

**IN THE NATIONAL COMPANY LAW TRIBUNAL: CHANDIGARH BENCH**

**COURT No.1**

*(through hybrid mode)*

**ITEM No. 1**

**CP (CAA) No. 46/Chd/Hry/2023  
(2nd Motion)**

**IN THE MATTER OF:-**

Escorts Kubota Ltd.

...Transferor Company

AND

Kubota Agricultural Machinery India Pvt. Ltd.

...Transferee Company

**Under Section: 230-232, CA 2013**

**Order delivered on 09.05.2024**

**CORAM:**

**SH. UMESH KUMAR SHUKLA  
MEMBER (TECHNICAL)**

**SH. HARNAM SINGH THAKUR  
MEMBER (JUDICIAL)**

**PRESENT:**

**For the petitioner** : Mrs. Munisha Gandhi, Senior Advocate  
Mr. Vaibhav Sharma, Advocate  
Ms. Salina Chalana, Advocate

**ORDER**

It is stated by learned senior counsel for the petitioner companies that an appeal before the Hon'ble Supreme Court has been preferred by Competition Commission of India and there is no need to issue notice to CCI at this stage. However, keeping in view the facts and circumstances mentioned in the administrative order dated 08.05.2024, we are of the considered opinion that notice be issued to the CCI. Learned counsel for the petitioner companies is directed to collect the notice from Registry today itself and serve the same with a copy of the petition for Second Motion to the CCI and file affidavit of service within three days. CCI is directed to file response/reply to the notice within 30 days after service of notice with a copy in advance to the

counsel opposite, failing which, it will be presumed that CCI has nothing to say in the matter. List the matter on 14.06.2024 in supplementary list.

-sd-  
**(UMESH KUMAR SHUKLA)**  
**MEMBER (TECHNICAL)**

-sd-  
**(HARNAM SINGH THAKUR)**  
**MEMBER (JUDICIAL)**

SM