

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
BENCH AT MUMBAI
COMPANY SCHEME PETITION NO. 244 OF 2017
IN
COMPANY SCHEME APPLICATION NO. 12 OF 2017
(HIGH COURT TRANSFERRED COMPANY SUMMONS FOR DIRECTION (L) NO.
1004 OF 2016)
IN THE MATTER OF SECTION 230 to 232 OF THE COMPANIES ACT, 2013 "POWER
TO COMPROMISE OR MAKE ARRANGEMENTS WITH CREDITORS AND
MEMBERS"
(See Rule 3 of the Companies (Compromises, Arrangements and Amalgamation) Rules, 2016)
AND
IN THE MATTER OF ARCHWAY INVESTMENT COMPANY LIMITED (PETITIONER)
Having its registered office at Neville House, J.N. Heredia Marg, Ballard Estate, Mumbai 400
001, Maharashtra

Archway Investment Company Limited

...Petitioner/Transferor Company

Called for Hearing

Ms. Debashree Dey a/w Ms. Dhanyashree Jadeja i/b Desai & Diwanji, Advocate for the Petitioner
Company.

Coram: Shri M.K. Shrawat, Hon'ble Member (J)

Shri V. Nallasenapathy, Member (T)

Date: 13 April 2017

MINUTES OF ORDER

1. Petition admitted.
2. Petition fixed for hearing on 26 April 2017.
3. Learned Advocate for the Petitioner states that in pursuance to order dated 16 February 2017 passed in the Company Scheme Application No. 12 of 2017, the meeting of the equity shareholders of the Petitioner was convened on 24 March 2017, Friday at 11:00 a.m. at C-1, Wadia International Center, Pandurang Budhkar Marg, Worli, Mumbai – 400 025, for the purpose of considering, and if though fit, approving, with or out without modification(s), the Scheme of Amalgamation proposed to be made between the Petitioner / Transferor Company and The Bombay Dyeing & Manufacturing Company Limited and its respective shareholders.

In the said meeting, the Scheme was unanimously approved by the members. The chairman of the meeting submitted his report recording the voting results vide his report dated 24 March 2017.

4. The Advocate for the Petitioner further submits that, as directed by this Hon'ble Tribunal, notices have been served on the Regional Director, Western Region, Registrar of Companies, Income Tax Authority, Official Liquidator and Reserve Bank of India. As directed by this Hon'ble Tribunal, notices have also been served on the creditors.
5. At least 10 clear days before the hearing of the Petition, the Petitioner to publish notice of hearing in 2 local newspapers, i.e. 'Free Press Journal' in English language and its translation in 'Navshakti' in Marathi Language, both having circulation in Mumbai, Maharashtra, as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
6. The Petitioner Company will file affidavit confirming publication of the advertisement 3 days before the next date of hearing.

Sd/-
V. Nallasenapathy, Member (T)

13/01/17
Sd/
M.K. Shrawat, Member, (J)