

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 768 OF 2015.

In the matter of the Companies Act I of 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 AMBIKA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 1 and PRANAY TRADING COMPANY PRIVATE LIMITED, the Transferor Company No. 2 and ISHA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 3 and SUMEDHA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 4 with EVEREST GOODS PRIVATE LIMITED, the Transferee Company.

EVEREST GOODS PRIVATE LIMITED,)
a company incorporated under the)
Companies Act, 1956 having its)
registered office at Temple Terrace, 55,)
Forjett Street, Gowalia Tank, Mumbai)
– 400036.) ...Applicant Company.

Called Summons for Direction for hearing

Mr. Chandrakant Mhadeshwar with Ms. Sara Sancheti, Advocates
for the Applicant Company.

CORAM: S. C. GUPTE, J

DATE : 11th SEPTEMBER, 2015

MINUTES OF ORDER

UPON the application of the Applicant Company above named
by a Summons for Direction AND UPON HEARING Mr.

Chandrakant Mhadeshwar i/b Sara Sancheti, Advocates for the Applicant Company, AND UPON READING the Affidavit dated 13th day of August, 2015 of Mr. Bimal Sancheti, Authorised Signatory of the Applicant Company, in support of Company Summons for Direction and the Exhibits referred to therein, 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 proposed Scheme of Amalgamation of AMBIKA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 1 and PRANAY TRADING COMPANY PRIVATE LIMITED, the Transferor Company No. 2 and ISHA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 3 and SUMEDHA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 4 with EVEREST GOODS PRIVATE LIMITED, the Transferee Company, is dispensed with in view of the consents given by both the Equity Shareholders of the Applicant Company which are annexed as Exhibits “M-1” and “M-2” to the Affidavit in Support of Company Summons for Direction.

2. That there are no Secured Creditors of the Applicant Company as stated in paragraph 29 of the Affidavit in Support

of Company Summons for Direction. Hence, the question of convening and holding meeting of Secured Creditors 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 proposed Scheme of Amalgamation of AMBIKA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 1 and PRANAY TRADING COMPANY PRIVATE LIMITED, the Transferor Company No. 2 and ISHA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 3 and SUMEDHA MULTITRADE PRIVATE LIMITED, the Transferor Company No. 4 with EVEREST GOODS PRIVATE LIMITED, the Transferee Company, is dispensed with in view of the consents given by both the Unsecured Creditors of the Applicant Company which are annexed as Exhibits “N-1” and “N-2” to the Affidavit in Support of Company Summons for Direction.

(S. C. GUPTE , J.)