

**IN THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI**

**CSP NO. 901 OF 2017
IN
CSA NO. 709 OF 2017**

Under Sections 230 to 232 of the Companies
Act, 2013

In the matter of Scheme of Arrangement
between Kalyani Global Engineering Private
Limited and Kenersys India Private Limited and
their respective shareholders

KENERSYS INDIA PRIVATE LIMITED)
a Company incorporated under the)
Companies Act, 1956 having its office)
address at S.No.49, Industry House,)
Mundhwa, Pune - 411 036, Maharashtra.)Petitioner Company

ORDER DELIVERED ON: 27TH SEPTEMBER, 2017

CORAM:

Hon'ble B.S.V. Prakash Kumar, Member (Judicial)
Hon'ble V. Nallasenapathy, Member (Technical)

Advocate for the Petitioner: 1. Advocate Shruti Kelji-Pednekar
2. Advocate A. S. Lambhate
3. Advocate Sunila Chavan

PER: Hon'ble V. Nallasenapathy, Member (Technical)

ORDER

1. Petition Admitted.
2. Petition fixed for hearing on 11th October, 2017.

3. Learned Advocate for the Petitioner states that in pursuance of the directions contained in Order dated 20th July, 2017 passed by the Tribunal in Company Scheme Application No.709 of 2017, the meeting of Equity Shareholders was held on Monday, 11th September, 2017 and requisite quorum was present and the Scheme was approved unanimously by all the Equity Shareholders without any modifications. The Chairperson appointed for the meeting has filed his report dated 11th September, 2017 which is annexed as Annexure G to the Petition.
4. The Learned Advocate for the Petitioner Company further submits that the Company Scheme Petition is filed in consonance with Section 230 to 232 of the Companies Act, 2013 alongwith the order passed in Company Scheme Application No.709 of 2017.
5. The Counsel for the Petitioner further submits that as directed by this Tribunal, notices have been served upon all the Regulatory Authorities, namely, Central Government through Regional Director and Registrar of Companies, Mumbai, concerned Income Tax Authority and Reserve Bank of India. No representation is received by the Petitioner Company from any Regulatory Authority. The requisite information called for by the office of Regional Director has already been submitted by the Petitioner Company and no further information has been sought for.
6. At least 10 clear days before the date fixed for hearing, Petitioner to publish the Notice of hearing of Petition in two local newspapers, viz. "Indian Express" in English language and translation thereof, in "Loksatta", in Marathi language, both having circulation in Pune as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
7. The Petitioner to file an Affidavit of Service regarding the directions given by the Tribunal 3 (Three) days before the date fixed for final hearing and do report 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)