

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTIONS NO.692 OF 2016

IN THE MATTER OF SECTIONS 391 TO 394
OF THE COMPANIES ACT, 1956 (OR RE-
ENACTMENT THEREOF UPON
EFFECTIVENESS OF COMPANIES ACT,
2013).

AND

IN THE MATTER OF AGRITRADEX
COMMODITIES (INDIA) PRIVATE LIMITED
AND ATRADEX COMMODITIES PRIVAET
LIMITED AND ISHAR TRADING PRIVATE
LIMITED AND ISHARANI TRADING PRIVATE
LIMITED AND AMRUT SAGAR TRADING
PRIVATE LIMITED ("TRANSFEROR
COMPANIES") WITH COWES BAY TRADING
PRIVATE LIMITED ("TRANSFeree
COMPANY").

ISHAR TRADING PRIVATE LIMITED,)
A company incorporated under the)
Companies Act, 1956, having its registered)

Office at 35 C Wing, 3rd Floor,)
Film Centre, 68, Tardeo Road,)
Mumbai 400 034.) .. Applicant Company
(Third Transferor Company)

Called Summons for Direction for Hearing

Mr. Mahesh Haridas Chandanshiv, Advocate for Applicant Company

CORAM : B.P. COLABAWALLA J.

DATED : 12.08.2016

MINUTES OF THE ORDER

UPON the Application of the abovenamed Company by Summons for Directions and **UPON HEARING** Mr. Mahesh Haridas Chandanshiv, the Advocate for the Applicant Company and **UPON READING** THE Affidavit of Chetan Ratilal Isharani dated 31st day of March, 2016 and the Exhibits therein referred to, **IT IS ORDERED THAT,**

1. The convening of the meeting of the Equity Shareholders of ISHAR TRADING PRIVATE LIMITED, the Applicant Company for the purpose of considering, and if thought fit, approving with or without modification, a scheme of Amalgamation of AGRITRADDEX COMMODITIES (INDIA) PRIVATE LIMITED being First Transferor Company and ATRADEX COMMODITIES PRIVATE LIMITED being

Second Transferor Company and ISHAR TRADING PRIVATE LIMITED being Third Transferor Company and ISHARANI TRADING PRIVATE LIMITED being Fourth Transferor Company and AMRUT SAGAR TRADING PRIVATE LIMITED being Fifth Transferor Company with COWES BAY TRADING PRIVATE LIMITED being Transferee Company is **dispensed** with in view of consent given by both shareholders of the Applicant Company which is annexed and marked **Exhibit-D1 to Exhibit-D2** to the Affidavit in support of company Summons for Directions of the Applicant Company.

2. The convening of the meeting of the Unsecured Creditors of ISHAR TRADING PRIVATE LIMITED, the Applicant Company for the purpose of considering, and if thought fit, approving with or without modification, a scheme of Amalgamation of AGRITRADEX COMMODITIES (INDIA) PRIVATE LIMITED being First Transferor Company and ATRADEX COMMODITIES PRIVATE LIMITED being Second Transferor Company and ISHAR TRADING PRIVATE LIMITED being Third Transferor Company and ISHARANI TRADING PRIVATE LIMITED being Fourth Transferor Company and AMRUT SAGAR TRADING PRIVATE LIMITED being Fifth Transferor Company with COWES BAY TRADING PRIVATE LIMITED being Transferee Company is **dispensed** with in view of consent given by the Un-secured Creditors of the Applicant Company which are annexed and marked **Exhibit "F"** to the Affidavit in support of

Company Summons for Directions of the Applicant Company. The Applicant Company undertakes to publish the date of hearing of Company Scheme Petition in two newspapers namely, the Free Press Journal in English and the Translation thereof in Marathi in Navshakti both having publication in Mumbai. The said undertaking is accepted.

3. As on 31.03.2016, there was the Debenture holder whom an amount of Rs.25,00,000/- was due. In view of the fact that the Applicant Company has paid off the dues of the Debenture holder on 19.05.2016, the convening of the meeting of the Debenture Holder of ISHAR TRADING PRIVATE LIMITED, the Applicant Company for the purpose of considering, and if thought fit, approving with or without modification, a scheme of Amalgamation of AGRITRADEX COMMODITIES (INDIA) PRIVATE LIMITED being First Transferor Company and ATRADEX COMMODITIES PRIVATE LIMITED being Second Transferor Company and ISHAR TRADING PRIVATE LIMITED being Third Transferor Company and ISHARANI TRADING PRIVATE LIMITED being Fourth Transferor Company and AMRUT SAGAR TRADING PRIVATE LIMITED being Fifth Transferor Company with COWES BAY TRADING PRIVATE LIMITED being Transferee Company is **dispensed** with. The Applicant Company undertakes to give notice of date of hearing of Company Scheme Petition to the Debenture holder who has been paid off. The said undertaking is accepted.

4. The question of convening and holding meeting of Secured Creditors does not arise as there are no Secured Creditors of the Applicant Company as state in paragraph 26 of the Affidavit in Support of Company Summons for Direction.

(B.P. COLABAWALLA J)

CERTIFICATE

I certify that this Order uploaded is a true and correct copy of the Original signed Order.

Uploaded by : Shankar Gawade, Stenographer