

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY SUMMONS FOR DIRECTION NO. 852 OF 2015

In the matter of the Companies Act, 1 of 1956 and other relevant provisions of Companies Act, 2013;

AND

In the matter of Sections 391 to 394 of the Companies Act, 1956 and other relevant provisions of Companies Act, 2013;

AND

In the matter of Scheme of Amalgamation of Reliable Gensets & Controls Private Limited, the Transferor Company with Perfect House Private Limited, the Transferee Company

Reliable Gensets & Controls Private Limited, A Company incorporated under the Companies Act, 1956 having its Registered Office at Plot No. the said Mr. Mehtab-7, Additional M.I.D.C., Satara, Satara- 415 003

..... Applicant Company

Called Summons for Direction for hearing

Mrs. Smita Vora i/b M/s. Vora & Associates, Advocate for the Applicant

Coram: K.R Shriram, J.

Date: 11th December, 2015

MINUTES OF THE ORDER

UPON the application of the Applicant Company above named by Company Summons for Direction AND UPON HEARING Mrs. Smita Vora instructed by M/s. Vora & Associates, Advocate for the Applicant Company, AND UPON READING the Affidavit dated 28th September 2015 of Mr. Vipul Ghelani, 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 Reliable Gensets & Controls Private Limited, the Transferor Company with Perfect House Private Limited, the Transferee Company is dispensed with in view of the consent given by all the Six Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'C-1' to 'C-6'** 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 27 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 Reliable Gensets & Controls Private Limited, the Transferor Company with Perfect House Private Limited, the Transferee Company is dispensed with in view of the averments made in paragraph 28 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 all Unsecured Creditors and also to publish the same in two local news papers viz. "Free Press Journal", in English language and translation thereof in "Navshakti", in Marathi language, both having circulation in Mumbai. The said undertaking is accepted.

(K. R. Shriram, J.)

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of original signed order.

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