

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH
COMPANY SCHEME PETITION NO 435 OF 2017
IN
COMPANY SCHEME APPLICATION NO 149 OF 2017

In the matter of Sections 230 - 232 and any other applicable provisions of the Companies Act, 2013 read with Companies (Compromise, Arrangements and Amalgamations) Rules, 2016;

AND

In the matter of Scheme of Arrangement between Now Realty Private Limited, RGP Realty Private Limited, Now Realty promoters and Builders Private Limited and RGP Promoters Private Limited and their respective shareholders and creditors

RGP Promoters Private LimitedPetitioner Company

Called for admission

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

CORAM: B.S.V. Prakash Kumar, Member (Judicial)

V. Nallasenapathy, Member (Technical)

Date: 22 June 2017

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 12th July 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of Order dated 22 February 2017 passed by this Tribunal in Company Scheme Application No. 149 of 2017, meeting of Equity Shareholders of the Petitioner Company was convened and held on 5th April 2017 for the purpose of considering and, if thought fit, approving with or without modification(s) the proposed arrangement embodied in the Scheme of Arrangement of Now Realty Private Limited (Transferor Company 1), RGP Realty Private Limited (Transferor Company 2), Now Realty Promoters and Builders Private Limited (Transferor Company 3) and RGP Promoters Private Limited (Transferee Company) and their shareholders. In the said meeting, the Scheme was approved by all Equity Shareholders of the Petitioner Company.

4. The Counsel for the Petitioner 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, as per Rule 8 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.

The Regional Director has filed his report dated 12 June 2017.

5. At least 10 clear days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of the Petition in two local newspapers viz. "Indian Express" in English and "Loksatta" in Marathi, both circulated in Pune.
6. The Petitioner 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 (Technical)

Sd/-

B.S.V. Prakash Kumar Member (Judicial)