

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 180 OF 2016

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 Ghalsassi Works Private Limited, Amalgamating Company with Ghalsasi Smelting Private Limited, Amalgamated Company and their respective shareholders

Ghalsassi Works Private Limited, a)	
company incorporated under)	
Companies Act, 1956 having its)	
registered office at J-208, MIDC,)	
Bhosari, Pune- 411026)	Applicant Company

Called Summons for Direction for Hearing

Mr. Hemant Sethi with Mr. Ajit Singh Tawar i/b. Hemant Sethi & Co., Advocates
for the Applicant Company

CORAM: B.P. Colabawalla, J

DATE: 1st April 2016

MINUTES OF THE ORDER

UPON the Application of the Applicant Company above named by a Company
Summons for Direction **AND UPON HEARING** Mr. Hemant Sethi instructed by

Hemant Sethi & Co., Advocates for the Applicant Company, **AND UPON READING** the Affidavit dated 11th day of January, 2016 of Mr. Satish Bhate, Director of the Applicant Company, in support of Company Summons for Direction, and the Exhibits there in 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 Ghalsassi Works Private Limited, Amalgamating Company with Ghalsasi Smelting Private Limited, Amalgamated Company and their respective shareholders, is dispensed with, in view of the consents given by all the three Equity Shareholders of the Applicant Company, which are annexed as Exhibits “C-1” to “C-3” to the Affidavit in support of the Company Summons for Direction.
2. There are no Secured Creditors of the Applicant Company as stated in paragraph 12 of the Affidavit in support of Company Summons for Direction. Hence, the question of convening and holding the meeting of Secured Creditors does not arise.
3. The 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 Amalgamation of Ghalsassi Works Private Limited, Amalgamating Company with Ghalsasi Smelting Private Limited, Amalgamated Company and their respective shareholders, is dispensed with in view of the consents given by all the nine Unsecured Creditors of the Applicant

Company, which are annexed as Exhibits “D-1” to “D-9” to the Affidavit in support of the Company Summons for Direction.

(B.P. Colabawalla, J.)

CERTIFICATE

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

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