

In the National Company Law Tribunal
MUMBAI BENCH

CSP No. 662 of 2017
In
CSA. No. 348 of 2017

Under Section 230 to 232 of CA 2013 and other applicable provisions of the Companies Act, 2013;

In the matter of Scheme of Arrangement between Eyekare Kilitch Limited ("The Demerged Company") and Kilitch Healthcare India Limited ("The Resulting Company") and their respective Shareholders

EyeKare Kilitch Limited

.....**Petitioner Company 1**

AND

Kilitch Healthcare India Limited

.....**Petitioner Company 2**

Order delivered on 19th July 2017

Coram:

Hon'ble **B.S.V. Prakash Kumar**, Member (J)
Hon'ble **V. Nallasenapathy**, Member (T)

For the Petitioner(s): Mr. Hemant Sethi i/b Hemant Sethi & Co

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

Order

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 23rd August 2017.

3. Learned Counsel for the First Petitioner Company submits that in pursuance of Order dated 20th April, 2017 passed by this Tribunal in Company Scheme Application No 348 of 2017, meeting of the Equity Shareholders of the First Petitioner Company was convened and held at 902 – B, Coliseum Co-op Premises Society Limited, Godrej Coliseum, Off. Eastern Express Highway, Chunabhatti, Mumbai – 400022 on 1st June 2017 at 11:00 A.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 Eyekare Kilitch Limited and Kilitch Healthcare India Limited and their respective Shareholders. The Report pertaining to the meeting of Equity Shareholders of the First Petitioner Company has been filed .
4. That the meeting of the Equity Shareholders of the Second Petitioner Company was convened and held at its registered office at 902 – B, Coliseum Co-op Premises Society Limited, Godrej Coliseum, Off. Eastern Express Highway, Chunabhatti, Mumbai – 400022 on 1st June 2017 at 1:00 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 Eyekare Kilitch Limited and Kilitch Healthcare India Limited and their respective Shareholders. The Report pertaining to the meeting of Equity Shareholders of the Second Petitioner Company has been filed .
5. The Counsel for the Petitioners further submits that as directed by this Tribunal notices have been served upon all the Regulatory Authorities namely, (i) concerned Income Tax Authorities with in whose jurisdiction the Petitioner Company's assessments are made, (ii) Central Government through Regional Director, Western Region, Mumbai, and (iii) Registrar of Companies.
6. At least 10 clear days before the date fixed for hearing, Petitioner Companies 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.

7. The Petitioners to file an affidavit regarding the directions given by the 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)