

IN THE NATIONAL COMPANY LAW TRIBUNAL, NEW DELHI
COURT-V
(Division Bench)

Item No.-521

CP (CAA) No.-31/230/232/ND/2023(2nd Motion)

IN THE MATTER OF:

Khatushyam Pvt. Ltd. with 5 Star Real Estate Pvt. Ltd. **.....Applicant**

SECTION

U/s 230-232

Order delivered on 03.07.2024

CORAM:

SHRI MAHENDRA KHANDELWAL,
HON'BLE MEMBER (JUDICIAL)

Dr. SANJEEV RANJAN,
HON'BLE MEMBER (TECHNICAL)

HYBRID HEARING (PHYSICAL & VC)

PRESENT:

For the Applicant : Mr. Lalit Mohan, Mr. Videh Vaish, Ms. Megha Jain,
Mr. Sumbul Ara, Ms. Geetanjali Singh, Ms. Pragya
Gupta, Advs.

For the Respondent :

For the RD : Ms. Shankari Mishra, Mr. Aakash Sharma, Advs.

For the OL : Mr. Kartikeya Asthana, Adv.

ORDER

This is a 2nd Motion Petition filed under Section 230-232 of the Companies Act, 2013. Heard the submission made by Ld. Counsel on behalf of the Petitioner. Ld. Counsel on behalf of the RD is present and she refers to the observations made by the Office of RD in their report and we have also perused the same. Ld. Counsel on behalf of the Petitioner refer to the additional affidavit dated 01.09.2023 filed in response to the observations given by the Office of RD. Most of the observations of the RD are related to the Transferee Company. No one is present on behalf of the OL, however, the report of the OL

is available on the e-portal of the Tribunal. No one is present on behalf of the Income Tax Department, however, the report of the Income Tax Department has been filed by the Petitioner along with their additional affidavit and according to that Income Tax Department has no objection in respect of amalgamation. Order in this matter is **reserved**.

Sd/-
(Dr. SANJEEV RANJAN)
MEMBER (T)

Sd/-
(MAHENDRA KHANDELWAL)
MEMBER (J)