

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 407 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 I TENABLE INDIA
PRIVATE LIMITED, the Transferor
Company with DEEP INVESTRADE
(BOMBAY) PRIVATE LIMITED, the
Transferee Company.

I TENABLE INDIA PRIVATE)
LIMITED, a company incorporated)
under the Companies Act, 1956)
having its registered office 6th)
Floor, Siddhivinayak Chambers)
Opp.MIG Club, Gandhi Nagar)
Bandra (E), Mumbai - 400 051.) ...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: 17th June, 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 31st day of March, 2016 of Mr. Pankaj Jain, 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 I TENABLE INDIA PRIVATE LIMITED, the Transferor Company with DEEP INVESTRADE (BOMBAY) PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by all the seven Equity Shareholders of the Applicant

Company, which are annexed as **Exhibit 'C-1' to 'C-7'** 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 the meeting of the Unsecured Creditor 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 I TENABLE INDIA PRIVATE LIMITED, the Transferor Company with DEEP INVESTRADE (BOMBAY) PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by the sole Unsecured Creditor of the Applicant Company, which are annexed as **Exhibit 'D-1'** to the Affidavit in support of Summons for Direction.

(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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