

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY SUMMONS FOR DIRECTION NO. 683 OF 2015.

In the matter of the Companies Act, 1 of 1956
and other relevant provision of the Companies
Act, 2013;

AND

In the matter of Sections 391 to 394 of the
Companies Act, 1956 and other relevant
provision of the Companies Act, 2013;

AND

In the matter of Scheme of Amalgamation of
JAISINGH WIRES PRIVATE LIMITED, the
First Transferor Company and POLYCAB
WIRES INDUSTRIES PRIVATE LIMITED,
the Second Transferor Company and POLYCAB
ELECTRICAL INDUSTRIES PRIVATE
LIMITED, the Third Transferor Company and
DATAR NOUVEAU ENERGIE TECHNIK
LIMITED, the fourth Transferor Company and
POLYCAB ELECTRONICS PRIVATE
LIMITED, the fifth Transferor Company with
POLYCAB WIRES PRIVATE LIMITED, the
Transferee Company

DATAR NOUVEAU ENERGIE TECHNIK)

LIMITED, a company incorporated under)

the Companies Act, 1956 having its)

registered office at E-56, MIDC, Ambad,)

Nasik, Maharashtra- 422010.) ...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: 14th August, 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 22nd July, 2015 Mr. S. S. Narayana, Authorized Signatory 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 JAISINGH WIRES PRIVATE LIMITED, the Applicant/First Transferor Company and POLYCAB WIRES INDUSTRIES PRIVATE LIMITED, the Second Transferor Company and POLYCAB ELECTRICAL INDUSTRIES PRIVATE LIMITED, the Third Transferor Company and DATAR NOUVEAU ENERGIETECHNIK LIMITED, the fourth Transferor Company and POLYCAB ELECTRONICS PRIVATE LIMITED, the fifth Transferor Company with POLYCAB WIRES PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent

given by all the Seven Equity Shareholders of the Applicant Company, which are annexed as **Exhibit ‘O-1’ to ‘O-7’** 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 37 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 JAISINGH WIRES PRIVATE LIMITED, the First Transferor Company and POLYCAB WIRES INDUSTRIES PRIVATE LIMITED, the Second Transferor Company and POLYCAB ELECTRICAL INDUSTRIES PRIVATE LIMITED, the Third Transferor Company and DATAR NOUVEAU ENERGIETECHNIK LIMITED, the fourth Transferor Company and POLYCAB ELECTRONICS PRIVATE LIMITED, the fifth Transferor Company with POLYCAB WIRES PRIVATE LIMITED, the Transferee Company is dispensed with in view of the averments made in paragraph 38 of the Affidavit in support of the Summons for Direction and that the Applicant undertakes to issue individual notice of date of hearing of the Company Scheme Petition by Registered Post A. D. to its Sole Unsecured Creditor and also to publish the

same in two local news papers 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.)