

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 571 OF 2016.

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

AND

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

AND

In the matter of Scheme of Amalgamation
of UNIVERSAL IMPORT EXPORT INDIA
PRIVATE LIMITED, the Transferor Company
with UNIVERSAL HOTELS PRIVATE
LIMITED, the Transferee Company.

UNIVERSAL HOTELS PRIVATE)
LIMITED, a company incorporated)
under the Companies Act, 1956)
having its registered office at Hotel)
Airlink, 75, Off Nehru Road, Vile Parle)
(East) Mumbai 400 099.) ...Applicant Company.

Called Summons for Direction for hearing

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

Coram: B. P. Colabawalla J.

Date : 8th July, 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 1st day of March, 2016 of Mr. Kamal Lahoty, 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 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 UNIVERSAL IMPORT EXPORT INDIA PRIVATE LIMITED, the Transferor Company with UNIVERSAL HOTELS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by all the five Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'G-1' to 'G-5'** to the Affidavit in support of Summons for Direction.
2. The convening and holding of the meeting of the Secured 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 UNIVERSAL IMPORT EXPORT INDIA PRIVATE LIMITED, the

Transferor Company with UNIVERSAL HOTELS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the averments made in paragraph 17 of the Affidavit in support of the Summons for Direction and that the Applicant undertakes to issue individual notice of date of hearing of the Company Scheme Petition by Registered Post A. D. to all its Secured Creditors and also to publish the same in two local news papers viz. "Free Press Journal", in English language and translation thereof in "Navshakti", in Marathi language, both having circulation in Mumbai. The said undertaking is accepted.

3. The convening and holding of 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 UNIVERSAL IMPORT EXPORT INDIA PRIVATE LIMITED, the Transferor Company with UNIVERSAL HOTELS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the averments made in paragraph 18 of the Affidavit in support of the Summons for Direction and that the Applicant undertakes to issue individual notice of date of hearing of the Company Scheme Petition by Registered Post A. D. to all its Unsecured Creditor and also to publish the same in two local news papers viz. "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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