

IN THE NATIONAL COMPANY LAW TRIBUNAL
NEW DELHI BENCH (COURT – II)

Item No. 311
CP(CAA)-31/2024 in
CA (CAA) 52/(ND)/2023

IN THE MATTER OF:

Abhipra Trading Pvt. Ltd. and Ors. into ... Applicant/Petitioner
Vipul Ltd.

Under Section: 230-232

Order delivered on 03.05.2024

CORAM:

SH. ASHOK KUMAR BHARDWAJ
HON'BLE MEMBER (J)

SH. SUBRATA KUMAR DASH
HON'BLE MEMBER (T)

PRESENT:

For the Applicant : Adv. Vikrant Rohilla

Hearing Through: VC and Physical (Hybrid) Mode

ORDER

CP(CAA)-31/2024: The present petition has been preferred for sanction of Scheme of Amalgamation between Abhipra Trading Private Limited (Transferor CompanyNo. 1), Graphic Research Consultants India Private Limited (Transferor Companies No. 2), United Buildwell Private Limited (Transferor Companies No. 3), Vineeta Trading Private Limited (Transferor Companies No. 4), Vipul Eastern Infracon Private Limited (Transferor Companies No. 5) with Vipul Limited (Transferee Company) Under Section 230-232 of Companies Act, 2013.

The petition is second motion under Section 230-232 of the Companies Act, 2013. The Scheme of Amalgamation is espoused under Section 230 to 232 and other applicable provisions of the Companies Act, 2013 for merger/amalgamation of the aforementioned companies to achieve the objects mentioned in the scheme of amalgamation.

Heard. Issue notice to the Income-tax authorities, Regional Directors-Northern Region Ministry of Corporate Affairs, RoC- NCT of Delhi and Haryana, OL-at

LOK Nayak Bhawan, 8th Floor Khan Market New Delhi, DCIT- 428 Lawyer's Chambers, Block 1 Delhi High Court New Delhi. and other sectoral regulators or authorities which are likely to be affected by the compromise or arrangement. The representations, if any, to be made by the notice shall be made within a period of thirty days from the date of receipt of the notice, failing which, it shall be presumed that they have no representations to make on the proposals.

Ld. Counsel for the Petitioner undertakes to serve notice upon the authorities/offices referred to hereinabove by all modes viz. registered post, speed post and E-mail. Affidavit of service be filed within one week. The petitioner shall also make all the documents referred to in Section 230(3) of the Companies Act, 2013 viz., a statement disclosing the details of the compromise, arrangement, a copy of the valuation report, if any, and their effect on creditors, key managerial personnel, promoters and non-promoter members, and the debenture-holders and the effect of the compromise or arrangement on any material interests of the directors of the company or the debenture trustees, if any, to the authorities referred to in Section 230(5) of the Companies Act, 2013 (ibid). The documents as also a copy of the notice to be served in terms of the present order upon the authorities referred to in Section 230(5) of the Companies Act shall also be placed on the website of the company, if any, and shall also be published in two nationalised newspapers, one in Financial Express (English) and Janasatta (Hindi) both Delhi NCR editions in circulation in the locality/state where the registered offices of the petitioners are located.

List on 28.05.2024.

Sd/-
(SUBRATA KUMAR DASH)
MEMBER (T)

Sd/-
(ASHOK KUMAR BHARDWAJ)
MEMBER (J)