

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 368 OF 2016

In the matter of 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
Rathi Brothers Delhi Limited
(Transferor Company-1)
And
Rathi Brothers Madras Limited
(Transferor Company-2)
And
Rathi Brothers Calcutta Limited
(Transferor Company-3)
into
Rathi Brothers Poona Limited
(Transferee Company)

Rathi Brothers Calcutta Limited,)
a company incorporated under)
the Companies Act, 1956 and)
having its registered office at 162,)
Wellesley Road, Pune – 411 001)Applicant Company

Called Summons for Direction for hearing

Mr. Kunal Mehta i/b M/s. Crawford Bayley & Co, Advocate for Applicant Company

CORAM: S.C. GUPTE, J

DATE: 4th MAY, 2016

MINUTES OF THE ORDER

UPON the Application of the Applicant Company above named by a
Summons for Direction, AND UPON HEARING Mr. Kunal Mehta instructed
by M/s. Crawford Bayley & Co., Advocates for the Applicant Company, AND

UPON READING the Affidavit dated April 18, 2016 of Mr. P.S. Raghavan, Authorised Signatory of the Applicant Company, in support of Summons for Direction, and the Exhibits therein referred to, IT IS ORDERED-:

1. That 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 Rath Brothers Delhi Limited (Transferor Company-1) and Rath Brothers Madras Limited (Transferor Company-2) and Rath Brothers Calcutta Limited (Transferor Company-3) into Rath Brothers Poona Limited (Transferee Company), is dispensed with in view of the consent given by all the thirteen Equity Shareholders of the Applicant Company, which are annexed as Exhibits "D-1" to "D-13" to the Affidavit in Support of Company Summons for Direction.

2. That there are no Secured Creditors of the Applicant Company as stated in paragraph 25 of the Affidavit in support of the Company Summons for Direction. Hence, the question of convening and holding the meeting of Secured Creditors does not arise.

3. That there are no Unsecured Creditors of the Applicant Company as stated in paragraph 26 of the Affidavit in support of the Company Summons for Direction. Hence, the question of convening and holding the meeting of the Unsecured Creditors does not arise.

(S. C. Gupte, J.)

CERTIFICATE

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

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