IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 411 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 JINDAL LABORATORIES PRIVATE LIMITED, the First Transferor Company and TIEN YUAN INDIA PRIVATE LIMITED, the Second Transferor Company and MIDDLE EAST TRADERS PRIVATE LIMITED, the Third Transferor Company with JINDAL DRUGS PRIVATE LIMITED, the Transferee Company.

MIDDLE EAST TRADERS PRIVATE LIMITED, a company incorporated under the Companies Act, 1956 having its registered office at 52, Bajaj Bhavan, Nariman Point, Mumbai: 400 021.) …Applicant Company.

<u>Called Summons for Direction for hearing</u>

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 16th day of April, 2016 of Mr. Sanjay Kakati, 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 JINDAL LABORATORIES PRIVATE LIMITED, the First Transferor Company and TIEN YUAN INDIA PRIVATE LIMITED, the Second Transferor Company and MIDDLE EAST TRADERS PRIVATE LIMITED, the Third Transferor Company with JINDAL DRUGS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by all the Four Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'C-1' to 'C-4'** 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 27 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 JINDAL LABORATORIES PRIVATE LIMITED, the First Transferor Company and TIEN YUAN INDIA PRIVATE LIMITED, the Second Transferor Company and MIDDLE EAST TRADERS PRIVATE LIMITED, the Third Transferor Company with JINDAL DRUGS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the averments made in paragraph 29 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. Free Press Journal" in English and "Navshakti" in Marathi, both having circulation in Mumbai. 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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