

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**COMPANY APPLICATION (LODGING) NO. 772 OF 2016
IN
COMPANY SCHEME PETITION NO. 324 OF 2016
CONNECTED WITH
COMPANY SUMMONS FOR DIRECTIONS NO. 185 OF 2016**

Jet Airways (India) Ltd.

...Petitioner / Transferee Co./
Applicant's

AND

**COMPANY SCHEME PETITION NO. 323 OF 2016
CONNECTED WITH
COMPANY SUMMONS FOR DIRECTIONS NO. 184 OF 2016**

Jet Lite (India) Ltd.

...Petitioner / Transferor Co./
Applicant

In the matter of the Companies Act, 1956 and
the corresponding provisions of the Companies
Act, 2013, to the extent notified;

AND

In the matter of Sections 391 to 394 of the
Companies Act, 1956 and the corresponding
provisions of the Companies Act, 2013, to the
extent notified;

AND

In the matter of Scheme of Merger of Jet Lite
(India) Limited with Jet Airways (India) Limited
and their respective Shareholders and Creditors

Mr.Janak Dwarkadas, Senior Counsel with Mr.Ankit Lohia, Ms.Sheetal
Sabnis and Ms.I. Sen I/b. Gagrats for both Petitioners.

CORAM : S.C. GUPTE, J.

9 DECEMBER 2016

P.C. :

Heard learned Counsel for the Applicant.

2 This application seeks extension of time for filing of certified copies of the order dated 20 October 2016 sanctioning the scheme of merger along with copies of the scheme with the concerned Registrar of Companies and Superintendent of Stamps. The application is on the basis that the effective date of the scheme is the last date of the dates on which conditions specified in the scheme are satisfied and the date of filing of certified copies with the Registrar of Companies. One of the conditions to be satisfied is an approval in writing by the Ministry of Civil Aviation / Directorate General Civil Aviation of the Government of India (DGCA) permitting the transferee company to retain and operate two separate AOPs on and after the effective date in terms of clause 17.1(e). The Petitioner has applied for this approval and the same is awaited. On the other hand, the order sanctioning the scheme requires the Petitioner companies to file certified copies of the order together with authenticated scheme with the Registrar of Companies and the Superintendent of Stamps, respectively, within 30 and 60 days of the date of the order.

3 In the face of the stipulation as to the effective date referred to above, this period needs to be extended, respectively, to 30 and 60 days after the receipt of approval from the Ministry / DGCA. Accordingly, the application is allowed in terms of prayer clauses (a) and (b).

(S.C. Gupta, J.)