

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTIONS NO. 128 OF 2016**

In the matter of Companies
Act, 2013

And

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

And

In the matter of Chika
Private Limited

And

In the matter of
The Scheme of
Arrangement (Demerger)

between

Chika Private Limited.

And

Bristol Boats Private Limited

Chika Private Limited,	)	
a Company incorporated under the	)	
Companies Act, 1956 and having its	)	
Registered Office at Industrial Assurance	)	
Building, 5 th Floor, J. Tata Road, Churchgate,	)	
Mumbai – 400 020.	) ..	Applicant Company.

CALLED COMPANY SUMMONS FOR DIRECTION

Mr. Sarosh Bharucha, Advocate i/b Daphtary Ferreira & Divan
Advocates for Applicant Company.

Coram: K. R Shriram J.

Date : 26th February, 2016

MINUTES OF ORDER

UPON the Application of the Applicant Company abovenamed by the Company Summons for Direction AND UPON hearing Mr. Sarosh Bharucha Advocate instructed by Daphtary Ferreira & Divan, Advocates for the Applicant AND UPON READING the Affidavit dated 29th October, 2015, Further affidavit dated 19th January, 2016 and Additional affidavit dated 5th February, 2016 of Mr. Nikhil Shyam Ghia, Director of and duly authorized by the Board of Directors of the Applicant Company in support of the Company Summons for Direction and the Exhibits referred therein IT IS ORDERED THAT :-

1) The convening and holding of the meeting of the Equity Shareholders of the Applicant Company, for the purpose of considering and, if though fit, approving, with or without modification(s), the proposed Scheme of Arrangement (Demerger) between Chika Private Limited with Bristol Boats Private Limited, is dispensed with in view of the sole Equity Shareholder of the Applicant Company (Bhupati Investments & Finance Private Limited) having given its consent which is annexed as Exhibit "D" to the Affidavit in support of the Summons for Directions.

2) Since there are no Secured Creditors of the Applicant Company as mentioned in paragraph 24 of the Affidavit in support of the Company Summons for Direction, the convening and holding the meeting of the Secured Creditors of the Applicant does not arise.

3) The convening and holding of the meeting of the Unsecured Creditors of the Applicant Company, for the purpose of considering and, if though fit, approving, with or without modification(s), the proposed Scheme of Arrangement (Demerger) between Chika Private Limited with Bristol Boats Private Limited is dispensed with, in view of they being paid during the course of business hence question of convening meeting of Unsecured Creditors does not arise as stated in paragraphs 24 and 36 of Company Summons for Directors.

Hence the convening and holding the meeting of the Unsecured Trade Creditors / Loan Creditor 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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