

THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 157 OF 2016.

In the matter of the Companies
Act I of 1956.

AND

In the matter of Sections 391 to
394 read with Sections 100 to
103 of the Companies Act, 1956

AND

In the matter of the Scheme of
Arrangement of:

Western India Garments Private
Limited.

AND

Pinkhem Investments Co
Private Limited.

AND

Mode Export Private Limited.

WITH

Veer Mercantile Private Limited

AND

their Respective Shareholders.

Western India Garments Private Limited,)
a Company incorporated Under the)
Companies Act, 1956 and having its)
Registered Office at 22(1) Bombay Cotton)
Mills Compound, Dattaram Lad Path,)
Kalachowky, Mumbai - 400 033)....Applicant Company

Called Summons for Direction for hearing

Mr. Rajesh Shah i/b Rajesh Shah & Co, Advocates for the Applicant
Company.

CORAM : K. R. SHRIRAM, J

DATE : 4th March, 2016

MINUTES OF 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., Advocates for the Applicant Company, AND UPON READING the Affidavit dated 7th day of January, 2016 of Mr. Gyan Prakash Sinha, Authorised Signatory of the Applicant Company, in support of Company Summons for Direction and the Exhibits referred to therein, 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 Arrangement of Western India Garments Private Limited and Pinkhem Investments Co Private Limited and Mode Export Private Limited with Veer Mercantile Private Limited and their respective shareholders, is dispensed with in view of the consent given by all the Five Equity Shareholders of the Applicant Company which are annexed as **Exhibit “C-1” to “C-5”** to the Affidavit in Support of Company Summons for Direction.
2. That there are no Secured Creditors of the Applicant Company as stated in paragraph 18 of the Affidavit in Support of Company Summons for Direction. Hence, the question of

convening and holding 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 proposed Scheme of Arrangement of Western India Garments Private Limited and Pinkhem Investments Co Private Limited and Mode Export Private Limited with Veer Mercantile Private Limited and their respective shareholders, is dispensed with in view of the consents given by all the Six Unsecured Creditor of the Applicant Company which is annexed as **Exhibit “D-1” to “D-6”** to the Affidavit in Support of Company Summons for Direction.

(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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