

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**ORDINARY ORIGINAL CIVIL JURISDICTION**  
**COMPANY SUMMONS FOR DIRECTION NO. 706 OF 2015**

In the matter of the Companies Act,  
1956

AND

In the matter of application under  
Sections 391 to 394 of the Companies  
Act, 1956

AND

In the matter of Liberty Agri Products  
Private Limited, a company  
incorporated under the provisions of  
the Companies Act, 1956

AND

In the matter of Scheme of  
Amalgamation

OF

Liberty Agri Products Private Limited  
... Transferor Company

WITH

Kissan Warehouse Private Limited  
...Transferee Company

AND

Their Respective Shareholders

Liberty Agri Products Private  
Limited, a company incorporated  
under the provisions of the  
Companies Act, 1956 and having its  
Registered Office at Amerchand  
Mansion, D-wing, 16, Madame  
Cama Road, Colaba, Mumbai –  
400001.

... Applicant / Transferor Company

Called Summons for Direction for Hearing

Mr. Naser Ali Rizvi i/b. M/s. Thakore Jariwala & Associates, Advocates for Applicant.

Coram: S.C. Gupte, J.

Date : 21<sup>st</sup> August, 2015

MINUTES OF THE ORDER

UPON the application of Liberty Agri Products Private Limited, the Applicant Company abovenamed by Summons for Direction AND UPON hearing Mr. Naser Ali Rizvi, instructed by M/s. Thakore Jariwala and Associates, Advocates for the Applicant Company AND UPON reading the Affidavit dated 13<sup>th</sup> July, 2015 of Mr. Radhakrishana T Devadiga, the Authorized Signatory of the Applicant Company, in support of Summons for Direction and the Exhibits therein, 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 Scheme of Amalgamation between Liberty Agri Products Private Limited, Transferor Company and Kissan Warehouse Private Limited, Transferee Company and their respective shareholders, is dispensed with in view of the consent given by all the seven Equity Shareholders of the Applicant Company, which are annexed as Exhibits “E-1 to E-7” to the Affidavit in Support of the Company Summons for Direction.

2. There are no Secured Creditor of the Applicant Company, as mentioned in paragraph 25, of the Affidavit in support of the Company Summons for Direction. Hence, the question of convening and holding the meeting of Secured Creditors does not arise.
3. The convening and holding 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 Scheme of Amalgamation between Liberty Agri Products Private Limited, Transferor Company and Kissan Warehouse Private Limited, Transferee Company and their respective shareholders, is dispensed with in view of consent given by the Unsecured Creditor of the Applicant Company, which is annexed as Exhibits 'G' to the Affidavit in Support of the Summons for Direction.

(S.C. Gupte, J.)