

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH
COMPANY SCHEME PETITION NO 320 OF 2017
IN
COMPANY SCHEME APPLICATION NO 193 OF 2017

In the matter of the Companies Act, 2013

And

In the matter of Section 230 to Section 232 read with Section 52 and other applicable provisions of Companies Act, 2013

And

In the matter of Scheme of Arrangement between Endurance Web Solutions Private Limited having CIN U72200MH2012PTC290955 ("The Demerged Company") and Directi Web Technology Private Limited having CIN U72300MH2012PTC226415 ("The Resulting Company") and their respective Shareholders

Endurance Web Solutions Private Limited, a)
company incorporated under the Companies)
Act, 1956 with)
CINU72200MH2012PTC290955 and)
having its Registered Office at Unit)
No.501, 5th Floor, IT Building 3, Nesco IT)
Park, Nesco Complex, Western Express)
Highway, Goregaon (East), Mumbai -)
400063, Maharashtra.).....Petitioner Company

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. Nallasenapthy, Member (Technical)

DATE: 8th June, 2017

1. Petition admitted.
2. Petition fixed for hearing on 29th June 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of Order dated March 1, 2017 passed by this Tribunal in Company Scheme Application No 193 of 2017, meeting of the Equity Shareholders of the Petitioner Company was convened and held at Unit No.501, 5th Floor, IT Building 3, Nesco IT Park, Nesco Complex, Western Express Highway, Goregaon (East), Mumbai - 400063 on

Monday, 17th April, 2017 at 01:00 P.M for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed arrangement embodied in the Scheme of Arrangement between Endurance Web Solutions Private Limited ("Demerged Company") and Directi Web Technology Private Limited ("Resulting Company") and their respective Shareholders. In the said meeting, the Scheme was approved by all Equity Shareholders of the Petitioner Company. The Chairman of the meeting has submitted his report stating the outcome of the meeting alongwith Affidavits dated 17th April 2017 verifying the said Report.

4. The Counsel for the Petitioner further submits 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 and Registrar of Companies. No representation is received by the Petitioner Company from any Regulatory Authority except the report from the Regional Director. The requisite information called for by the office of Regional Director has already been submitted by the Petitioner Company and Regional Director has filed his report to this Tribunal.
5. At least 10 clear days before the date fixed for hearing, 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.
6. The Petitioner to file an affidavit of service regarding the directions given by the Tribunal 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)