

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 705 OF 2016

In the matter of the Companies Act,
1956 (1 of 1956) (or re-enactment
thereof upon effectiveness of
Companies Act, 2013);

AND

In the matter of 100 to 104 of the
Companies Act, 1956; read with
Section 52 of the Companies Act,
2013

AND

In the matter of Reduction of Equity
Share Capital of Seaview Developers
Private Limited

SEAVIEW DEVELOPERS PRIVATE)
LIMITED, a company incorporated under)
the Companies Act, 1956 and having its)
registered address at 1102, 11th Floor,)
Tower B, Peninsula Business Park,)
Senapati Bapat Road, Lower Parel,)
Mumbai – 400 013)..... Applicant Company

Called Summons for Direction for hearing

Mr. Hemant Sethi with Mr. Ajit Singh Tawar i/b. Hemant Sethi & Co., Advocates
for the Applicant.

Coram: B. P. Colabawalla, J

Date: 12th August, 2016

MINUTES OF THE ORDER

UPON the application of the Applicant Company above named by a Summons for
Directions AND UPON HEARING Mr. Hemant Sethi instructed by Hemant Sethi & Co.,
Advocates for the Applicant Company, AND UPON READING the Affidavit dated 27th

day of June, 2016 of Mr. Sridhar Rengan, Authorised Signatory of the Applicant Company, in support of Summons for Directions AND as provided under Table F as adopted by the Company in the Articles of Association of the Company that empowers the Applicant Company to reduce its Share Capital from time to time by passing a Special Resolution in any manner for the time being authorised by law AND the Applicant Company having passed Special Resolution with requisite majority at its Extraordinary General Meeting held on 6th June, 2016, being Exhibit – F to the Affidavit in Support of Company Summons for Directions, approving the existing Equity Share Capital of the Company of INR 6,84,890/- (Indian Rupees Six Lakhs Eighty Four Thousand Eight Hundred And Ninety only) divided into 68,489 (Sixty Eight Thousand Four Hundred And Eighty Nine) Equity Shares of INR 10/- each fully paid up, shall be reduced by cancelling upto a maximum of 53,000 (Fifty Three Thousand) Equity Shares of INR 10/- each, fully paid up and returning capital to the Equity shareholders an aggregate amount not exceeding INR 475,00,00,000/- (Indian Rupees Four Hundred And Seventy Five Crores only) for Equity Shares of INR 10/- each, AND in view of the averment made in paragraph fifteen (15) of the Affidavit dated 27th day of June, 2016 in support of Company Summons for Directions, inter-alia stating therein that there are Five Secured Creditors of the Applicant and that the Applicant Company having procured the consent letter from all the Five Secured Creditors which are annexed as Exhibit – J1 to J5 to the Affidavit dated 27th June, 2016 in support of Company Summons for Directions AND in view of the averments made in paragraph Sixteen and Seventeen (16 & 17) of the Affidavit in support of summons for Direction inter-alia stating that the proposed Reduction of Share Capital would not in any way adversely affect the interests of any of the Applicant's Unsecured Creditors or the ordinary operations of the Applicant or the ability of the Applicant to honour its debts in the ordinary course of business. In view of the above, the procedure prescribed under Section 101(2) of the Companies Act, 1956 is dispensed with.

(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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