

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMPANY SUMMONS FOR DIRECTION NO. 420 OF 2016

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

AND

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

AND

In the matter of Scheme of Amalgamation of  
ARYAN PUMPS PRIVATE LIMITED, the  
Transferor Company with ARYAN PUMPS &  
ENVIRO SOLUTIONS PRIVATE LIMITED,  
the Transferee Company

ARYAN PUMPS PRIVATE LIMITED, a )  
company incorporated under the Companies )  
Act, 1956 having its Registered Office at )  
502, Shriniwas Aptartments, Patwardhan )  
Baug, Erandawane, Pune – 411 004. ) ...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: 08<sup>th</sup> 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 29<sup>th</sup> day of March, 2016 of Mr. Sambhaji Patil, Manager Accounts & Finance 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 ARYAN PUMPS PRIVATE LIMITED, the Transferor Company with ARYAN PUMPS & ENVIRO SOLUTIONS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by all the three Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'C-1' to 'C-3'** to the Affidavit in support of Summons for Direction.
2. That the question of convening and holding of the meeting of Secured Creditors does not arise since there are no Secured Creditors of the Applicant Company as stated in paragraph 17 of the Affidavit in support of Summons for Direction.

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 ARYAN PUMPS PRIVATE LIMITED, the Transferor Company with ARYAN PUMPS & ENVIRO SOLUTIONS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the averments made in paragraph 19 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 Creditors and also to publish the same in two local news papers viz. "Economic Times" in English and "Maharashtra Times" in Marathi, in Marathi language, both having circulation in Pune. 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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