

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
COMPANY SUMMONS FOR DIRECTION NO. 18 OF 2016

In the matter of the Companies Act, 1956;

And

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

And

In the matter of the Scheme of
Amalgamation of Nine Buildcon Private
Limited and Smart Career Placement nd
Solutions Private Limited with SGR
Ventures Private Limited.

Nine Buildcon Private Limited	)
a Company incorporated under the	)
Companies Act 1956 and	)
having its registered office at	)
Friendship Centre, Opp YMCA Garden	)
Mumbai Central (East), Agripada,	)
Mumbai – 400 011	) ...Applicant Company

Called for Summons for Direction for Hearing

Mr. Anup Khetan I/b Mr. Ramesh Saraogi, Advocate for the Applicant

Coram : K R Shriram.

Date :- 11th February, 2016

MINUTES OF THE ORDER

Upon the Application of the Company above named by a Summons for Direction AND UPON HEARING Mr. Ramesh Saraogi, Advocate for the Applicant Company AND UPON READING the Affidavit in Support dated 27th November, 2015 of Mr. Pravin Pohankar, Director of the Applicant Company in support of the Summons for Direction and the Exhibits therein referred to, IT IS ORDERED THAT:-

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 Scheme of Amalgamation of Nine Buildcon Private Limited and Smart Career Placement and Solutions Private Limited with SGR Ventures Private Limited is dispensed with in view of the consent given by both the Equity Shareholders of the Applicant Company, which is annexed as Exhibit – **“C-1” and “C-2”** to the Affidavit in Support of the Summons For Directions.
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 Scheme of Amalgamation of Nine Buildcon Private Limited and Smart Career Placement and Solutions Private Limited with SGR Ventures Private Limited is dispensed with in view of the statement made in para 22 of the affidavit in support of Summons for Directions that the scheme of Amalgamation does not affect the interest of the Secured creditors of the Applicant and no compromise is sought with any of the Secured Creditors of the Applicant Company and the Applicant

Company undertakes to give notice of hearing of the Petition by RPAD to all its Secured Creditors and undertakes to publish the notice of date of hearing of the Petition in the news paper “Free Press Journal” in english language and its Marathi translation in the news paper “Navshakti”. The undertaking is accepted.

3. There are no Unsecured Creditors in the Applicant Company as stated in para 23 of the Affidavit in Support of Summons for Directions, hence the question of convening and holding the meeting of 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 Nine Buildcon Private Limited and Smart Career Placement and Solutions Private Limited with SGR Ventures Private Limited does not arise.

(K R Shriram.) J.

CERTIFICATE

I certify that the order uploaded is a true copy of original signed order.

Uploaded by S Gawade,

Stenographer