

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 949 OF 2015

In the matter of the Companies Act,
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 Ascent
Construction Private Limited,
Transferor Company No. 1 and
Kaltint Logistics Private Limited,
Transferor Company No. 2
with
Acme Housing India Private Limited,
Transferee Company
and
their respective shareholders and
creditors

Kaltint Logistics Private Limited)
incorporated and registered under the)
Companies Act, 1956, having its)
registered office at D Wing, Times)
Square, Andheri-Kurla Road, near)
SakiNaka Jn, opposite Mittal)
Industrial Estates, Andheri)
(E), Mumbai, Maharashtra, 400059.)... Applicant / Transferor Company
No. 2

Called Summons for Direction for hearing

Mr. Sanjay Udeshi a/w Darshan Ashar i/b Sanjay Udeshi & Co, Advocate(s) for
Applicant.

Coram: K.R. Shriram, J.

Dated: 18th December, 2015

MINUTES OF ORDER

Upon the application of the above-named Applicant Company by a Summons
for Direction AND upon hearing Shri Sanjay Udeshi, Advocate for the Applicant
AND upon reading the Affidavit dated 6th November, 2015 of Mr. Jimmy Pascol

Tuscano Authorised Signatory of the Applicant Company of Mumbai in support of the Summons for Direction, and the Exhibits 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 Scheme of Amalgamation of Ascent Construction Private Limited, Transferor Company No. 1 Kaltint Logistics Private Limited, Transferor Company No. 2 with Acme Housing India Private Limited, Transferee Company and their respective shareholders and creditors, is dispensed with in view of the Consent given by both the Equity Shareholders of the Applicant Company which are annexed as Exhibits 'C-1' to 'C-2' to the Affidavit in Support of Summons for Directions.
2. The convening and holding the meeting of the Secured Creditor of the Applicant Company, for the purpose of considering and, if thought fit, approving, with or without modification(s), the Scheme of Amalgamation of Ascent Construction Private Limited, Transferor Company No. 1 Kaltint Logistics Private Limited, Transferor Company No. 2 with Acme Housing India Private Limited, Transferee Company and their respective shareholders and creditors, is dispensed in view of the Consent given by its sole secured creditor of the Applicant Company which is annexed as Exhibits 'D-1' to the Affidavit in Support of Summons for Directions.
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 Ascent Construction Private Limited, Transferor Company No. 1 Kaltint Logistics Private Limited, Transferor Company No. 2 with Acme Housing India Private Limited, Transferee Company and their respective shareholders and creditors, is dispensed and in view of the averment made in para 18 inter-alia stating that the Applicant undertakes to issue individual Notice of date of hearing of Company Scheme Petition by

R.P.A.D. to its unsecured creditors and also undertakes to publish the same in two local news papers 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.

(K.R. Shriram, J)

Certificate

I Certify that this Order uploaded is true and correct copy of original signed order

Uploaded by: Shri Shankar Gawade, Stenographer