

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 647 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.

Brett Plastics Private Limited a company incorporated)
under the Companies Act, 1956 and having its)
Registered Office at 5, Kitab Mahal, 192, Dr. D.N.)
Road, Fort, Mumbai – 400 001) ...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 N-1 to N-4 to the Affidavit in Support of the Company Summons for Direction.
2. That there are no Secured Creditors and Unsecured Creditors of the Applicant Company as stated in paragraph 32 of the Affidavit in Support of Summons for Direction. Hence, the question of convening and holding the meeting of Secured Creditors and Unsecured Creditors does not arise.
3. 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 Companies with Brett Plastics Private Limited, the Transferee Company, is hereby dispensed with, as a majority of the Sundry Creditors of the Applicant Company have already given their consents in writing to the proposed Scheme, which are annexed as Exhibits P-1 to P-5 to the Affidavit in Support

of the Company Summons for Direction and that the Applicant Company undertakes to issue individual notice of hearing of the Petition by RPAD to its remaining Sundry Creditors and also to publish the same in two newspapers viz, 'Free Press Journal' in English language and translation thereof in 'Navshakti' in Marathi language, both having circulation in Mumbai. The said undertaking is accepted.

(S.C. Gupte J.)