

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 645 OF 2015

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

And

In the matter of Sections 391 and 394
of the Companies Act, 1956; (1 of
1956)

And

In the matter of Scheme of
Amalgamation of Krishkin Impex
Private Limited (KRISHKIN),
Reengus Exim Private Limited
(REENGUS), Shivram Global
Private Limited (SHIVRAM), STP
Exim Private Limited (STP) with
Brett Plastics Private Limited
(BRETT) and their respective
Shareholders and Creditors.

Shivram Global Private Limited, a company incorporated)
under the Companies Act, 1956 and having its Registered)
Office at 905, Panchratna, Mama Purmanand Marg,)
Opera House, Mumbai – 400 004.) ...Applicant Company

Called for Direction

Ms. Pooja Patil i/b M/s. Kanga & Company, Advocates for the Applicant Company.

Coram: S.C. Gupte, J

Date : 31st July 2015

MINUTE OF THE ORDER

Upon the application of the Applicant Company abovenamed by a Summons for Direction and
UPON HEARING Ms. Pooja Patil instructed by M/s. Kanga & Company, Advocates for the
Applicant and UPON READING the Affidavit dated 6th July 2015 of Mr. Trilok Singh Bisht,

Authorized Signatory of the Applicant Company in support of the Company Summons for Direction and exhibits referred therein. 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 and approving with or without modification(s) the proposed Scheme of Amalgamation of Krishkin Impex Private Limited, Reengus Exim Private Limited, Shivram Global Private Limited and STP Exim Private Limited, the Transferor Companies with Brett Plastics Private Limited, the Transferee Company, is hereby dispensed with, in view of consents given by all the four Equity Shareholders of the Applicant Company, which are annexed as Exhibits D-1 to D-4 to the Affidavit in Support of the Company Summons for Direction.
2. That there are no Secured Creditors of the Applicant Company as stated in paragraph 12 of the Affidavit in Support of Summons for Direction. Hence, the question of convening and holding the meeting of Secured Creditors does not arise.
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 and approving with or without modification(s) the proposed Scheme of Amalgamation of Krishkin Impex Private Limited, Reengus Exim Private Limited, Shivram Global Private Limited and STP Exim Private Limited, the Transferor Companies with Brett Plastics Private Limited, the Transferee Company, is hereby dispensed with, in view of consent given by the sole Unsecured Creditor of the Applicant, which is annexed as Exhibit F to the Affidavit in support of the Company Summons for Direction.

4. That the convening and holding the meeting of the Sundry Creditors of the Applicant Company for the purpose of considering and if thought fit and approving with or without modification(s) the proposed Scheme of Amalgamation of Krishkin Impex Private Limited, Reengus Exim Private Limited, Shivram Global Private Limited and STP Exim Private Limited, the Transferor Company with Brett Plastics Private Limited, the Transferee Company, is hereby dispensed with, in view of the averment made in paragraph 14 of the Affidavit in Support stating that after the Amalgamation the Transferee Company would be in a position to discharge its debts as and when they arise in the ordinary course of business including the debts of the Applicant Company and that the Applicant Company does not have any Sundry Creditors for the period ended 18th June 2015. Hence, the question of convening and holding the meeting of the Sundry Creditors does not arise.

(S.C. Gupte J.)