

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 757 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
DYNAMIX-MAN PREFAB LIMITED, the
Transferor Company with CONWOOD
PRE- FAB LIMITED, the Transferee
Company

DYNAMIX-MAN PREFAB LIMITED, a)
company incorporated under the)
Companies Act, 1956 having its registered)
office at 808, 8th Floor, Krushal)
Commercial Complex, Above Shoppers)
Stop, G. M. Road, Chembur (West),)

Mumbai – 400089.) ...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: 11th September, 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 3rd August, 2015 Mr. Ashish Vora, 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 DYNAMIX-MAN PREFAB LIMITED, the Transferor Company with CONWOOD PRE-FAB LIMITED, the Transferee Company is dispensed with in view of the consent given by all the Thirteen Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'C-1' to 'C-13'** to the Affidavit in support of Summons for Direction.

2. That 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 18 of the Affidavit in support of Summons for Direction.
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 proposed Scheme of Amalgamation of DYNAMIX-MAN PREFAB LIMITED, the Transferor Company with CONWOOD PRE-FAB 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 'D-1' to 'D-4'** to the Affidavit in support of Summons for Direction.

(S. C. Gupte, J.)