

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,

MUMBAI BENCH

COMPANY SCHEME PETITION NO 516 OF 2017

IN

COMPANY SCHEME APPLICATION NO 411 OF 2017

In the matter of the Companies Act, 2013;

AND

In the matter of Sections 230 to 232 read with section 66 of the Companies Act, 2013;

AND

In the matter of Ankita Pratisthan Limited ('the Transferor Company 1' or 'Ankita') and Mayuka Investment Limited ('the Transferor Company 2' or 'Mayuka') and Puneet Trading and Investment Company Private Limited ('the Transferor Company 3' or 'Puneet Trading') and Zipahead.com Private Limited ('the Transferor Company 4' or 'Zipahead') and Mahanadi Trading Private Limited ('the Transferor Company 5' or 'Mahanadi') and Shreevallabh Textile Private Limited ('the Transferor Company 6' or 'Shreevallabh') and Keshav Power Limited ('the Demerged Company 1' or 'Keshav Power') and Shree Nirman Limited ('the Demerged Company 2' or 'Shree Nirman') and Rama Investment Company Private Limited ('the Transferee Company' or 'the Resulting Company' or 'Rama') and their respective shareholders and creditors ('the Scheme')

MAHANADI TRADING PRIVATE LIMITED, a)
company incorporated under the provisions of Companies)
Act, 1956 having its registered address at)
B-5, The Tardeo Everest Premises Co-operative Society)
Limited, 156, Tardeo Main Road, Mumbai 400034.)
CIN:- U51109MH2009PTC191235)
...Petitioner 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: 22nd June, 2017

1. Petition admitted.
2. Petition fixed for hearing on 19th July 2017.

3. Learned Advocate for the Petitioner Company states that in pursuance of the directions contained in Order dated 13th April, 2017 passed by this Tribunal in the Company Scheme Application No. 411 of 2017, the meeting of Equity Shareholders of the Petitioner Company was convened and held at B-5, The Tardeo Everest Premises Co-operative Society Limited, 156, Tardeo Main Road, Mumbai 400034 on Friday, 26th May, 2017 at 11:00 A.M. and the requisite quorum was present and the Scheme was approved with the requisite majority by the Equity Shareholders without modifications. The Chairman appointed for the meeting has filed his affidavit verifying his report dated 31st May, 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, 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 Registrar of Companies 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 "Navashakti", 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 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)