

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH

CSP NO 729 OF 2017

IN

CSA NO 500 OF 2017

In the matter of the Companies Act, 2013;

AND

In the matter of Sections 230 to 232 and other applicable provisions of the Companies Act, 2013;

AND

In the matter of Scheme of Amalgamation of Mahindra Telecommunications Investment Private Limited and Gateway Housing Company Limited with Mahindra Holdings Limited and their respective shareholders

Mahindra Telecommunications Investment Private Limited }
a company incorporated under the provisions of Companies }
Act 1956 having its registered office at Gateway Building, }
Apollo Bunder, Mumbai – Maharashtra 400001 }
.....First Petitioner Company

AND

Gateway Housing Company Limited, a Company incorporated }
Under the provisions of companies act 1956 having its }
Registered office at Gateway Building, Apollo Bunder, }
Mumbai 400001 }
.....Second Petitioner Company

AND

Mahindra Holdings Limited, a Company incorporated }
Under the provisions of companies act 1956 having its }
Registered office at Mahindra Towers, P. K. Kurne Chowk, }
Worli, Mumbai 400018 }
..... Third Petitioner Company

Order delivered on 21st September, 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, Member(J)**

Order

1. Petition admitted.

2. Petition fixed for hearing on 12th October , 2017.
3. Learned Counsel for the Petitioners submits that in pursuance of Order dated 20th April 2017 passed by this Tribunal in Company Scheme Application No 500 of 2017, the meetings of the shareholders of the First Petitioner was held on at Mahindra Towers, P. K. Kurne Chowk, Worli, Mumbai 400018 on Friday, 23rd June 2017 at 3.00 PM, the meeting of the Equity shareholders of the Second Petitioner Company was held on Mahindra Towers, P. K. Kurne Chowk, Worli, Mumbai 400018 on Friday, 23rd June 2017 at 4.00 PM and the meeting of the Equity shareholders of the Third Petitioner Company was held at 2nd Floor, Gateway Building, Apollo Bunder, Mumbai 400001 on Friday, 23rd June, 2017 at 11.00 am and the Scheme was approved by requisite majority of members present at the the respective meetings.
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 Official Liquidator, High Court, Bombay in respect of Transferor Companies.
5. At least 10 clear days before the date fixed for hearing, Petitioner Company to publish common and composite 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 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)