

NATIONAL COMPANY LAW TRIBUNAL
COURT ROOM NO. 1,
MUMBAI BENCH

Item No. 5

C.P.(CAA)/70(MB)2024 IN C.A.(CAA)/226(MB)2023

CORAM:

SH. PRABHAT KUMAR JUSTICE VIRENDRASINGH BISHT (Retd.)
HON'BLE MEMBER (TECHNICAL) HON'BLE MEMBER (JUDICIAL)

ORDER SHEET OF THE HEARING ON 18.04.2024

NAME OF THE PARTIES: ALPHA COMMODITY PRIVATE LIMITED

Section 230-232 of the Companies Act, 2013

ORDER

- 1) Mrs. Shruti Kelji Pednekar, Advocate appeared for the Petitioner.
- 2) Ms. Prachi Wazalwar, Advocate appeared for the Income Tax.
- 3) Heard Counsel appearing for the Petitioner.
- 4) The present Company Petition has been filed in the matter of Scheme of Amalgamation of between **Alpha Commodity Private Limited (hereinafter referred to as "First Petitioner Company" or "Transferor Company No. 1" or "ACPL")** and **MKM Share & Stock Brokers Limited (hereinafter referred to as "Second Petitioner Company" or "Transferor Company No. 2" or "MMSBL")** and **Peak Plastonics Private Limited (hereinafter referred to as "Third Petitioner Company" or "Transferor Company No. 3" or "PPPL")** and **Sea Glimpse Investments Private Limited (hereinafter referred to as**

"Fourth Petitioner Company" or "Transferee Company" or "SGIPL"). Petition Admitted.

- 5) The Petitioner, at least 10 days before the date fixed for hearing, shall publish the notice of hearing of the Petition in two Local Newspapers viz. one in English language Newspaper (i.e. **Business Standard**) and another in Local Vernacular language Newspaper (i.e. **Navshakti**), having wide circulation in the area where the registered office of the Company and the Business of the Company is situated as per Rule 16 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016.
10. The Petitioner Companies shall issue notices, as required under Rule 8 of the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016, informing the date fixed for hearing, to
- a. Central Government,
 - b. Regional Director Company affairs
 - c. Official Liquidator in case of transferor company
 - d. Jurisdictional Income tax assessing officer as well as Nodal Officer in the office of Principal CCIT Aayakar Bhavan, New Marine Lines, Churchgate, Mumbai, Maharashtra 400 020.
 - e. Jurisdictional GST Officer;
 - f. Any other sector Regulatory Authority as is applicable.
11. The Petitioner shall post Notices along with the copy of the Scheme on their respective Websites, if any.
12. The Petitioners shall file proof of compliance electronically 3 days before the final hearing with this Tribunal.
13. In the meanwhile, the ROC, RD and OL will file their report, if not filed already, before the next date of hearing.

14.List this matter on **07.06.2024** for final hearing.

Sd/-
PRABHAT KUMAR
MEMBER (TECHNICAL)

Sd/-
JUSTICE VIRENDRASINGH BISHT
MEMBER (JUDICIAL)

Sapna