

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 580 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 of
the Companies Act, 1956 and other
relevant provisions of the Companies
Act, 2013;

AND

In the matter of Scheme of Amalgamation
of BHURUKA GASES HOLDINGS
PRIVATE LIMITED, the Transferor
Company with BHURUKA GASES
INVESTMENTS INDIA PRIVATE LIMITED,
the Transferee Company

BHURUKA GASES INVESTMENTS)	
INDIA PRIVATE LIMITED, a company)	
incorporated under the Companies)	
Act, 1956 having its registered office)	
at 812, Tulsiani Chambers, Nariman)	
Point, Mumbai- 400021)	...Applicant Company.

Called Summons for Direction for hearing

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

Coram: S. C. Gupte, J.

Date: 17th July, 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 4th June, 2015 Mr. S.K. Warkerkar, 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 BHURUKA GASES HOLDINGS PRIVATE LIMITED, the Transferor Company with BHURUKA GASES INVESTMENTS INDIA PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by both the Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'G-1' and 'G-2'** 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 17 of the Affidavit in support of Summons for Direction.
3. The convening and holding of 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 BHURUKA GASES HOLDINGS PRIVATE LIMITED, the Transferor Company with BHURUKA GASES INVESTMENTS INDIA PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by all the four Unsecured Creditors of the Applicant Company, which are annexed as **Exhibit 'H-1' to 'H-4'** to the Affidavit in support of Summons for Direction.

(S. C. Gupte, J.)