

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMPANY SUMMONS FOR DIRECTION NO 821 OF 2015

In the matter of the Companies Act, 1956 (1  
of 1956);

and

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

and

In the matter of Scheme of Amalgamation of  
Radius Billing and Support Services (India)  
Private Limited, Radius Business Support  
Services (India) Limited, Radius GGE  
Management Services (India) Private  
Limited, Radius Outsourcing (India) Private  
Limited with Radius Corporate Solutions  
(India) Private Limited and their respective  
shareholders

**Radius Billing and Support Services (India) Private Limited,     )**

a company incorporated under the provisions of the Companies Act, )

1956 having its Registered Office at 7th Floor, Tower C, 247 Park,     )

HCC Building, LBS Marg, Vikhroli (West), Mumbai 400083     )

...Applicant Company

**Called Summons for Direction for Hearing**

Mr. Hemant Sethi i/b. Hemant Sethi & Co., Advocates for the Applicant

Coram: S. C. Gupte, J.

Date: 23<sup>rd</sup> October, 2015

**MINUTES OF THE ORDER**

UPON the application of the Applicant Company above named by a Summons for Directions AND UPON HEARING Mr. Hemant Sethi instructed by Hemant Sethi & Co., Advocates for the Applicant Company, AND UPON READING the Affidavit dated 29<sup>th</sup> day of September, 2015 of Mr. Chirag Mehta, Authorised Signatory of the Applicant Company, in support of Summons for Directions 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 Amalgamation of Radius Billing and Support Services (India) Private Limited, Radius Business Support Services (India) Limited, Radius GGE Management Services (India) Private Limited, Radius Outsourcing (India) Private Limited with Radius Corporate Solutions (India) Private Limited and their respective shareholders is dispensed with in view of consents given by both the Equity Shareholders of the Applicant Company, which are annexed as Exhibits “C1” and “C2” to the Affidavit in support of the Company Summons for Direction.
2. THAT there are no Secured Creditors in the Applicant Company, as stated in paragraph 13 of the affidavit in support of the Summons for Directions. Hence the question of convening and holding the 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 Scheme of Amalgamation of Radius Billing and Support Services (India) Private Limited, Radius Business Support Services (India) Limited, Radius GGE Management Services (India) Private Limited, Radius Outsourcing (India) Private Limited with Radius Corporate Solutions (India) Private Limited and their

respective shareholders is dispensed with in view of averments made in paragraph 14 of the Affidavit in support of Company Summons for Direction, inter-alia stating that the rights of Unsecured Creditors of the Applicant Company are concerned, they will not be affected by the proposed Scheme, since post Scheme, the assets of the Transferee Company will be sufficient to discharge its liabilities and that the Applicant Company undertakes to issue individual notice of the hearing of the Petition by R.P.A.D. to all its Unsecured Creditors and also undertakes to publish the notice of hearing of the Petition in two local newspapers 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.C. GUPTE, J)**

**CERTIFICATE**

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

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