

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO 209 of 2015

In the matter of the Companies Act,
1956

AND

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

AND

In the matter of the Scheme of
Amalgamation of Moniez
Investment Company Private
Limited, Transferor Company No. 1
Bassein Engineering Enterprises
Private Limited, Transferor
Company No. 2
Ethnik Exports Private Limited a
Private Limited, Transferor
Company No. 3
Long Horn Holdings Private Limited,
Transferor Company No. 4
with
Brij Associates Consultants (India)
Private Limited, Transferee
Company and their respective
shareholders and creditors.

Brij Associates Consultants (India))
Private Limited Incorporated and)
registered under the Companies Act,)
1956, having its registered office at)
401, Jharna Co-operative Housing)
Society Limited, Ambedkar Road,)
above Ashok Medical Stores, Khar-)
West, Mumbai-400052, Maharashtra.)... Applicant Company

Called Summons for Direction for hearing

Mr. Darshan Ashar i/b Sanjay Udeshi & Co, Advocate(s) for Applicant.

Coram: S.J. Kathawalla, J.

Dated: 20th March, 2015

MINUTES OF ORDER

Upon the application of the above-named Applicant Company by a Summons for Direction AND upon hearing Shri Darshan Ashar, Advocate for the Applicant AND upon reading both the Affidavit dated 20th September, 2014 and Further Affidavit dated 18th February, 2015 of Mrs. Alka Saigal, the Authorised Signatory of the

Applicant Company of Mumbai in support of the Summons for Direction, and the Exhibits 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 Scheme of Amalgamation of Moniez Investment Company Private Limited, Transferor Company No. 1 Bassein Engineering Enterprises Private Limited, Transferor Company No. 2 Ethnik Exports Private Limited a Private Limited, Transferor Company No. 3 Long Horn Holdings Private Limited, Transferor Company No. 4 with Brij Associates Consultants (India) Private Limited, Transferee Company, and their respective shareholders and creditors, is dispensed with in view of the Consents given by both the Equity Shareholders of the Applicant Company which are annexed as Exhibits 'M1 and M2' to the Affidavit in Support of Summons for Directions.
2. There are no secured creditors and preference shareholders in the Applicant Company as mentioned in paragraph 29 of the Affidavit in support of Company Summons for Direction. Hence the question of convening and holding the meeting of secured creditors and preference shareholders 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 of Moniez Investment Company Private Limited, Transferor Company No. 1 Bassein Engineering Enterprises Private Limited, Transferor Company No. 2 Ethnik Exports Private Limited a Private Limited, Transferor Company No. 3 Long Horn Holdings Private Limited, Transferor Company No. 4 with Brij Associates Consultants (India) Private Limited, Transferee Company, and their respective shareholders and creditors, is dispensed with in view of the consent given by all its unsecured creditors which are annexed as Exhibit 'N1 to N13' to the Affidavit in Support of Company Summons for Direction.

(S.J. Kathawalla J)