

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 440 OF 2015

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

AND

In the matter of Sections 391 to 394 and other relevant provisions of the Companies Act, 1956;

AND

In the matter of Scheme of Amalgamation of Samimeru Windfarms Private Limited with Hub Renewable Energy Private Limited and their respective Shareholders and Creditors

Samimeru Windfarms Private)
Limited, a company incorporated)
under the provisions of the)
Companies Act, 1956 having)
registered office at Godrej)
Millennium, 5th Floor, 9)
Koregaon Park Road, Pune-)
411001)

.....Applicant Company

Called Summons for Direction for Hearing

Mr. Hemant Sethi with Mr. Ajit Singh Tawar i/b. Hemant Sethi & Co., Advocates
for the Applicant Company

Coram: S. C. GUPTE, J

Date: 12th June, 2015

MINUTES OF THE ORDER

UPON the Application of the Applicant Company above named by a Company Summons for Direction **AND UPON HEARING** Mr. Hemant Sethi instructed by Hemant Sethi & Co., Advocates for the Applicant Company, **AND UPON READING** the Affidavit dated 31st day of March, 2015 of Mr. Tejjas A.Parmar, Director of the Applicant Company, in support of Company Summons for Direction, and the Exhibits there in 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 Samimeru Windfarms Private Limited with Hub Renewable Energy Private Limited and their respective Shareholders and Creditors, is dispensed with, in view of the consent given by all the Six Equity Shareholders of the Applicant Company, which are annexed as Exhibits “C-1” to “C-6” to the Affidavit in support of the Company Summons for Direction.
2. The convening and holding the meeting of the Preference 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 Samimeru Windfarms Private Limited with Hub Renewable Energy Private Limited and their respective Shareholders and Creditors, is dispensed with, in view of the consent given by the Sole Preference Shareholder of the Applicant Company, which is annexed as

Exhibit “**D-1**” to the Affidavit in support of the Company Summons for Direction.

3. The question of convening and holding the meeting of the Secured and Unsecured Creditors of the Applicant Company does not arise since there are no Secured and Unsecured Creditors in the Applicant Company as stated in paragraphs 13 and 14 of the Affidavit in Support of the Company Summons for Direction.

(S. C. GUPTE, J)