

DIVISION BENCH ITEM NO.5
NATIONAL COMPANY LAW TRIBUNAL
ALLAHABAD BENCH
PRAYAGRAJ

CA NO.19/2024 IN CA (CAA) No.05/ALD/2024 (First Motion)

CORAM:

- 1. SHRI PRAVEEN GUPTA,**
HON'BLE MEMBER (JUDICIAL)
- 2. SHRI ASHISH VERMA,**
HON'BLE MEMBER (TECHNICAL)

Date of Order: 23rd July, 2024

Attendance-Cum-Order Sheet of the Hearing.

NAME OF THE COMPANY	BAYSTONE ESTATE PVT. LTD. & ORS. WITH GALLANTT LIFESPACE DEVELOPERS PRIVATE LIMITED
UNDER SECTION	230/232 OF COMPANIES ACT, 2013

COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:

Sh. Rahul Chaudhary, Adv.

: For the Applicant Companies

ORDER

CA NO.19/2024

Ld. Counsel representing the Applicant Companies is present through VC.

- 1.** This application has been filed for seeking corrections in the first motion order dated 02.07.2024.
- 2.** Some typographical errors have occurred in the first motion order passed by this Tribunal, and therefore the present application has been filed. The said corrections are necessary, and are therefore incorporated.

Sl. No.	Particulars	Wrong Transcribed	Correction Required
1	In the matter of Composite Scheme of Arrangement the companies Incorporation year under the provisions of the Companies Act (All 11 Companies)	1956	2013 for all the companies except Stellar Cements Private Limited (Resulting Company No.2/Applicant No.10).

2	The registered address of Transferor Company No.1 /Applicant No.1 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
3	The registered address of Transferor Company No.2 /Applicant No.2 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
4	The registered address of Transferor Company No.3 /Applicant No.3 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
5	The registered address of Transferor Company No.4 /Applicant No.4 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
6	The registered address of Transferor Company No.6 /Applicant No.6 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
7	The registered address of Transferor Company No.7 /Applicant No.7 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
8	The registered address of Transferee Cum Resulting Company No.1 /Applicant No.8 Company	Villa No. 4, Shalimar Grand, 10 Jopling Road, Lucknow-226001	“GALLANTT LANDMARK”, Bank Road, Gorakhpur – 273001
9	The registered address of Resulting Company No.2 /Applicant No.10 Company	Gallantt Landmark, Bank Road, Gorakhpur – 273001	A-5, UPSIDC, Sarojini Nagar, Lucknow - 226001
10	In para no.5 the authorized share capital of Applicant Company No.3	10,00,00,000	1,00,00,000

11	In para no.6 the Applicant Company No.4 business activity	Steel Business	Real Estate Business
12	In para no.7 the Applicant Company No.5 CIN No. and business activity	U727100UP2020PLC130839 and business activity as Real Estate	U27100UP2020PLC130839 and business activity is Steel Business
13	In para no.8 the Applicant Company No.6 Date of Incorporation	18.03.2022	08.03.2022
14	In para no.10 the Applicant Company No. 8 business activity and Authorised & Paid-Up capital	Non-Banking Finance Company duly registered with the Reserve Bank of India and is presently engaged in investing and financing, inter alia, it is also engaged in Residential & Housing Business and Construction & Allied Material Business. It has authorized share capital of Rs. 15,55,00,000 and paid-up share capital of Rs. 15,34,23,980	Real Estate and Related activities. With respect to the corrections sought for authorized share capital and paid up share capital, our observations are given at the bottom.
15	In para no.11 the Applicant Company No.9 business activity	Cement and Allied Business activities	Investing and Financing, inter alia, it is also engaged in Residential & Housing Business and Construction & Allied Material Business
16	In para no.12 the Applicant Company No.10 business activity	Real Estate Business Activity	Cement and Allied Business activities
17	In para no.18 the appointed date of scheme annexure page no.	713 in Vol V	706 in Vol V
18	In para no.20 the annexure number	Annexure-P	Annexure-AA
19	In para no.21 the Registration No. of Insolvency and Bankruptcy Board of	IBBI/RV/01/2018/10339 and the same is annexed as Annexure: 'I'	IBBI/RV-E/01/2022/160 and the same is annexed as Annexure: 'Y'

	India (IBBI) and Annexure No.		
20	In para no.25(e) the Annexure Page No.	Page No. 587 to 863 of the application	Page No. to be mentioned is 857 to 863 of the application

Observations with respect to Applicant Company No.8

3. The correction has also been sought in para no.10 of the order dated 02.07.2024, wherein it had been mentioned that the Applicant Company No.8 has authorized share capital of Rs.15,55,00,000/- and paid-up share capital of Rs.15,34,23,980/-.
4. However, in the present application seeking corrections at page no.6, the aforesaid figures are sought to be corrected as authorized share capital of Rs.12,55,00,000/- and paid-up share capital of Rs.12,34,15,000/-.
5. We have perused the latest master data as available on the Ministry of Corporate Affairs website with respect to the Applicant Company No.8 and the relevant extract is as under :-

Ministry of Corporate Affairs

Company Name	GALLANTT LIFESPACE DEVELOPERS PRIVATE LIMITED
Registered Address	GALLANTT LANDMARK, BANK ROAD, Bank Road (Gorakhpur), Gorakhpur, Uttar Pradesh, India, 273001
Authorized Capital (Rs)	15,55,00,000
Paid up Capital (Rs)	15,34,23,980

6. From the perusal of the master data, it is clear that the value of the authorized capital as well as the paid-up capital mentioned at para no.10 of our order dated 02.07.2024 is correct, and therefore requires no further corrections.
7. This order be read as part and parcel of our previous order dated 02.07.2024.
8. Accordingly, CA No.19/2024 stands disposed off.

-Sd-
(Ashish Verma)
Member (Technical)

-Sd-
(Praveen Gupta)
Member (Judicial)

23rd July, 2024

Kavya Prakash Srivastava
(Stenographer)