

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
DIVISION BENCH, CHENNAI

Arguments heard on 28.04.2017

Orders passed on 28.04.2017

**TP(HC)/CAA/41 & 42/2017**  
(Under Section 230 to 232 of the Companies Act, 2013)  
In the matter of scheme of Amalgamation

of

**M/s Cadensworth India Limited (Transferor)**

with

**M/s.Redington India Pvt Ltd (Transferee)**

and

Their Respective Shareholders and Creditors

Applicant company rep. by :

Counsel Mr Hari Shankar Mani & Mr. Pawan Jhabakh and

Mr.Abisheik Raman

CORAM

ANANTHA PADMANABHA SWAMY & CH.MOHD SHARIEF TARIQ,  
MEMBERS (JUDICIAL)

CH. MOHD SHARIEF TARIQ, MEMBER (JUDICIAL) : ORAL

In earlier order dated 25.04.2017, we have noted that there is no order pertaining to dispense with the meeting of the equity shareholders/secured creditors that came to be passed by the Hon'ble High Court on 26.10.2016. However, counsel for the petitioner has drawn our attention towards the last sentence of the order wherein it has been recorded by the Hon'ble High Court of Madras that the application is allowed. In view of the same, we



recall the company petition. The unsecured creditors, on their letterheads, given their consent. Counsel for petitioners undertakes to provide the consent affidavits of rest of the unsecured creditors to make it 90% of the value of the credit before the next <sup>date of</sup> hearing of the petition.

2. After perusal of the petition and the scheme annexed thereon we are inclined to issue notice to the regulators and the Registry is directed to issue notice to Regional Director, Ministry of Corporate Affairs, ROC concerned, and Income Tax authorities, RBI, SEBI, Competition Commission of India and other Stock Exchanges. The petitioner company is directed to publish notices in the newspaper, one in English, Business Standard and one in vernacular, Malai Sudar, at least not less than 30 days before the next date of hearing.


3. We also direct the petitioner company to issue private notices to the authorities. In case the authorities are desirous of filing objections/representations, they may file their objections/representations within 30 days from the date of receipt of notice. In case no representation is made within the stipulated time, it shall be presumed that they have no objections/representations to make.



4. The petitioner company (Transferor company) is directed to upload the notice on the website and also display on the notice board at its Registered Office. The Registry is directed to display the notice on the notice board of this Bench.

5. We direct the Registry to issue notice to the Office Liquidator in relation to the transferor company with the direction to appoint Chartered Accountant on his own and submit a report about the statutory compliance of the transferor company within four weeks before this Bench.

6. The next date of hearing is posted on 16.06.2017 at 10.30 A.M.

  
(K. Anantha Padmanabha Swamy)  
Member (Judicial)

  
(Ch. Md. Sharief Tariq)  
Member (Judicial)



Certified to be True Copy

  
DEPUTY REGISTRAR  
NATIONAL COMPANY LAW TRIBUNAL  
CHENNAI BENCH  
CORPORATE BHAVAN, 3rd FLOOR  
29, RAJAJI SALAI, CHENNAI-600001.