

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY SUMMONS FOR DIRECTION NO. 121 OF 2014.

In the matter of the Companies Act, 1 of 1956;

AND

In the matter of Sections 391 to 394 of the Companies Act, 1956;

AND

In the matter of Scheme of Amalgamation of AKHAND WAREHOUSING PRIVATE LIMITED, and PAHADI TRANSPORT PRIVATE LIMITED, and PASCHIM CONSTRUCTION PRIVATE LIMITED, and LILAC CONSTRUCTION PRIVATE LIMITED, and YELLOWVALLEY TRANSPORT PRIVATE LIMITED, with SINDHUR CONSTRUCTION PRIVATE LIMITED.

SINDHUR CONSTRUCTION PRIVATE)
LIMITED, a company incorporated)
under the Companies Act, 1956)
having its registered office at)
Warden Apartment House, 3rd)
Floor, Sir P. M. Road, Mumbai –)
400 001.

... Applicant Company.

Called for Summons for Direction

Mr. Rajesh Shah with Mr. Chandrakant Mhadeshwar i/b M/s. Rajesh Shah & Co.,
Advocate for the Applicant

Coram: G. S. Patel, J.
Date: 28st February, 2014

MINUTES OF THE ORDER

UPON the application of the Applicant Company above named by a Summons for Direction AND UPON HEARING Mr. Rajesh Shah instructed by M/s. Rajesh Shah & Co., Advocate for the Applicant Company, AND UPON READING the Affidavit dated 31st day of January, 2014 of Mr. Mr. Naresh S. Khetan, Director

of the Applicant Company, in support of the Company Summons for Direction and the exhibit therein referred to, IT IS ORDERED:-

1. That the convening and holding the meeting of the Equity Shareholders of the Applicant Company for the purpose of considering and, if thought fit, approving, with or without modification(s) the proposed Scheme of Amalgamation of AKHAND WAREHOUSING PRIVATE LIMITED, and PAHADI TRANSPORT PRIVATE LIMITED and PASCHIM CONSTRUCTION PRIVATE LIMITED, and LILAC CONSTRUCTION PRIVATE LIMITED, and YELLOWVALLEY TRANSPORT PRIVATE LIMITED, with SINDHUR CONSTRUCTION PRIVATE LIMITED, is dispensed with in view of the consents given by all Three Equity Shareholders of the Applicant Company, which are annexed as Exhibit **'O-1' to 'O-3'** to the Affidavit in support of the Company Summons for Direction.
2. That the question of convening and holding the meeting of Secured Creditors does not arise since there are no Secured Creditors of the Applicant Company as stated in paragraph 37 of the Affidavit in support of Summons for Direction.
3. That the convening and holding the meeting of the Unsecured Creditors of the Applicant Company for the purpose of considering and, if thought fit, approving, with or without modification(s) the proposed Scheme of Amalgamation of AKHAND WAREHOUSING PRIVATE LIMITED, and PAHADI TRANSPORT PRIVATE LIMITED and PASCHIM CONSTRUCTION PRIVATE LIMITED, and LILAC CONSTRUCTION PRIVATE LIMITED, and YELLOWVALLEY TRANSPORT PRIVATE LIMITED, with SINDHUR

CONSTRUCTION PRIVATE LIMITED, is dispensed with in view of the consents given by all Unsecured Creditors of the Applicant Company, which are annexed as Exhibit '**P-1**' to '**P-3**' to the Affidavit in support of the Company Summons for Direction

(G. S. Patel, J)