

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 605 OF 2016

In the matter of the Companies Act,
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
CCL Projects Private Limited,
Transferor Company
with
C C L Optoelectronics Private
Limited, Transferee Company
And
Their Respective Members and
Creditors.

C C L Optoelectronics Private Limited)
Incorporated and registered under the)
Companies Act, 1956 having its)
Registered Office at EL-38, Electronics)
Zone, MIDC, Mahape, Navi Mumbai,)
Maharashtra 400710.)... Applicant / Transferee Company

Called Summons for Direction for hearing

Mr. Sanjay Udeshi a/w Mr. Darshan Ashar i/b Sanjay Udeshi & Co, Advocate(s) for
Applicant.

Coram: B.P. Colabawalla, J.

Dated: 8th July, 2016

MINUTES OF ORDER

Upon the application of the above-named Applicant Company by a Summons for
Direction AND upon hearing Shri. Sanjay Udeshi, Advocate for the Applicant AND
upon reading the Affidavit dated 29th March, 2016 of Mr. Sujit Yeragi, the
Authorised Signatory of the Applicant Company of Mumbai in support of the
Summons for Direction, and the Exhibits 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 Scheme of Amalgamation of CCL Projects Private Limited, Transferor Company with CCL Optoelectronics Private Limited, Transferee Company, and their respective members and creditors, dispensed with in view of the consent given by twenty two equity shareholders which are annexed as Exhibit 'J1 to J 22' to the Affidavit in Support of Company Summons for Direction and in view of the averment made in para 13 inter-alia stating that the Applicant undertakes to issue individual Notice of date of hearing of Company Scheme Petition by R.P.A.D. to its remaining sole equity shareholder whose consent is not obtained and also undertakes to publish the same in two local news papers i.e. "Free Press Journal" in English language and translation thereof in "Navshakti" in Marathi language both having circulation in Mumbai. The said undertaking is accepted.
2. The convening and holding the meeting of the Secured Creditor of the Applicant Company, for the purpose of considering and, if thought fit, approving, with or without modification(s), the Scheme of Amalgamation of CCL Projects Private Limited, Transferor Company with CCL Optoelectronics Private Limited, Transferee Company, and their respective members and creditors, dispensed with in view of the averment made in para 14 inter-alia stating that the Applicant undertakes to issue individual Notice of date of hearing of Company Scheme Petition by R.P.A.D. to its remaining sole secured creditor whose consent is not obtained and also undertakes to publish the same in two local news papers i.e. "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 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 Scheme of Amalgamation of

CCL Projects Private Limited, Transferor Company with CCL Optoelectronics Private Limited, Transferee Company, and their respective members and creditors, dispensed with in view of the consent given by some of the unsecured creditors which are annexed as Exhibit 'N1 to N45' to the Affidavit in Support of Company Summons for Direction and in view of the averment made in para 15 inter-alia stating that the Applicant undertakes to issue individual Notice of date of hearing of Company Scheme Petition by R.P.A.D. to its remaining unsecured creditors whose consents are not obtained and also undertakes to publish the same in two local news papers i.e. "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 true and correct copy of original signed order
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