

**DIVISION BENCH**

**ITEM NO.3**

**NATIONAL COMPANY LAW TRIBUNAL  
ALLAHABAD BENCH  
PRAYAGRAJ**

**CA (CAA) No.02/ALD/2024  
(First Motion)**

**CORAM:**

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

**Date of Order: 2<sup>nd</sup> May, 2024**

**Attendance-Cum-Order Sheet of the Hearing.**

<b>NAME OF THE COMPANY</b>	<b>DAYAL SOFTWARES PRIVATE LIMITED WITH DAYAL INDUSTRIES PRIVATE LIMITED</b>
<b>UNDER SECTION</b>	<b>230/232 OF COMPANIES ACT, 2013</b>

**COUNSEL APPEARED THROUGH PHYSICAL/ VIRTUAL HEARING:**

Sh. Saurabh Srivastava with : *For the Applicant Companies*  
Sh. Ashok Kumar Verma, PCS(s)

**ORDER**

Ld. Authorized Representative for the Applicant Companies is present through VC.

- 1.** This is a first motion petition seeking amalgamation of the Transferor Company into the Transferee Company.
- 2.** It is pointed out by the Ld. Authorized Representative for the Applicant Companies that the consents with respect to the shareholders of the Transferor Company and that of the Transferee Company, apart from the consent with respect to the unsecured creditors of the Transferee Company, has also been obtained.
- 3.** While going through the consents with respect to the unsecured creditors under the category of trade payables, one of the consents is stated to have been given by the partnership firm, for which the consents have been given by one of the partners only.

**-Sd-**

**-Sd-**

4. Ld. Authorized Representative for the Applicant Companies clarifies that the consent is on behalf of one of the partners, and he would be submitting the no objection from other partners/ partnership deed to the effect that the consent given by the partner, would have an independent right to give consent in terms of the partnership deed.
5. Subject to the furnishing of the details as mentioned *hereinabove*, within a period of three days, the matter is heard. Order reserved.

**-Sd-**  
**(Ashish Verma)**  
**Member (Technical)**

**-Sd-**  
**(Praveen Gupta)**  
**Member (Judicial)**

**2<sup>nd</sup> May, 2024**

*Kavya Prakash Srivastava*  
*(Stenographer)*