IN THE NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH (COURT– I) CHENNAI

ATTENDANCE CUM ORDER SHEET OF THE HEARING
HELD ON **13.09.2023** THROUGH VIDEO CONFERENCING

PRESENT: HON'BLE SHRI. SANJIV JAIN, MEMBER (JUDICIAL)
HON'BLE SHRI. VENKATARAMAN SUBRAMANIAM, MEMBER (TECHNICAL)

APPLICATION NUMBER : CP(CAA)/45(CHE)/2023

PETITION NUMBER : CA(CAA)/27(CHE)/2022

NAME OF THE PETITIONER(S) : Rajgharana Housing Ltd and Others

NAME OF THE RESPONDENTS :

UNDER SECTION : Sec 230-232 of CA, 2013

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ORDER

Ld. Authorized Representative for the Petitioner Krishna Saran Mishra, PCS, through Video Conferencing Platform.

2. This Company Petition filed by the Petitioner Companies viz. **RAJGHARANA HOUSING LIMITED** and **RAJSHREE FOUNDATIONS LIMITED** is coming up for admission and fixing a date of hearing of the main Company Petition as well as for a direction in relation to publication in press to be effected and notices to be issued to the authorities concerned in relation to date of hearing of the Petition and calling for the objections, if any, to the Scheme of Amalgamation (hereinafter for brevity referred to as "SCHEME") contemplated between the Petitioner Companies and their respective Shareholders and Creditors.

3. From the records, it is seen that the First Motion Application vide CA(CAA)/27/(CHE)/2022 was ordered by this Tribunal on **19.06.2023**.

4. Subsequent to the Order, second motion petition was e-filed on **17.08.2023.** The Chairperson report has been filed on **11.08.2023** which is well within the time period for filing the Second motion petition. It is now hereby ordered as follows:-

(i) The date of hearing of the Petition filed by the Petitioner for the sanction of the Scheme is fixed as **01.11.2023.**

(ii) Notice of the hearing shall be advertised in the newspapers viz., the **"The New Indian Express"** (**Tamil Nadu Edition**) and **"Dinamalar" Tamil** (**Tamil Nadu Edition**) not less than 10 days before the aforesaid date fixed for hearing.

(iii) In addition to the above public notice, each of the Petitioners shall serve the notice of the Petition on the following Authorities namely, (a) Central Government through the office

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of the Regional Director (Southern Region), Ministry of Corporate Affairs (MCA) (b) Registrar of Companies, Chennai, MCA, and (c) the Official Liquidator and (d) the jurisdictional Income Tax office having jurisdiction over the respective companies indicating specifically their Permanent Account Number (PAN) in the communication with copy of Chief Principal of Income Tax Office and other sectoral regulators, if any, who may govern the working of the respective companies involved in the Scheme atleast 30 days before the date fixed for hearing of the above Petition.

(iv) Further, notice shall also be served to Objector(s) or to their representative, if any, as contemplated under Sub-Section (4) of Section 230 of the Act who may have made representation and who have desired to be heard in relation to their representation along with a copy of the Petition and the Annexures filed therewith at least 15 days before the date fixed for hearing.

(v) The Petitioner shall file an Affidavit of Service (7 days before the date of hearing of the Petition) in relation to paper publication effected as well as service of notices on the Authorities specified above.

(vi) Objections, if any, to the Scheme contemplated by the authorities to whom notices have been given on or before the date of hearing fixed herein may be filed, failing which it will be considered that there is no objection to the approval of the Scheme on the part of the authorities by this Tribunal and subject to other condition being satisfied as may be applicable under the Companies Act, 2013 and relevant rules framed thereunder.

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(vii) The Petitioner Company shall individually comply with proviso to sub section (3) of Section 232 or proviso to sub section (7) of Section 230, as may be applicable under the circumstances on or before the date fixed for hearing by filing the certificate of Company's auditor.

The next date of hearing of the Petition shall be on **01.11.2023** for the consideration of the approval of the Scheme as contemplated among the Petitioner Companies.

Sd/-

[VENKATARAMAN SUBRAMANIAM]
MEMBER (TECHNICAL)

Sd/-

[SANJIV JAIN]
MEMBER (JUDICIAL)

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