

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 561 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
AVION DEVELOPERS PRIVATE LIMITED, the
First Transferor Company

AND

JAIHIND PROPERTIES PRIVATE LIMITED, the
Second Transferor Company

WITH

R. P. LIFESPACES PRIVATE LIMITED, the
Transferee Company

AVION DEVELOPERS PRIVATE)

LIMITED, a company incorporated)

under the Companies Act, 1956 having)

its registered office at 901, Building)

No. 350, Sector 3, Phase-II, Shruti,)

Mira Road (E), Thane – 401104.) ...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: 8th July, 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 14th day of June, 2016 of Mr. Praveen Kumar Jain, Director 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 AVION DEVELOPERS PRIVATE LIMITED, the First Transferor Company and JAIHIND PROPERTIES PRIVATE LIMITED, the Second Transferor Company with R. P. LIFESPACES 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 22 of the Affidavit in support of Summons for Direction.
3. The convening and holding 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 AVION DEVELOPERS PRIVATE LIMITED, the First Transferor Company and JAIHIND PROPERTIES PRIVATE LIMITED, the Second Transferor Company with R. P. LIFESPACES PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by both Unsecured Creditors of the Applicant Company, which are annexed as **Exhibit 'D-1' and 'D-2'** 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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