

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

COMPANY SCHEME PETITION NO 629 OF 2017

IN

COMPANY SCHEME APPLICATION NO 507 (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 Amalgamation of Radiant Life Care Private Limited ("the Amalgamating Company") and Halcyon Finance & Capital Advisors Private Limited ("the Amalgamated Company") and their respective Shareholders

Radiant Life Care Private Limited, a private company }
incorporated under the provisions of the Companies }
Act, 1956 having its registered office at Hoechst House, }
Ground Floor, Opp. Oberoi Towers, Nariman Point, }
Mumbai - 400021, India }

.....First Petitioner Company

AND

Halcyon Finance & Capital Advisors Private Limited, a }
private company incorporated under the provisions of }
the Companies Act, 1956 having its registered office at }
Hoechst House, Ground Floor, Opp. Oberoi Towers, }
Nariman Point, Mumbai - 400021, India }

.....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 First Petitioner Company submits that in pursuance of Order dated 20th April, 2017 passed by this Tribunal in Company Scheme Application No 507 of 2017, meeting of the Equity Shareholders of the First Petitioner Company was convened and held Hoechst House, Ground Floor, Opp. Oberoi Towers, Nariman Point, Mumbai - 400021, India on 25th May, 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 Amalgamation between Radiant Life Care Private Limited and Halcyon Finance & Capital Advisors Private Limited and their respective Shareholders. In the said meeting, the Scheme was approved by the requisite majority of the Shareholders present and voting at the meeting.
4. Learned Counsel for the Second Petitioner Company submits that in pursuance of Order dated 20th April, 2017 passed by this Tribunal in Company Scheme Application No 507 of 2017, meeting of the Equity Shareholders of the Second Petitioner Company was convened and held at Hoechst House, Ground Floor, Opp. Oberoi Towers, Nariman Point, Mumbai - 400021, India on 25th May, 2017 at 11:00 A.M. for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed amalgamation of Amalgamation between Radiant Life Care Private Limited and Halcyon Finance & Capital Advisors Private Limited and their respective Shareholders. In the said meeting, the Scheme was approved by the requisite majority of 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, 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.

7. 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)