

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**NEW DELHI BENCH (COURT – II)**

**Item No. 307**  
**CA(CAA)-93/ND/2023**  
**New CP(AA) 27/2024**

**IN THE MATTER OF:**

**Abhirvey Projects Pvt. Ltd. and Somnium Homes Pvt. Ltd. & Ors. ... Applicant/Petitioner**

**Under Section: 230-232**

**Order delivered on 16.04.2024**

**CORAM:**

**SH. ASHOK KUMAR BHARDWAJ  
HON'BLE MEMBER (J)**

**SH. SUBRATA KUMAR DASH  
HON'BLE MEMBER (T)**

**PRESENT:**

**For the Applicant** : PCS Pooja Bhatia, Adv. Mukeh Sukhija A/W Adv.  
Milind Gautam

**For the Respondent** :

**Hearing Through: VC and Physical (Hybrid) Mode**

**ORDER**

**CP(AA)27/2024**:- The present petition has been preferred for sanction of Scheme of Amalgamation of Abhirvey Projects Pvt. Ltd. (Transferor Company No. 1), AMB Constructions Private Limited . (Transferor Company No. 2), AMB Travel House Private Limited . (Transferor Company No. 3), Khushi Vanijya Private Limited . (Transferor Company No. 4), Meher Business Ventures Private Limited . (Transferor Company No. 5) with Somnium Homes Private Limited (Transferee Company) and their respective Shareholders and Creditors under Section 230-232 of Companies Act, 2013.

The petition is second motion under Section 230-232 of the Companies Act, 2013. The Scheme of Amalgamation is espoused under Section 230 to 232 and other applicable provisions of the Companies Act, 2013 for merger/amalgamation of the aforementioned companies to achieve the objects mentioned in the scheme of amalgamation.

Heard. Issue notice to the (I) Central Government through the Regional Director (Northern Region), Ministry of Corporate Affairs (II) Registrar of

Companies (Delhi), Ministry of Corporate Affairs, (III) OL, attached to the Delhi High Court and Jurisdictional Income-Tax Authorities, the respective stock exchanges, and other sectoral regulators or authorities which are likely to be affected by the compromise or arrangement. The representations, if any, to be made by the notice shall be made within a period of thirty days from the date of receipt of the notice, failing which, it shall be presumed that they have no representations to make on the proposal.

Ld. Counsel for the Petitioner undertakes to serve notice upon the authorities/offices referred to hereinabove by all modes viz. registered post, speed post and E-mail. Affidavit of service be filed within one week. The petitioner shall also make all the documents referred to in Section 230(3) of the Companies Act, 2013 viz., a statement disclosing the details of the compromise, arrangement, a copy of the valuation report, if any, and their effect on creditors, key managerial personnel, promoters and non-promoter members, and the debenture-holders and the effect of the compromise or arrangement on any material interests of the directors of the company or the debenture trustees, if any, to the authorities referred to in Section 230(5) of the Companies Act, 2013 (ibid). The documents as also a copy of the notice to be served in terms of the present order upon the authorities referred to in Section 230(5) of the Companies Act shall also be placed on the website of the company, if any, and shall also be published in two nationalised newspapers namely, "Business Standard" (English, Delhi Edition) and "Business Standard" (Hindi, Delhi Edition) circulation in the locality/state where the registered offices of the petitioners are located.

List on 14.06.2024.

**Sd/-**  
**(SUBRATA KUMAR DASH)**  
**MEMBER (T)**

**Sd/-**  
**(ASHOK KUMAR BHARDWAJ)**  
**MEMBER (J)**