

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 745 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
DEVGIRI AUTOMOTIVES PRIVATE
LIMITED, the Transferor Company with
DEVGIRI FORGINGS PRIVATE LIMITED,
the Transferee Company

DEVGIRI AUTOMOTIVES PRIVATE)
LIMITED, a company incorporated under)
the Companies Act, 1956 having its)
registered office at Gat No. 64,)
Narayanpur Walunj TQ , Gangapur, Dist.)
Aurangabad – 431 133.) ...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: 4th 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 14th day of August, 2015 Mr. Raghuram Someshwar, 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 DEVGIRI AUTOMOTIVES PRIVATE LIMITED, the Transferor Company with DEVGIRI FORGINGS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by both the Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'C-1' and 'C-2'** 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 17 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 DEVGIRI AUTOMOTIVES PRIVATE LIMITED, the Transferor Company with DEVGIRI FORGINGS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the averments made in paragraph 18 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 Creditors and also to publish the same in two local news papers viz. "Lokmat Times", in English language and translation thereof in "Dainik Lokmat", in Marathi language, both having circulation in Aurangabad. The said undertaking is accepted.

(S. C. Gupte, J.)