

NATIONAL COMPANY LAW TRIBUNAL
COURT-V, MUMBAI BENCH

103. CP/90(MB)2024

IN THE MATTER OF

Swarna Tollway Private Limited

U/s 66 of the Companies Act, 2013

Order Delivered on 10.07.2024

CORAM:

MS. REETA KOHLI
MEMBER (J)

MS. MADHU SINHA
MEMBER (T)

Appearance through VC/Physical/Hybrid Mode:

For the Petitioner: Adv. Hemant Sethi (PH)

For the Respondent: None

ORDER

- 7) To be fixed for hearing on **16th October 2024**.
- 8) Within seven (7) days from the date of this order, the Petitioner Company is directed to serve notices in Form No. RSC-3 of the hearing of the Petition upon all its Creditors, by R.P.A.D. / speed post / email / hand delivery, pursuant to Section 66(2) of the Companies Act, 2013 with a statement that they may submit their representations and objections, if any, to this Tribunal, within a period of three (3) months from the date of the receipt of the said notice and a copy of such representations / objections shall simultaneously be served upon the Petitioner Company, failing which it shall be presumed that such Creditors of the Petitioner Company have no objection to the proposed capital reduction.
- 9) Within seven (7) days from the date of this order, the Petitioner Company is directed to serve notices in Form No. RSC-2 of the hearing of the Petition by R.P.A.D. / Speed Post / Email / Hand Delivery, along with copy of Petition upon:-
(i) the concerned Registrar of Companies; and (ii) Central Government through the concerned Regional Director with a direction that they may submit their

representations to the Tribunal, if any, within a period of three (3) months from the date of receipt of such notice and copy of such representations shall simultaneously be served upon the Petitioner Company, failing which, it shall be presumed that the authorities have no objection to the proposed capital reduction.

- 10) Within 7 days from the date of this Order, the Petitioner Company is directed to publish notice in Form No. RSC-4 of the date of hearing of Petition in '***Business Standard***' in English language and translation thereof in '***Navshakti***' in Marathi language both having wide circulation in the State of Maharashtra. The notice shall state the amount of the proposed reduction of share capital and that the objections, if any, shall be filed within three (3) months from the date of publication of the notice with a copy served on the Petitioner Company.
- 11) The Petitioner Company shall submit to the Tribunal, within seven (7) days of expiry of period up to which representations or objections were sought, the representations or objections so received along with responses of the Petitioner Company thereto. If no representations or objections has been received by the Petitioner Company, then in such case it shall be presumed that there are no objections to the proposed capital reduction.
- 12) The Petitioner Company shall, as soon as may be, but not later than seven (7) days from the date of issue of such notices, file an affidavit in Form No. RSC-5 confirming the dispatch and publication of the notice.

Sd/-
MADHU SINHA
Member (Technical)
//Avdhesh K Patel//

Sd/-
REETA KOHLI
Member (Judicial)