

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH AT MUMBAI
COMPANY SCHEME PETITION NO.298 OF 2017
CONNECTED WITH
COMPANY SCHEME APPLICATION NO. 168 OF 2017

In the matter of the Companies Act, 2013 (18 of 2013).

AND

In the matter of Sections 230 to 232 read with Section 66 of the Companies Act, 2013 and other relevant provisions of the Companies Act, 2013.

AND

In the matter of the Scheme of Arrangement between Forbes Marshall Steam Systems Private Limited and Forbes Marshall Private Limited and their respective shareholders.

Forbes Marshall Steam Systems Private Limited)
a Company incorporated Under the Companies Act,)
1956 and having its Registered Office at)
Opp 106th Milestone, Bombay Poona Road,)
Kasarwadi, Pune-411 034)...PETITIONER COMPANY

Called for admission:

Mr. Nitin Gutka, Chartered Accountants, for the Petitioner Company.

**CORAM: SH. B.S.V. Prakash Kumar Hon'ble Member (Judicial) and
SH. V. Nallasenapathy Hon'ble Member (Technical)**

DATE : 27th April, 2017

MINUTES OF ORDER

1. Petition admitted.
2. Petition fixed for hearing and final disposal on 14th June, 2017.
3. Learned Counsel for the Petitioner Company submits that in pursuance of Order dated 23rd February, 2017 passed by this Tribunal in Company Scheme Application No. 168 of 2017, the meeting of Equity Shareholders was convened and held on Wednesday, 29th March, 2017 at 11.00 A.M for the purpose of

considering, and if thought fit, approving, with or without modification, the proposed Scheme of Arrangement between Forbes Marshall Steam Systems Private Limited, the Transferor Company and Forbes Marshall Private Limited, the Transferee Company and their respective shareholders. The Equity Shareholders present in their respective meeting has unanimously approved the Scheme without any modification. The chairman appointed for the said meetings has filed his report as to the result of the meeting along with affidavit with the Tribunal on 30th March, 2017 which is annexed as **Exhibit 'F'** to the Company Scheme 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, Ministry of Corporate Affairs, Mumbai, Registrar of Companies, Pune and Official Liquidator, High Court Bombay. Notices have also been served upon all its Unsecured Creditors of the Petitioner Company. No representation has been received by the Petitioner Company from any other Regulatory Authority nor from the Unsecured Creditors.
5. At least not less than 10 days before the date fixed for hearing, Petitioner Company to publish the notice of hearing of Petition in two local newspapers, viz. "The Economic Times" in English Language and translation thereof in "Maharashtra Times" in Marathi Language, both having circulation in Pune.

Sd/-

V.Nallasenapathy, Member(Technical)

Sd/-

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