

**THE NATIONAL COMPANY LAW TRIBUNAL
CHANDIGARH BENCH, CHANDIGARH**

**Item No. 3
CP (CAA) No. 11/Chd/Pb/2023
(2nd Motion)**

**Under Sections 230-232 of the
Companies Act, 2013 read with
Companies (Compromises,
Arrangements and
Amalgamations) Rules, 2016**

IN THE MATTER OF SCHEME OF AMALGAMATION/MERGER OF:

Mohan Paper Mouldings Private Limited

with its registered office at
VPO: Mubarakpur, Derabassi,
Ramgarh Road, Mubarakpur, District
Mohali, Punjab-140201
CIN: U21012PB1977PTC047397
PAN: AABCM1233H

Petitioner Company No. 1/Transferor Company

And

Hartmann India Limited

with its registered office at
VPO: Mubarakpur, Derabassi
Ramgarh Road, Mubarakpur, District
Mohali, Punjab-140201
CIN: U25206PB1987PLC047398
PAN: AACCM7732N

Pettitioner Company No. 2/Transferee Company

Present:

Mr. G.S. Sarin, Practising Company Secretary for the petitioner companies.

This is a joint second motion company petition filed by the
Petitioner-Companies, namely **Mohan Paper Mouldings Private Limited**

(Petitioner Company/Transferor Company) and **Hartmann India Limited** (Petitioner Company No.2/Transferee Company) in terms of Section 230-232 of the Companies Act, 2013 in relation to sanctioning of Scheme of Amalgamation between the respective companies.

2. In its petition, the petitioner companies have prayed inter alia to issue directions in relation to publication in press and notices to be issued to the authorities concerned in relation to date of hearing of the petition and calling for objections.
3. The first motion application seeking directions for dispensing with the meetings of the Equity Shareholders, secured and unsecured creditors of the Transferee Company was filed before this Tribunal vide Company Application No.CA (CAA) No.62/Chd/Pb/2022 and based on such application, necessary directions were issued on 21.02.2022. In the order dated 21.02.2022, the meetings of equity shareholders, secured and unsecured creditors of the petitioner company No.1 and 2 were dispensed with for the reasons mentioned in the aforesaid order.
4. The notice of hearing will be advertised in "**Financial Express**" (English, Punjab Edition) and "Rozana Spokesman" (Punjabi, Punjab Edition) not less than 10 days before the next date fixed for hearing.
5. In addition to the above public notice, the Petitioner Company shall serve the notice of the petition on the following Authorities namely, a) Central Government through Regional Director (Northern Region), Ministry of Corporate Affairs; New Delhi; (b) Concerned Registrar of Companies, (c) Official Liquidator (d) Jurisdictional Income Tax Authorities through the Nodal Officer-Principal Commissioner of Income Tax, NWR, Aayakar Bhawan, Sector 17-E, Chandigarh

by mentioning the PAN of the company along with a copy of this petition by speed post immediately.

6. The petitioner-company shall at least 7 days before the date of hearing of the petition file an affidavit of service regarding newspaper publication with newspaper clippings as well as service of notices on the authorities specified above. Objections, if any, to the 'Scheme' contemplated by the authorities to whom notice has been given may be filed on or before the date of hearing fixed herein, failing which it will be considered that there is no objection to the approval of the 'Scheme' on the part of the authorities and this Tribunal will proceed in the matter, subject to other conditions being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed thereunder. The petitioner company shall also file an affidavit stating the objections received from public pursuant to publication of notice of hearing in the newspapers.

7. The next date of hearing of the petition shall be on 24.05.2023 for the consideration of the approval of the scheme as contemplated between the petitioner company.

8. The Registry shall also report before the date fixed as to whether any objection has been received to the proposed 'Scheme'

Sd/-
(Subrata Kumar Dash)
Member (Technical)

March 07, 2023
DS/SA

Sd/-
(Harnam Singh Thakur)
Member (Judicial)