

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**SINGLE BENCH**  
**NEW DELHI**

CA No.-23/C-III/ND/2017

**Present: SHRI R. VARADHRAJAN, MEMBER (JUDICIAL)**

**IN THE MATTER OF SECTIONS 230-232 OF THE COMPANIES ACT, 2013**

**In the matter of:**

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Sections 230-232 and other applicable provisions of the Companies Act, 2013 read with  
Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.

**And**

**IN THE MATTER OF SCHEME OF AMALGAMATION**

**EBOT IT SERVICES PRIVATE LIMITED**

Having Registered office at:

L-2A, Hauz Khas Enclave,

New Delhi-110016

.....Applicant Company 1/ Transferor Company

**YESPAY IT SERVICES (INDIA) PRIVATE LIMITED**

Having Registered office at:

L-2A, Hauz Khas Enclave,

New Delhi-110016

.....Applicant Company 2/ Transferee Company

**For the Applicants: Ms. Shweta Bharti, Advocate**

**Mr. Jyoti Kumar, Advocate**

**Mr. Pranav Shangari, Advocate**

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## ORDER

Order Delivered on: 01.09.2017

This is an application which has been filed subsequent to the order passed by this Tribunal on 26.7.2017 in relation to the First Motion Application moved by the Applicant Companies herein. Perusal of the prayers as given in paragraph 20 of the Application discloses that the applicants are in effect seeking as to why this Tribunal should not dispense with meetings as directed earlier to be convened of the equity shareholders of the respective Applicant Companies by taking into consideration the consent affidavits of the equity shareholders of the Applicant Companies annexed presently with the application or in the alternative to shift the date of the meeting as given in the order as 21.9.2017 as well as to grant dispensation in relation to the issuance of notice by advertisement in the newspapers as given in both vide order dated 26.7.2017 passed by this Tribunal.

This Tribunal has carefully considered the pleas as made in the Application. However, this Tribunal is not inclined to dispense with the meeting based on the consent affidavits filed subsequent to the order dated 26.7.2017. However, in relation to the date of meeting, the same is acceded to and the date of the meeting shall be 9<sup>th</sup> October, 2017 as compared to the date fixed earlier being on 21<sup>st</sup> September, 2017. This

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Tribunal is also not inclined to dispense with the requirement of effecting publication of advertisement in the newspaper as sought for. But, however, taking into consideration the representation made by the Ld. Counsel of the Applicant, publication of the **notice** : in "Business Standard" and "Jansatta" shall be confined to its Delhi edition where the registered office of the applicant companies are situated. Further, in exercise of the powers contained under Rule, 154 of the National Company Law Tribunal Rules, 2016 this Tribunal also rectifies the accidental error which has occurred in paragraph 'C' at page 11 of the order dated 26.7.2017 wherein at line 3 of the said paragraph apart from equity shareholders, unsecured creditors has also been mentioned and the same stands corrected as follows:

"and Scrutinizer for the meeting of Equity Shareholders as may" thereby omitting the words "and unsecured Creditors".

The Registry shall issue a corrected copy of the order dated 26.7.2017 in view of the above rectification of the accidental error which has cropped up. The Application is accordingly disposed of.

  
(R. VARADHARAJAN)  
MEMBER (JUDICIAL)

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