

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH**

CSP NO. 973 OF 2017

Under Section 230 to 232 of
Companies Act, 2013

In the matter of Scheme of Amalgamation of
Meghal Homes Private Limited ('Transferor
Company 1') and Ramshyam Infracon Private
Limited ('Transferor Company 2') with Copious
Developers and Farms Private Limited ('Transferee
Company') and their respective shareholders

Copious Developers and Farms Private Limited

...Petitioner Company

Judgment / Order delivered on 8th day of November, 2017

Coram:

Hon'ble B.S.V. Prakash Kumar, Member (Judicial)

Hon'ble V Nallasenapathy, Member (Technical)

For the Petitioner(s): Mr. Ajit Singh Tawar and Mr. Rushil Aiya i/b Ajit Singh
Tawar & Co., Advocates for the Petitioner

Per: V Nallasenapathy, Member (Technical)

Order

1. Petition Admitted.
2. Petition fixed for hearing and final disposal on 29th day of November, 2017.

3. Learned Counsel for the Petitioner states that in pursuance of the directions contained in Order dated 24th August, 2017 passed by the National Company Law Tribunal, Mumbai Bench in the Company Scheme Application No. 836 the meeting of Equity Shareholders was held on 3rd October, 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 has filed his report along with affidavit verifying his report dated 5th day of October, 2017 which is annexed to the petition as Exhibit G. The meeting of the Secured Creditors was not required to be held as there are no Secured Creditors in Petitioner Company. The meeting of the Unsecured Creditors was also not required to be held and the Petitioner Company had sent individual notices to all its Unsecured Creditors on 7th day of September, 2017 as per the directions given in the Order.
4. The Counsel for the Petitioner further submits as per the directions contained in Order dated 24th August, 2017 passed by the National Company Law Tribunal, Mumbai Bench in the Company Scheme Application No. 836 the Petitioner Company submits that 30 days' notice was served upon the Regional Director, Western Region, Ministry of Corporate Affairs, Mumbai Maharashtra and/or the Central Government, to Income Tax Department on 12th September 2017 and to Registrar of Companies, Maharashtra, Mumbai on 18th September, 2017.
5. The Learned Counsel for the Petitioner Company further submits that the Petition is filed in consonance with section 230 to 232 of the Companies Act, 2013 along with the Order passed in Company Scheme Application No. 836 of 2017 by the National Company Law Tribunal, Mumbai Bench.
6. At least 10 (ten) 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.

7. The Petitioner to file an affidavit of service regarding the directions given by the Tribunal 3 (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 Kumar

Member (J)

Dated: 08.11.2017