

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 108 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 Fabtech Modular
Technologies Private Limited having its
registered office at 115, Ravikiran Estate,
next to Monginies factory, off Oshiwara
Link Road, Andheri (W), Mumbai 400053

AND

In the matter of the Scheme of
Arrangement and Reconstruction of
Fabtech Projects Technologies Private
Limited,
Fabtech Modular Technologies Private
Limited,
Channel U Entertainment Private Limited,
and
Fabtech Technologies International
Limited and their respective members and
creditors.

Fabtech Modular Technologies	)
Private Limited having its	)
registered office at 115,	)
Ravikiran Estate, Next to	)
Monginies Factory, Off Oshiwara	)
Link Road, Andheri (w),	)
Mumbai – 400053	)...Applicant / Transferor Company
	No. 2

Called Summons for Direction

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

Coram: S.J. Kathawalla, J.

Dated: 13th February, 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 the Affidavit dated 24th September, 2014 of Mrs. Aakriti Tambi, 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:

1. That 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 Arrangement and Reconstruction of Fabtech Projects Technologies Private Limited, Fabtech Modular Technologies Private Limited, Channel U Entertainment Private Limited and Fabtech Technologies International Limited, and their respective members and creditors, is dispensed with in view of the Consents given by all the three Equity Shareholders of the Applicant Company which are annexed as Exhibits C1 to C3 to the Affidavit in Support of Summons for Directions.
2. That there are no secured creditors and preference shareholders in the Applicant Company as mentioned in paragraph 17 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. That 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 Arrangement and Reconstruction of Fabtech Projects Technologies Private Limited, Fabtech Modular Technologies Private Limited, Channel U Entertainment Private Limited, and Fabtech Technologies International Limited and their respective members and creditors, is dispensed with in view of the consent given by some of the unsecured creditors which are annexed as Exhibit F1 and F2 to the Affidavit in Support of Company Summons for Direction and in view of the averment made in para 18 inter-alia stating that the Applicant undertakes to issue individual Notice of date of hearing of Petition by R.P.A.D. to its remaining unsecured creditor and also undertakes to publish the same in two local news papers i.e. "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.J. Kathawalla J)