

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 424 OF 2016.

In the matter of the Companies Act I of 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 BM RETAILERS PRIVATE LIMITED, the Transferor Company No. 1 and MIDAS TRADERS PRIVATE LIMITED, the Transferor Company No. 2 and SPIRAL TRAVELS PRIVATE LIMITED, the Transferor Company No. 3 with SHARVAH MULTITRADE COMPANY PRIVATE LIMITED, the Transferee Company.

BM RETAILERS PRIVATE LIMITED, a)
company incorporated under the)
Companies Act, 1956 having its)
registered office at Temple Terrace, 55,)
Forjett Street, Gowalia Tank, Mumbai)
– 400036.) ...Applicant Company.
CIN: U51909MH2004PTC265385)

Called Summons for Direction for hearing

Ms. Sara Sancheti, Advocate of Sancheti & Sancheti, Advocates for the Applicant Company.

CORAM: B.P. COLABAWALLA, J

DATE : 8th JULY , 2016

MINUTES OF ORDER

UPON the application of the Applicant Company above named
by a Summons for Direction AND UPON HEARING Ms. Sara

Sancheti, Advocate for the Applicant Company, AND UPON READING the Affidavit dated 18th day of January, 2016 of Mr. Bimal Sancheti, 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 Amalgamation of BM RETAILERS PRIVATE LIMITED, the Transferor Company No. 1 and MIDAS TRADERS PRIVATE LIMITED, the Transferor Company No. 2 and SPIRAL TRAVELS PRIVATE LIMITED, the Transferor Company No. 3 with SHARVAH MULTITRADE COMPANY PRIVATE LIMITED, the Transferee Company, is dispensed with in view of the consents given by both the Equity Shareholders of the Applicant Company which are annexed as Exhibits "C-1" and "C-2" 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 12 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 there are no Unsecured Creditors of the Applicant Company as stated in paragraph 13 of the Affidavit in Support of Company Summons for Direction. Hence, the question of convening and holding meeting of Unsecured Creditors does not arise.

(B.P.COLABAWALLA, J.)

C E R T I F I C A T E

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

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