

BEFORE THE HON'BLE NATIONAL COMPANY LAW TRIBUNAL

MUMBAI BENCH, MUMBAI

COMPANY SCHEME PETITION NO 743 OF 2017

CONNECTED WITH

COMPANY APPLICATION NO 442 OF 2017

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

AND

In the matter of the Scheme of Arrangement between Zuari Investments Limited and Zuari Finserv Private Limited (Formerly known as Horizonview Developers Private Limited) and their Respective Shareholders and Creditors

Zuari Finserv Private Limited)
(formerly known as Horizonview)
Developers Private Limited), a)
company incorporated under the)
Companies Act, 1956 and having its)
registered office at Jai Kissan)
Bhawan, Zuarinagar, Goa – 403 726)

**...Petitioner Company/ Resulting
Company**

Called for Admission of Petition:

Mr. Peshwan Jehangir, Mr. Himanshu Vidhani and Ms Atika Vaz i/b Khaitan & Co.,
Advocates for the Petitioner Company

Coram: Hon'ble **B.S.V Prakash Kumar**, Member (J)

Hon'ble **V. Nallasenapathy** Hon'ble, Member (T)

Date: 23rd August 2017.

MINUTES OF THE ORDER

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 18th October 2017.
3. The Learned Counsel for the Petitioner states that in pursuance of order of the

Hon'ble Tribunal dated 3rd May 2017 passed in the Company Application No. 442 of 2017, a meeting of the Equity Shareholders of the Company was held on 21st July 2017 at 2:00 p.m. at the Registered Office of the Company at Jai Kissan Bhawan, Zuarinagar, Goa – 403 726, for the purpose of considering and if thought fit, approving with or without modification the proposed Scheme of arrangement between Zuari Investments Limited and Zuari Finserv Private Limited (formerly known as Horizonview Developers Private Limited) and their respective Shareholders and Creditors. The Chairman appointed for the meeting has filed his affidavit verifying his report dated 22nd July 2017 which is annexed as Exhibit 'A8' to the Petition.

4. The Learned 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 the Company Application No 442 of 2017 by the National Company Law Tribunal, Mumbai Bench.
5. The Learned Counsel for the Petitioner Company 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, Register of Companies Goa, and Securities and Exchange Board of India, as per Rule 8(1) of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
6. At least 10 (ten) clear days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of Petition in (2) two local newspapers, viz., "Navhind Times" in English language and translation thereof in "Gomantak" in Marathi language, both having circulation in Goa as per Rule 16(1) of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
7. The Petitioner Company 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)