IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 248 OF 2016

In the matter of the Companies Act, 1956(1 to 1956) and 2013 as applicable

And

In the matter of Section 78 and 100 to 103 of the Companies Act, 1956 and Section 52 and 61 of the Companies Act, 2013

And

In the matter of Reduction of share capital of Roth & Rau India Private Limited

ROTH & RAU INDIA PRIVATE LIMITED)
a Company incorporated under the)
provisions of Companies Act, 1956 having)
its registered Office at 19, Commerce)
Avenue, Mahaganesh Colony, Paud Road,)
Pune, Marashtra – 411 038)…Applicant Company

Called summons for Direction

Mr. Rahul Risbud a/w Ms. Shruti Kelji, Sunila Chavan, Advocates for Applicant

Coram: B. P. Colabawalla, J.
Date: 16th April, 2016

MINUTES OF THE ORDER

UPON THE APPLICATION OF the above named Applicant Company by a summons for Directions AND UPON HEARING Mr. Rahul Risbud and Ms. Shruti Kelji, Advocates for the

Applicant Company AND UPON READING the affidavit of Mr. Hemal Ghelani, Director of the Applicant Company, dated 1st day of February, 2016, in support of Company Summons for Directions AND Article 4 read with Article 11, 13 of the Articles of Association of the Applicant Company that empowers Applicant Company to reduce its share capital by passing Special Resolution as prescribed by the Companies Act, 1956 in manner and in accordance with the provisions of the Act and applicable Rules AND the Applicant Company having passed Special Resolution with requisite majority at its Annual General Meeting of its Equity Shareholders held on 30th September, 2015 being Exhibit 'D' to the Affidavit-in-Support of Company Summons for Direction, approving to the reduction of the issued, subscribed and paid-up share capital of the Applicant Company from Rs. 9,26,200/- (Rupees Nine Lakh Twenty Six Thousand and Two Hundred Only) consisting of 92,620 equity shares of Rs.10/- each to Rs.1,00,000/- (Rupees One Lakh only) consisting of 10,000 equity shares of Rs.10/- each fully paid up and that such reduction be effected by way of paying off Rs.50.90/- (Rupees Fifty and Ninety Paise only) per share on 82,620 equity shares of Rs.10/- each making the total payment of Rs.42,05,358/- (Rupees Forty Two Lakhs Five Thousand Three Hundred and Fifty Eight Only). This reduction in paid up share capital be effected by paying off Rs. 8,26,200/- (Rupees Eight Lakh Twenty Six Thousand and Two Hundred Only) from the existing paid up capital and the balance Rs. 33,79,158/- (Rupees Thirty Three Lakh Seventy Nine Thousand One Hundred and Fifty Eight Only) will be paid from the Reserves and Surplus (Securities Premium) of the Applicant Company AND in view of the averment made in Paragraph 11 and 17, the said reduction does not involve either diminution of liabilities in respect of unpaid capital of the Applicant Company and the Secured and Unsecured Creditors of the Applicant Company are no way affected by proposed reduction of the share capital as stated in para 18 that there is no Secured Creditor and Unsecured Creditors in the Company. In view of the above, the procedure prescribed under Section 101(2) of the CompaniesAct, 1956 is dispensed with.

(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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