

**IN THE NATIONAL COMPANY LAW TRIBUNAL  
SPECIAL BENCH, BENGALURU  
(Through web-based video conferencing platform)**

**ITEM No.10  
C.P. (CAA)No.17/BB/2023**

**IN THE MATTER OF:**

M/s. Mitel Cloud Communication Pvt. Ltd. ... Petitioner

**Order under Section 230-232 of Companies Act, 2013**

**Order delivered on 08.02.2024**

**CORAM:**

**JUSTICE (RETD.) T. KRISHNAVALLI  
HON'BLE MEMBER (JUDICIAL)**

**SHRI MANOJ KUMAR DUBEY  
HON'BLE MEMBER (TECHNICAL)**

**PRESENT:**

For the Petitioners	:	Ms. Lavanya B. Ananth
For the IT Dept.	:	Shri Ganesh Ghale
For the ROC	:	Ms. Anuparna Bordoloi

**ORDER**

1. Heard the Ld. Counsels for the Petitioners, IT Dept. and the ROC.
2. Ld. Counsel for the ROC submits that the Authorised Share Capital of the Transferee Company is not sufficient to issue shares to the shareholders of the Transferor Company post sanction of the scheme. Therefore, the Transferee Company is required to file relevant e-forms provided under the Companies Act, 2013.
3. It is noticed that *vide* Order dated 18.01.2024, Ld. Proxy Counsel for the ROC submitted that there were no further observations to the reply filed by the Counsel for the Petitioner. However, in respect of the observations made by the Ld. Counsel for the ROC today, she is directed to file a memo by tomorrow in the Registry, after duly serving a copy on the Ld. Counsel for the petitioners. Further, Ld. Counsel for the Petitioner is directed to submit their requisite compliance/undertaking, within a period of one week.

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4. Pursuant to Order dated 14.06.2023, IT Dept. has not yet filed its report. Therefore, final 4 days' time is granted to the IT Dept. to file its report after serving a copy on the Petitioner. Upon receipt of the same, Ld. Counsel for the Petitioner is granted 5 days' time to file its response thereto, after duly serving the copy on the other side.
5. List the case for further consideration on **16.02.2024**.

**-Sd-**  
**(MANOJ KUMAR DUBEY)**  
**MEMBER (TECHNICAL)**  
Anishma

**-Sd-**  
**(T. KRISHNAVALLI)**  
**MEMBER (JUDICIAL)**