

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI
COMPANY SCHEME PETITION NO.934 OF 2017
CONNECTED WITH
COMPANY SCHEME APPLICATION NO. 63 OF 2017**

In the matter of the Companies Act, 1956;

And

In the matter of Section 391 to 394 of the
Companies Act, 1956;

And

In the matter of Section 230 to 232 of the
Companies Act, 2013;

And

In the matter of Suvidhi Infrastrucuture Pvt.
Ltd. (SIPL)
(Formerly known as Suvidhi Capital Services
Pvt. Ltd.)

And

In the matter of the Scheme of
Amalgamation of
VIMALPRABHU INFRASPACE PRIVATE
LIMITED (VIPL)
FORMERLY KNOWN AS VIMALNATH
TRADELINK PVT LTD.,
("Transferor Company No.1")

And

SUVIDHI INFRASTRUCTURE PRIVATE
LIMITED (SIPL)
(FORMERLY KNOWN AS SUVIDHI CAPTIAL
SERVICE PVT LTD),

(TRANSFEROR COMPANY NO.2)

And

SHRISHALIBHADRA INFRASPACE

PRIVATE LIMITED (SSIPL)

(FORMERLY KNOWN AS SHALIBHADRA

FINVEST SERVICE PVT LTD)

(TRANSFEROR COMPANY NO.3)

WITH

MARVELL MALL DEVELOPMENTY

COMPANY PVT LTD (MMDCPPL)

(TRANSFEEEE COMAPNY)

Suvidhi Infrastructure Pvt. Ltd.)
(formerly known as Suvidhi Capital Servis Pvt. Ltd.))
a company incorporate under the Companies Act,)
1956 and having its registered at office at 97,)
Ground Floor, 95/97, Parmanand Building,)
Bhandari Street, Kumbharwada, Khetwadi Girgaon,)
Mumbai 400 004.)...Petitioner

Order delivered on 18th of October, 2017

Coram:

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

Hon'ble V. Nallasenapathy, Member (T)

For the Petitioner: Mr. Durgaprasad Poojari i/b PDS Legal
Advocates for the Petitioner

Per: **B.S.V. Prakash Kumar**

MINUTES OF ORDER

1. Petition Admitted.
2. Petition fixed for hearing on 29th November, 2017.
3. Learned Advocate for the Petitioner states that in pursuance of the direction contained in the Order dated 30th March, 2017 read with Order dated 23rd June, 2017 passed by this Tribunal in Company Scheme Application No. 63 of 2017, meeting of Equity Shareholders of the Petitioner Company for the purpose of the considering and if thought fit, approving with or without modification(s) the proposed amalgamation embodied in the Scheme of Amalgamation between Vimalprabhu Infraspaces Private Limited, Suvidhi Infrastructure Private Limited, and Shrishalibhadra Infraspaces Private Limited with Marvell Mall Development Company Pvt. Ltd. and their respective Shareholders was held on 19th August, 2017 and the requisite quorum was present and the scheme was approved by all the shareholders without modifications. The Scrutinizer and the Chairman's report was filed before this Hon'ble Tribunal.
4. The Learned Advocate for the Petitioner states that the convening and holding of meeting of the unsecured creditors was not required to be held as the Petitioner Company has sent individual notices to all its unsecured creditors as per the directions contained in order dated 30th March, 2017 read with order dated 23rd June, 2017 passed by this Tribunal.
5. The Learned Advocate for the Petitioner further submits that as directed by this Hon'ble Tribunal notices have been served upon all the Regulatory Authorities viz., (i) Concerned Income Tax Authority within whose jurisdiction the Petitioner Company's

assessments are made, (ii) Central Government through the office of the Regional Director, West Region, Mumbai Ministry of Corporate Affairs, (iii) Registrar of Companies, Mumbai and (iv) The Official Liquidator, High Court Bombay as per Rule 8 of the Companies (Compromises, Arrangement and Amalgamations) Rules, 2016.

6. The Learned Advocate appearing on behalf of the Petitioner Company states that the Petition has been filed in consonance with Sections 230-232 of the Companies Act, 2013 and the Order passed in Company Scheme Application No. 63 of 2017.
7. At least 10 days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of Petition in two local newspapers viz., "Free Press Journal", in the English language and "Navshakti", in Marathi language, both having circulation in Mumbai.
8. The Petitioners to file an affidavit regarding the directions given by this 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)