

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTIONS NO.508 OF 2015

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 and Arrangement of Drake Trading Company Private Limited,

AND

Cantor Trading Company Private Limited,

AND

Tandon Motors Private Limited,

AND

Crucible Trading Company Private Limited,

AND

Fondue Trading Company Private Limited

AND

Sudeep Exports Private Limited,

AND

Thrall Trading Company Private Limited,

AND

Galena Trading Company Private Limited,

WITH

Reliable Consultancy Services Private Limited and Their Respective Shareholders And Creditors.

Drake Trading Company Private Limited, a)
company incorporated under the)
Companies Act, 1956 having its registered)
office at Unit No. 601, 6th Floor, Floral)
Deck Plaza, MIDC, Opp. SEEPZ, Andheri)
(East), Mumbai, Maharashtra-400093) ...Applicant Company

Called Summons for Direction for hearing

Mr. Rahul Oak, Advocate for the Applicant

Coram: S. C. Gupte, J.

Date : 26th June, 2015

MINUTES OF THE ORDER

UPON the application of the Applicant abovenamed by a Summons for Direction AND UPON HEARING Mr. Rahul Oak, Advocate for the Applicant, AND UPON READING the Affidavit Dated 30th day of March 2015 of Mr. Sunil Shah, Authorised Signatory of the Applicant , in support of the Summons for Direction and the Exhibits therein referred to, IT IS ORDERED THAT:-

1. The convening and holding of the meeting of the Equity Shareholders of the Applicant, for the purpose of considering and if thought fit, approving with or without modification(s), the proposed Scheme of Amalgamation and Arrangement of Drake Trading Company Private Limited and Cantor Trading Company Private Limited and Tandon Motors Private Limited and Crucible Trading Company Private Limited and Fondue Trading Company Private Limited and Sudeep Exports Private Limited and Thrall Trading Company Private Limited and Galena Trading Company Private Limited with Reliable Consultancy Services Private Limited, is dispensed with in view of the consent given by both Equity Shareholders of the Applicant, which are annexed as Exhibits "D-1 and D-2" to the Affidavit in support of Summons for Direction.
2. There are no Secured Creditors of the Applicant as stated in paragraph 25 of the Affidavit in support of Summons for Direction.

Hence, the question of convening and holding the meeting of Secured Creditors of the Applicant does not arise.

3. The convening and holding of the meeting of the Unsecured Creditors of the Applicant , for the purpose of considering and if thought fit, approving with or without modification(s), the proposed Scheme of Amalgamation and Arrangement of Drake Trading Company Private Limited and Cantor Trading Company Private Limited and Tandon Motors Private Limited and Crucible Trading Company Private Limited and Fondue Trading Company Private Limited and Sudeep Exports Private Limited and Thrall Trading Company Private Limited and Galena Trading Company Private Limited with Reliable Consultancy Services Private Limited, is dispensed with in view of the averments made in paragraph 26 of the Affidavit in support of the Summons for Direction and the Applicant undertakes to issue individual notice of date of hearing of the Petition to all its Unsecured Creditors by R.P.A.D. and also publish the same in 'Free Press Journal', in English, language and a translation thereof in 'Navshakti' in Marathi language both having circulation in Mumbai. The said undertaking is accepted.

(S. C. Gupte, J.)