

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO 712 OF 2016

In the matter of the Companies Act,
1956 (1 of 1956) (or any re-enactment
thereof upon effectiveness of
Companies Act, 2013);

AND

In the matter of Scheme of
Amalgamation of Moveo Systems
Private Limited ('Transferor Company')
with APP Engineering Private Limited
(('Transferee Company') and their
respective shareholders and creditors

APP ENGINEERING PRIVATE)
LIMITED, a company incorporated)
under the provisions of the Companies)
Act, 1956 and having its registered)
office at "Office No 9&10, 5th Floor,)
Akshay Complex, Aundh, Pune-)Applicant Company
411007".

Called for Hearing

Mr. Hemant Sethi and Mr. Ajit Singh Tawar i/b Hemant Sethi & Co.,
Advocates for the Petitioners.

CORAM: B. P. Colabawala, J.

DATE: 12th August, 2016

MINUTES OF THE ORDER

Upon the Application of the Applicant Company above named by a
Summons for Direction **AND UPON HEARING** Mr. Hemant Sethi
instructed by Hemant Sethi & Co., Advocates for the Applicant Company,
AND UPON READING the Affidavit dated 30th day of March, 2016 of Mr.

Yeshwant Pathak, Director of the Applicant Company, in support of Company Summons for Direction, and the Exhibits there in referred to,
IT IS ORDERED THAT:

- 1 That the filing of Company Scheme Petition by APP Engineering Private Limited, Applicant/Transferee Company is dispensed with in view of the averments made in paragraphs 15 to 17 of the Affidavit in support of Company Summons for Direction inter-alia stating that Moveo Systems Private Limited, the Transferor Company is a wholly owned subsidiary of the Applicant Company and the beneficial interest in all the shares of the Transferor Company are presently held by the Applicant Company and that the Scheme does not affect the rights and interests of the members (Equity shareholders) and Creditors of the Applicant Company and does not involve re-organization of the Share Capital of the Applicant Company.
- 2 It is further clarified that the Scheme shall come into operation only after its sanction by the Karnataka High Court where the proceedings filed by the Transferor Company has been adopted.

(B. P. Colabawala, J.)

CERTIFICATE

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

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