

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 838 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 GOLDEN MOUNT REALTORS
PRIVATE LIMITED, the First Transferor
Company

AND

ORIENTAL REALTORS PRIVATE
LIMITED, the Second Transferor
Company

WITH

MARIE GOLD REALTORS PRIVATE
LIMITED, the Transferee Company

ORIENTAL REALTORS PRIVATE)
LIMITED, a company incorporated under)
the Companies Act, 1956 having its)
registered office at Nirmal, 21st Floor,)
Nariman Point, Mumbai – 400 021) ...Applicant Company.

Called Summons for Direction for hearing

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

Coram: A. K Menon, J.

Date: 27th October, 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 31st day of August, 2016 of Mr. Tijarat Ali Khan, 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 GOLDEN MOUNT REALTORS PRIVATE LIMITED, the First Transferor Company and ORIENTAL REALTORS PRIVATE LIMITED, the Second Transferor Company with MARIE GOLD REALTORS PRIVATE LIMITED, the Transferee Company is dispensed with in view of the consent given by both the Equity Shareholders of the Applicant Company, which are annexed as **Exhibits 'C-1' and 'C-2'** 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 23 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 GOLDEN MOUNT REALTORS PRIVATE LIMITED, the First Transferor Company and ORIENTAL REALTORS PRIVATE LIMITED, the Second Transferor Company with MARIE GOLD REALTORS 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 **Exhibits 'D-1' and 'D-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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