

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO 908 OF 2016

In the matter of Companies Act, 1956 (1 of 1956)

AND

In the matter of Sections 391 to 394 read with section 100 to 103 of the Companies Act, 1956

AND

In the matter of Scheme of Arrangement between Brisk India Private Limited (“Demerged Company”) and Gadhinglaj Sugars Private Limited (“Resulting Company”) and their respective shareholders

Brisk India Private Limited, a company)
incorporated under the provisions of)
Companies Act, 1956, having its registered)
office at 403, Western Court, Building D,)
Opp. E-Square, Bhamburda, Shivaji Nagar)
Pune-411016)..Applicant Company

Called Summons for Direction for hearing

Mr. Chandrakant Mhadeshwar, Advocates for the Applicant Company.

CORAM : S. C. GUPTE, J

DATE : 18th November, 2016

MINUTES OF ORDER

UPON the application of the Applicant Company above named by a Summons for Direction AND UPON HEARING Mr. Chandrakant Mhadeshwar, Advocates for the Applicant Company, AND UPON READING the Affidavit dated 04th day of October, 2016 of Mr. Rakesh Vishwakarma, Authorised Signatory of the Applicant Company, in support of Company Summons for Direction and the Exhibits referred to therein, IT IS ORDERED:-

1. That 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 Composite Scheme of Arrangement between Brisk India Private Limited (“Demerged Company”) and Gadhinglaj Sugars Private Limited (“Resulting Company”) and their respective shareholders, is dispensed with in view of the consent given by all the five Equity Shareholders of the Applicant Company which are annexed as **Exhibit “D-1” to “D-5”** to the Affidavit in Support of Company Summons for Direction.

2. That convening and holding the meeting of the Secured Creditors of the Applicant Company, for the purpose of considering, and if thought fit, approving, with or without modification(s), the proposed Composite Scheme of Arrangement

between Brisk India Private Limited (“Demerged Company”) and Gadhinglaj Sugars Private Limited (“Resulting Company”) and their respective shareholders, is dispensed with in view of the averments made in paragraphs 12 of the Affidavit in Support of Summons for Direction and that the Applicant Company undertakes to issue individual notice of the date of hearing of the Petition by Registered Post A.D. to all its Secured Creditors and also to publish the notice of hearing of Company Scheme Petition in two local newspapers, viz., “Economics Times” in English Language, Pune Edition and translation thereof in “Maharashtra Times” in Marathi Language, Pune Edition, both having circulation in Pune. The said undertaking is accepted.

3. That 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 Composite Scheme of Arrangement between Brisk India Private Limited (“Demerged Company”) and Gadhinglaj Sugars Private Limited (“Resulting Company”) and their respective shareholders, is dispensed with in view of averments made in paragraphs 13 of the Affidavit in Support of Summons for Directions and the Applicant Company undertakes to issue individual notice of the date of hearing of the Company Scheme

Petition by Registered Post A.D. upon all its Unsecured Creditors and also undertakes to publish notice of hearing of the Petition in two local newspapers viz. "Economics Times" in English Language, Pune Edition and translation thereof in "Maharashtra Times" in Marathi Language, Pune Edition, both having circulation in Pune. The said undertaking is accepted.

(S. C. GUPTE, J.)

CERTIFICATE

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

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