

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

CSP NO 681 OF 2017

In the matter of the Companies Act, 2013;

AND

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

In the matter of Scheme of Amalgamation of Fasthome Real Estates Private Limited ('the Transferor Company') with Molshree Trade Invest Private Limited ('Transferee Company') and their respective shareholders ('the Scheme')

Fasthome Real Estates Private Limited

...Petitioner Company

Called for admission

Mr. Hemant Sethi i/b. Hemant Sethi & Co., Advocates for the Petitioner

Order delivered on 19th July, 2017

Coram:

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

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

Per: B.S.V. Prakash Kumar

1. Petition admitted.
2. Petition fixed for hearing on 9th August 2017.
3. Learned Advocate for the Petitioner Company states that in pursuance of the directions contained in Order dated 3rd May, 2017 passed by this Tribunal in the Company Scheme Application No. 549 of 2017, the meeting of Equity Shareholders of the Petitioner Company was convened and held at 15th Floor, Nirmal Building, Nariman Point, Mumbai - 400021 on Wednesday, 14th June, 2017 at 1:30 pm and the requisite quorum was present and the Scheme was approved with the requisite majority by the Equity Shareholders. The Chairman appointed for the meeting has filed his affidavit verifying his report which is annexed as Exhibit 'G' to the petition.

4. The Counsel for the Petitioner Company further submits that the Company 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. 549 of 2017 by this Tribunal.
5. The Counsel for the Petitioner further submits that as directed by this Tribunal, notices have been served upon all the Regulatory Authorities namely, concerned Income Tax Authorities, Official Liquidator, Central Government through Regional Director and Registrar of Companies Mumbai. No representation is received by the Petitioner Company from any Regulatory Authority. The requisite information called for by the office of Regional Director and auditor appointed by this Tribunal to assist the Official Liquidator has already been submitted by the Petitioner Company and no further information has been sought for.
6. 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 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 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)