

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 273 OF 2015

In the matter of the Companies Act,
1 of 1956 and other relevant
provisions of the Companies Act,
2013;

AND

In the matter of Sections 391 to 394
read with Section 100 to 104 of the
Companies Act, 1956 and other
relevant provisions of the Companies
Act, 2013;

AND

In the matter of Scheme of
Amalgamation of WESTPLOT
DEVELOPERS PRIVATE LIMITED, (the
Transferor Company) with B SHAHI
TRADE PRIVATE LIMITED, (the
Transferee Company)

B SHAHI TRADE PRIVATE LIMITED,)
a company incorporated under the)
Companies Act, 1956 having its)
registered office at Sector No. 21,)
Plot NO. 199, Samudra Building,)
Nerul (East), Navi Mumbai -400 706.) ...Applicant Company.

Called Summons for Direction for hearing

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

Coram: S.J. Kathawalla, J.

Date: 10th April, 2015

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 18th February,

2015 Mr. Bavchand J Vaghani, Director of the Applicant Company, in support of the Summons for Direction and the Exhibit therein referred to, IT IS ORDERED THAT:-

1. 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 WESTPLOT DEVELOPERS PRIVATE LIMITED, (the Transferor Company) with B SHAHI TRADE PRIVATE LIMITED, (the Transferee Company), is dispensed with in view of the consent given by all the Twenty Seven Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'G-1' to 'G-27'** to the Affidavit in support of Summons for Direction.
2. The question of convening and holding of the meeting of Secured Creditors does not arise since there are no Secured Creditors of the Applicant Company as stated in paragraph 18 of the Affidavit in support of Summons for Direction.
3. 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 WESTPLOT DEVELOPERS PRIVATE LIMITED, (the Transferor Company) with B SHAHI TRADE PRIVATE LIMITED, (the

Transferee Company), is dispensed with in view of the consent given by the Unsecured Creditors of the Applicant Company, which are annexed as **Exhibit 'H-1' to 'H-3'** to the Affidavit in support of Summons for Direction.

(S. J.Kathawalla, J.)