

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 33 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 Shyam Fabrics Pvt. Ltd., a company
incorporated under the Companies Act, 1956 and
having its registered office at 381, Shyam Bhawan,
J.S.S. Road, Chira Bazar, Mumbai 400002.

-And-

In the matter of the Scheme of Arrangement of the
amalgamation of Anilkumar Cotton Textile Mills
Pvt. Ltd. & Real Cotton (India) Pvt. Ltd. with
Shyam Fabrics Pvt. Ltd.

Shyam Fabrics Pvt. Ltd.,	)
a company incorporated under the	)
Companies Act, 1956 and having	)
its registered office at 381, Shyam	)

Bhawan, J.S.S. Road, Chira Bazar,)
Mumbai 400 002.)
CIN: U17120MH1986PTC040373) ... Applicant Company

Called out Company Summons for hearing: -

Mr. S. P. Dalal i/b Dalal & Co. for the Applicant

CORAM : K. R. Shriram J.

DATE : 11th day of February, 2016.

MINUTES OF THE ORDER

Upon the Application of the Applicant Company abovenamed, by Summons for Directions AND UPON HEARING Advocate for Applicant Company AND UPON READING the Affidavit dated 19.11.2015 of Mr. Anil Sonthalia, Director of the Transferee/Applicant Company in support of the Company Summons for Directions and Exhibits therein referred to, IT IS ORDERED:

1. That convening and holding the meeting of the Equity Shareholders of the Transferee/Applicant Company for the purpose of considering and if thought fit approving, with or without modification(s), the proposed Scheme of Amalgamation between (i) Shyam Fabrics Pvt. Ltd (ii) Anil Kumar Cotton Textiles Mills Pvt. Ltd & (iii) Real Cotton India Pvt. Ltd and their respective shareholders is dispensed with in view of the consents given by all 8 (Eight) equity shareholders of the Applicant Company as set out in paragraph No. 20 therein which are annexed as Exhibits K-1 to K-6; L & L-1 to the affidavit in support of the Company Summons for Direction.
2. That convening and holding the meeting of the Secured Creditors of the between Transferee/Applicant Company for the purpose of considering and if thought fit, approving, with or without modification(s), the proposed Scheme of Amalgamation between (i) Shyam Fabrics Pvt. Ltd (ii) Anil Kumar Cotton Textiles Mills Pvt. Ltd & (iii) Real Cotton India Pvt. Ltd is dispensed with in view of the averments made in paragraph 18 of the affidavit in support of the Company Summons for Direction.
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 Scheme of Amalgamation between (i) Shyam Fabrics Pvt. Ltd (ii) Anil Kumar Cotton Textiles Mills Pvt. Ltd & (iii) Real Cotton India Pvt. Ltd is dispensed with as the Applicant Company undertakes to serve all the unsecured creditors

by RPAD and also to publish the notice in Free Press Journal, in English and Navshakti, in Marathi having circulation in Mumbai. The said undertaking is accepted.

(K. R. Shriram J)

CERTIFICATE

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

Uploaded by: S. Gawade.

Stenographer