

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO.125 OF 2016

In the matter of the Companies Act, 1956;
And

In the matter of Sections 391 to 394 of the
Companies Act, 1956;

And

In the matter of Beauty Glass Private Limited;

And

In the matter of the Scheme of Amalgamation
of:

Beauty Glass Private Limited
(Transferor Company)

With

Vijay Vision Private Limited
(Transferee Company)

And their respective shareholders and creditors

BEAUTY GLASS PRIVATE LIMITED	]	
a Company registered under the	]	
Companies Act, 1956 and having	]	
its Registered Office at	]	
450, Kalbadevi Road, 2, Sanjay Mansion,	]	
Mumbai – 400 002	]	...Applicant

Called Summons for Directions for hearing

Mr. Sumit Raghani i/b M/s. Agrud Partners, for Applicant

Coram: **K. R. SHRIRAM, J.**

Date: 26th February, 2016

MINUTES OF THE ORDER

UPON the application of the Applicant Company above named by a Company Summons for Directions and UPON HEARING Mr. Sumit Raghani instructed by M/s. Agrud Partners, Advocates for the Applicant Company, AND UPON READING the Affidavit dated 27th October, 2015 of Mr. Mr. Harish K. Gajjar, the Director of the Applicant Company, in support of Summons for Directions and the Exhibits 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 Beauty Glass Private Limited with Vijay Vision Private Limited, is dispensed with in view of the consents given by all the four (4) Equity Shareholders of the Applicant Company, which are annexed as **EXHIBITS “E-1” to “E-4”** to the Affidavit in support of the Summons for Directions.
2. The 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 Scheme of Amalgamation of Beauty Glass Private Limited with Vijay Vision Private Limited is dispensed with in view of the averment in paragraph 23 of the Affidavit in support of the Summons for Directions, inter alia, undertaking to serve individual notice of hearing of the Petition to all its unsecured creditors by Registered Post Acknowledgement Due [R.P.A.D.] and also publish the same in two newspapers, i.e. the Free Press Journal [in English language] and the Navshakti (in Marathi language) having wide circulation in Mumbai. The said undertaking is accepted.

3. There are no Secured Creditors as stated in paragraph 22 of the Affidavit in support of the Summons for Directions. Hence, the question of convening and holding the meeting of Secured Creditors of the Applicant Company does not arise.

(K.R. SHRIRAM, J.)

CERTIFICATE

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

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