

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

CSP NO 669 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 Aureos India Advisers Private Limited (“Transferor Company” or “Petitioner Company”) into Abraaj Capital Advisors Private Limited (“Transferee Company”) and their respective Shareholders and Creditors

AUREOS INDIA ADVISERS PRIVATE Petitioner Company
LIMITED,

Called for admission

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 10th August, 2017.
3. Learned Advocate for the Petitioner Company states that in pursuance of the directions contained in Order dated 27th April, 2017 passed by this Tribunal in the Company Scheme Application No. 486 of 2017, the meeting of Equity Shareholders of the Petitioner Company was convened and held at 405, 4th Floor, Ceejay House, Shiv Sagar Estate, Dr. Annie Besant Road, Worli, Mumbai – 400018, Maharashtra, India on Monday, 9th June, 2017 at 11:30 a.m. and the requisite quorum was present and the Scheme was approved with the requisite majority by the Equity Shareholders with modifications. The Chairperson appointed for the meeting has filed his affidavit verifying his report dated 9th June, 2017 which is annexed as Exhibit ‘H’ to the petition.

4. 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, Central Government through Regional Director, Registrar of Companies Mumbai and Office of Official Liquidator. No representation is received by the Petitioner Company from any Regulatory Authority. The requisite information called for by the office of Regional Director has already been submitted by the Petitioner Company and no further information has been sought for.
5. 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 "Navshakti", in Marathi language, both having circulation in Mumbai as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
6. The Petitioner to file an affidavit of service regarding the directions given by the Tribunal three days before the date fixed for final 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)