APL (India) Private Limited and APL Agencies India Private Limited and CMA CGM East & South India Private Limited and CMA CGM Global (India) Private Limited and NOL Properties (India) Private Limited and CMA CGM Agencies (India) Private Limited and their respective shareholders. In the said meeting, the Scheme was approved unanimously by the Shareholders present and voting at the meeting.
4. Learned Counsel for the Petitioner Company submits that in pursuance of Order dated 19th April, 2017 passed by this Tribunal in Company Scheme Application No 350 of 2017, meeting of the Equity Shareholders of the Second Petitioner Company was convened and held office at Tower 3, 8th Floor, India Bulls Finance Centre, Senapati Bapat Marg, Elphinstone Road (West), Mumbai, Maharashtra – 400013, on 8th June, 2017 at 11:00 A.M. for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed Scheme of Arrangement amongst APL (India) Private Limited and APL Agencies India Private Limited and CMA CGM East & South India Private Limited and CMA CGM Global (India) Private Limited and NOL Properties (India) Private Limited and CMA CGM Agencies (India) Private Limited and their respective shareholders. In the said meeting, the Scheme was approved unanimously by the Shareholders present and voting at the meeting.
5. The Counsel for the Petitioners further submits that as directed by this Tribunal notices have been served upon all the Regulatory Authorities namely, (i) concerned Income Tax Authorities with in whose jurisdiction the Petitioner Company's

assessments are made, (ii) Central Government through Regional Director, Western Region, Mumbai, and (iii) Registrar of Companies.

6. At least 10 clear days before the date fixed for hearing, First Petitioner Company 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.
7. At least 10 clear days before the date fixed for hearing, Second Petitioner Company to publish the notice of hearing of the Petition in two local newspapers viz. "Indian Express" in English and "Loksatta" in Marathi, both circulated in Pune.
8. The Petitioners to file an affidavit regarding the directions given by the Tribunal pertaining to advertisement of notice of 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 Kumar, Member (J)