

FORM NO. 42  
[See rule 84] [HEADING AS IN FORM NO.1]  
Company Petition No of 19 .  
'Application No of 19 .  
..... Applicant  
Before the Hon'ble Mr. Justice .  
Dated ..... .

**Order under section 394**

Upon the above petition [and application'] coming on for further hearing on ..... • upon reading etc., and upon hearing etc.

**THIS COURT DOTH ORDER**

(1) That all the property. rights and powers of the transferor company specified in the first. second and third parts of the Schedule hereto and all other property. rights and powers of the transferor company be transferred without further act or deed to the transferee company and accordingly

**Form 42**

COMPANIES (COURT) RULES, 1959

**2.120**

the same shall pursuant to section 394(2) of the Companies Act, 1956, be transferred to and vested in the transferee company for all the estate and interest of the transferor company therein but subject nevertheless to all charges now affecting the same [other than (here set out any charges which by virtue of the compromise or arrangement are to cease to have effect)]; and

(2) That all the liabilities and duties of the transferor company be transferred without further act or deed to the transferee company and accordingly the same shall pursuant to section 394(2) of the Companies Act, 1956, be transferred to and become the liabilities and duties of the transferee company; and

(3) That all proceedings now pending by or against the transferor company be continued by or against the transferee company; and

(4) That the transferee company do without further application allot to such members of the transferor company as have not given such notice of dissent as is required by clause of the compromise or arrangement herein the shares in the transferee company to which they are entitled under the said compromise or arrangement; and

(5) That the transferor company do within 14 days after the date of this order cause a certified copy of this order to be delivered to the Registrar of Companies for registration and on such certified copy being so delivered the transferor company shall be dissolved" and the Registrar of Companies shall place all documents relating to the transferor company and registered with him on the file kept by him in relation to the transferee company and the files relating to the said two companies shall be consolidated accordingly; and

(6) That any person interested shall be at liberty to apply to the Court in the above matter for any directions that may be necessary.

**SCHEDULE PART I**

(Insert a short description of the freehold property of the transferor company)

**PART II**

(Insert a short description of the leasehold property of the transferor company)

**PART III**

(Insert a short description of all stocks, shares, debentures and other charges-in-action of the transferor company)

Dated this .....day 0/ .....19 ...

(By the Court)

Registrar

'To be inserted where an application is made.

"Where the Court directs that the transferor company should be dissolved from any other date, the clause should be altered accordingly.