

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

COMPANY SUMMONS FOR DIRECTION NO 239 OF 2016

In the matter of the Companies Act 1956, (1 of 1956) and other relevant provisions of the Companies Act, 2013;

AND

In the matter of Sections 391 to 394 read with Sections 100 to 103 of the Companies Act, 1956 and other relevant provisions of the Companies Act, 2013;

AND

In the matter of Scheme of Amalgamation and Arrangement between Titan Trading and Agencies Limited ("Titan") and Dhumraketu Investments and Trading Company Private Limited ("Dhumraketu") and Trivikram Investments and Trading Company Limited ("Trivikram") and Saldhar Investments and Trading Company Private Limited ("Saldhar") and their respective Shareholders

**Dhumraketu Investments and Trading)
Company Private Limited, a company)
incorporated under the Companies Act,)
1956 having its registered office at N K)
Mehta International House, 178 Backbay)
Reclamation, Babubhai M Chinnai Marg,)
Mumbai - 400 020)** ...Applicant Company

Called Summons for Direction

Mr. Rajesh Shah i/b M/s. Rajesh Shah & Co., Advocate for the Applicant

Coram: B. P. COLABAWALLA, J

Date: 16th April, 2016

MINUTES OF THE 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., Advocate for the Applicant Company, AND UPON READING the Affidavit dated 6th February, 2016 of Mr. Amit Maniar, Authorised Signatory of the Applicant Company, in support of the Summons for Direction and the Exhibit therein referred to, IT IS ORDERED THAT:-

1. The convening and holding of the meeting of the Equity Shareholders of the Applicant Company for the purpose of considering, and if thought fit approving with or without modifications the proposed Scheme of Amalgamation and Arrangement between Titan Trading and Agencies Limited ("Titan") and Dhumraketu Investments and Trading Company Private Limited ("Dhumraketu") and Trivikram Investments and Trading Company Limited ("Trivikram") and Saldhar Investments and Trading Company Private Limited ("Saldhar") and their respective shareholders is dispensed with in view of the consents given by all the Three Equity Shareholders of the Applicant Company, which is annexed as Exhibit C1 to C3 to the affidavit in support of the Summons for Directions.
2. The question of convening and holding the meeting of Secured Creditors does not arise since there are no Secured Creditors in the Applicant

Company as stated in paragraph 17 of the Affidavit in support of Summons for Direction.

3. That the convening and holding of the meeting of the three Unsecured Creditors of the Applicant Company for the purpose of considering, and if thought fit approving with or without modifications the proposed Scheme of Amalgamation and Arrangement between Titan Trading and Agencies Limited (“Titan”) and Dhumraketu Investments and Trading Company Private Limited (“Dhumraketu”) and Trivikram Investments and Trading Company Limited (“Trivikram”) and Saldhar Investments and Trading Company Private Limited (“Saldhar”) and their respective shareholders, is dispensed with in view of the averment made in paragraph 18 of the Affidavit in support of the Summons for Directions and that the Applicant Company undertakes to issue notice of the date of hearing of the Petition by Registered Post A.D. to all its Unsecured Creditors and also undertakes to publish the notice of hearing of the Company Scheme Petition in one issue each of ‘Free Press Journal’ in English language and translation thereof in ‘Navshakti’ in Marathi language, both having circulation in Mumbai. The said undertaking is accepted.

(B.P. COLABAWALLA, J.)

CERTIFICATE

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

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