

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

**CSP NO. 1006 OF 2017**

**IN**

**CSA NO 812 OF 2017**

In the matter of the Companies Act, 2013 and  
Companies (Compromises, Arrangements and  
Amalgamations) Rules, 2016

And

In the matter of Nucleus Stock Brokers Private  
Limited and Creative Global Stock Broking  
Private Limited and Creative Computer and  
Marketing Private Limited and CG Leasing  
(Bombay) Private Limited and Creative Polytex  
Private Limited and Dream Wisdom Construction  
Company Private Limited and Harmony  
Landmarks and Real Estate Private Limited and  
Creative Home Furnishing International Private  
Limited and Creative Estates Private Limited and  
their Respective Shareholders

And

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

**CG Leasing (Bombay) Private Limited**, a company }  
Incorporated under the provisions of Companies act, 1956 having }  
Its registered office at 103, Cama Industrial Estate, Sun Mill Compound, }  
Lower Parel, Mumbai – 400 013, Maharashtra. }  
CIN: U65990MH1986PTC039285 }

... the Petitioner Company

Order delivered on 15<sup>th</sup> day of November , 2017

Coram:

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

Hon'ble V. Nallasenapathy, Member (Technical)

For the Petitioner(s): Hemant Sethi i/b. Hemant Sethi & Co., Advocates for Petitioners

Per: V. Nallasenapathy, Member (Technical)

**Order**

1. Petition admitted.
2. Petition fixed for hearing on 7<sup>th</sup> December, 2017.
3. Learned Counsel for the Petitioner Company submit that in pursuance of Order dated 6<sup>th</sup> September, 2017 passed by this Tribunal in Company Scheme Application No 812 of 2017, meeting of the Equity Shareholders and Preference Shareholders of the Petitioner Company was convened and held at the registered office of the company



at 103, Cama Industrial Estate, Sun Mill Compound, Lower Parel, Mumbai – 400 013, Maharashtra, India on 12<sup>th</sup> October 2017 at 11.30 am for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed Scheme of Arrangement and Amalgamation for demerger of Stock Broking Undertaking of Creative Global Stock Broking Private Limited (“Creative Global”) and vesting of the same into Nucleus Stocks Brokers Private Limited and merger of Creative Global, Creative Computer, CG Leasing (Bombay) Private Limited, Creative Polytex Private Limited, Dream Wisdom Construction Company Private Limited, Harmony Landmarks and Real Estate Private Limited and Creative Home Furnishing International Private Limited with Creative Estates Private Limited and their Respective Shareholders under Section 230 to 232 read with Section 52 of the Companies Act, 2013.

In the said meeting, the Scheme was approved by all Equity Shareholders and Preference Shareholders of the Petitioner Company.

4. The Counsel for the Petitioner Company submit that as directed by this Tribunal notices have been served upon Unsecured Creditors and all the Regulatory Authorities namely, concerned Income Tax Authorities, Central Government through Regional Director, Registrar of Companies, Official Liquidator. No representation is received by the Petitioner Company from any Regulatory Authority till now.
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 Company to file an affidavit of service regarding the directions given by the Tribunal and do report to this Tribunal that the directions 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)