

In the High Court of Judicature for Rajasthan
Jaipur Bench
**

Co. Appl.No.4/2010
In the matter of Amalgamation
(1) Om Kothari Enterprises Ltd &
(2) Nextmile Tradecom (P) Ltd
(Transferors Companies)
And Jupiter Metal (P) Ltd **(Transferee Co.)**

Date of Order :: 26/02/2010

Hon'ble Mr. Justice Ajay Rastogi

Mr. Sandeep Taneja, for applicants

Counsel submits that transferor Cos. (1) Om Kothari Enterprises Ltd & (2) Nextmile Tradecom Ltd having proposed for amalgamation with transferee Company (Jupiter Metal (P) Ltd (applicants), have jointly filed the application U/s 391 of Companies Act, 1956 ("Co. Act"). According to him, transferor & transferee Companies are having share holders and unsecured creditors and having no secured creditors. Both, transferor Companies & transferee Company have given their consent to the proposed scheme of amalgamation; hence meeting is required only for share holders & unsecured creditors.

Having considered material on record and so also consent of the applicants Companies, this Court considers it proper to allow the proposed scheme of amalgamation. However, meeting of share holders & unsecured creditors of applicants (Transferor & Transferee Companies) be convened & held at respective registered office of applicants transferors & transferee companies on the dates & time for the purposes as required under law ad infra:

Date, Day & Time	Share Holders of Co.
06/04/10 11.00 Hrs-	Om Kothari Enterprises Ltd

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06/04/10 12.30 PM -	Nextmile Tradecom (P) Ltd.
06/04/10 03.00 PM -	Jupiter Metal (P) Ltd
Date, Day & Time	Unsecured Creditors of Co.
06/04/10 12.00 Hrs -	Om Kothari Enterprises Ltd
06/04/10 01.30 PM -	Nextmile Tradecom (P) Ltd.
06/04/10 04.00 PM -	Jupiter Metal (P) Ltd

To convene aforesaid meetings, Mr.Nitin Jain (for Om Kothari Enterprises Ltd), Mr.Samit Bishnoi (for Nextmile Tradecom (P) Ltd.) & Mr.J.M.Saxena (for Jupiter Metal (P) Ltd) Advocates are appointed as Chairperson for share holders & unsecured creditors, for respective afore-named applicants Companies, for which each of them shall be paid remuneration of Rs.25,000/- for both the meetings payable by respective applicants-Companies.

Atleast 21 clear days before the day appointed for holding meetings ibid, advertisement of notice stating about free copies of compromise or arrangement and of statement required to be furnished pursuant to provisions of Companies Act & Companies (Court) Rules, 1956, as the case may be, be issued and published in daily news papers (1) Rajasthan Patrika (Jaipur Edn) & (2) Financial Express (N.Delhi Edn), for which proper recourse under Company Act & Rules be adopted by Chairperson (supra), who is directed to submit reports about result of meetings (supra) within seven days of its conclusion duly verified by their affidavit.

Consequently, company application stands disposed of.

(Ajay Rastogi), J.