

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION 840 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 Electronica Tough
Carb Limited ('the Transferor
Company')

WITH

SRP Tungsten Private Limited ('the
Transferee Company')

AND

Their respective Shareholders

SRP Tungsten Private Limited, a)
company incorporated under the
Companies Act, 1956 having its)
registered office at A-102, Stice,)
Musalgaon, Sinnar, Nasik -)
422113.)

....Applicant Company

Called Summons for Direction

Mr. Hemant Sethi with Mr. Ajit Singh Tawar i/b. M/s Hemant Sethi &
Co., for Applicant

Coram: S.C.Gupte, J

Date: 30th October, 2015

MINUTES OF THE ORDER

UPON the application of the Applicant Company above named by a Company Summons for Directions AND UPON HEARING Mr. Hemant Sethi instructed by M/s. Hemant Sethi & Co., Advocates for the Applicant Company, AND UPON READING the Affidavit dated 9th day of October, 2015 of Mr. Nivrutti Namdev Palve, Authorized Signatory of the Applicant Company, in support of Company 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 proposed Scheme of amalgamation of Electronica Tough Carb Limited (the Transferor Company) with SRP Tungsten Private Limited (the Transferee Company) and their respective Shareholders is dispensed with in view of the consent given by both the Equity Shareholders of the Applicant Company which are annexed as Exhibit 'H1' and 'H2' to the affidavit in support of the Company Summons for Direction.
2. THAT convening and holding the meeting of the sole Preference Shareholder 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 Electronica Tough Carb Limited (the Transferor Company) with SRP Tungsten Private Limited (the Transferee Company) and their respective Shareholders is dispensed with in view of the consent given by the sole Preference Shareholder of the Applicant Company which are annexed as Exhibit J to the affidavit in support of the Company Summons for Directions.

3. THAT the convening and holding the meeting of Secured 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 Electronica Tough Carb Limited (the Transferor Company) with SRP Tungsten Private Limited (the Transferee Company) and their respective Shareholders is dispensed with in view of averments made in paragraph 13 of the Affidavit in support of Company Summons for Directions and that the Applicant Company undertakes to serve individual notice of the hearing of the Petition by Registered Post A.D. upon all its Secured Creditors and also to publish the notice of the date of hearing of Petition in one issue each of Lokmat Times, in English language and Lokmat, in Marathi, both having circulation in Nashik. The said undertaking is accepted.

4. THAT the convening and holding the meeting of 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 Electronica Tough Carb Limited (the Transferor Company) with SRP Tungsten Private Limited (the Transferee Company) and their respective Shareholders is dispensed with in view of averments made in paragraph 14 of the Affidavit in support of Company Summons for Directions and that the Applicant Company undertakes to serve individual notice of the hearing of the Petition by Registered Post A.D. upon all its Unsecured Creditors and also to publish the notice of the date of hearing of Petition in one issue each of Lokmat Times, in English language and Lokmat, in Marathi, both having circulation in Nashik. 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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