

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO.854 OF 2016.

In the matter of the Companies Act, 1 of
1956 other relevant provision of the
Companies Act, 2013;

AND

In the matter of Sections 391 to 394 read
with Sections 100 to 103 of the Companies
Act, 1956 and other applicable provisions
of Companies Act 1956 or Companies Act,
2013;

AND

In the matter of Scheme of Arrangement
and Amalgamation of Imkemex India
Private Limited and Imkemex International
Private Limited and Imkemex Marketing
Private Limited and their respective
shareholders and creditors

Imkemex International Private)
Limited, a company incorporated)
under the provisions of Companies)
Act, 1956 having its Registered)
Office at B 205, Navbharat)
Estates, 5E/172 Zakaria Bunder)
Road, Sewri West, Mumbai –).....Applicant Company
400015.

Called Summons for Direction

Mr. Hemant Sethi i/b. M/s Hemant Sethi & Co., Advocates 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 Company Summons for Direction AND UPON HEARING Mr. Hemant Sethi instructed by M/s. Hemant Sethi & Co., Advocates for the Applicant Company, AND UPON READING the Affidavit dated 16th day of September, 2016 of Mr. Ashish Sawant, Authorized Signatory of the Applicant Company, in support of Company Summons for Direction and the Exhibits therein referred, IT IS ORDERED:

1. THAT 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 modifications, the proposed Scheme of Arrangement and Amalgamation of Imkemex India Private Limited ('the First Transferor Company') and Imkemex International Private Limited ('the Second Transferor Company') with Imkemex Marketing Private Limited ('the Transferee Company') and their respective Shareholders and creditors is dispensed with in view of the consent given by all the Six Equity Shareholders of the Applicant Company, which are annexed as **Exhibit 'C1' to 'C6'** to the affidavit in support of the Company Summons for Direction.
2. THAT there are no Secured and Unsecured Creditors in the Applicant Company as stated in paragraphs 10 and 11 of the Affidavit in support of Summons for Direction. Hence the question of convening and holding the meetings of Secured and Unsecured Creditors of the Applicant Company does not arise.

(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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