

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
 ORDINARY ORIGINAL CIVIL JURISDICTION
 COMPANY SUMMONS FOR DIRECTION NO. 781 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
 BHORUKA POWER HOLDINGS PRIVATE
 LIMITED, the Transferor Company with
 BHORUKA POWER INVESTMENTS INDIA
 PRIVATE LIMITED, the Transferee Company

BHORUKA POWER INVESTMENTS)

INDIA PRIVATE LIMITED, a company)

incorporated under the Companies Act,)

1956 having its registered office at 812,)

Tulsiani Chambers, Nariman Point,)

Mumbai- 400021)

...Applicant Company.

Called Summons for Direction :

Mr. Rajesh Shah i/b M/s. Rajesh Shah & Co., Advocate for the Applicant

Coram: A. K Menon J.

Date : 29th September, 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 12th day of July, 2016 of Mr. S.K. Warkerkar, 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 BHORUKA POWER HOLDINGS PRIVATE LIMITED, the Transferor Company with BHORUKA POWER INVESTMENTS INDIA PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by all the five Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'G-1' to 'G-5'** 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 17 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 BHORUKA POWER HOLDINGS PRIVATE LIMITED, the Transferor Company with BHORUKA POWER INVESTMENTS INDIA PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by both the Unsecured Creditors of the Applicant Company, which are annexed as **Exhibit 'H-1' and 'H-2'** to the Affidavit in support of Summons for Direction.

(A. K. Menon, J.)

CERTIFICATE

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

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