

Appellant Vs. Respondent

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Court : Kolkata

Decided On : May-11-2012

Judge : Sanjib Banerjee

Appellant : Appellant

Respondent : Respondent

Judgement :

CA No.363 of 2012 IN THE HIGH COURT AT CALCUTTA Original Jurisdiction ORIGINAL SIDE IN THE MATTER OF : INDIA POWER CORPORATION LTD & DPSC LTD.Appearance: Mr.S.N.Mookherjee, Sr.Adv.Mr.D.Basak, Adv.Mr.A.Das, Adv.Mr.Utsav Mukherjee, Adv...for the applicants.

BEFORE: The Hon'ble JUSTICE SANJIB BANERJEE Date :May 11, 2012.

THE COURT: Upon the application of the above named Applicant Company No.1 and Applicant Company No.2 by summons taken out on behalf of Applicant Company No.1 dated 11th day of May, 2012 and by summons taken out on behalf of Applicant Company No.2 dated the 11th day of May, 2012, and upon hearing Mr.S.N Mookherjee, Senior Advocate and Mr.Debangsu Basak, Advocate for the Applicant Companies and upon reading of the joint affidavit of Mr.Saikat Bardhan and Mr.Manish Goenka affirmed on 2nd day of May, 2012 and filed on 3rd day of May, 2012 and Annexure A.

thereto being a copy of the proposed Scheme of Arrangement and Amalgamation as more particularly set out in the Scheme of Arrangement and Amalgamation between Indian Power Corporation Limited and DPSC Limited(hereinafter referred to as the Scheme.) and as approved by the Board of Directors of the Applicant Companies on the 10th day of February, 2012.

IT IS

ORDER

ED: That, dispensation is granted for convening the meeting of the equity shareholders of the Applicant Company No.1 as all the equity shareholders of the Applicant Company No.1 have given their written consent and approval to the Scheme of Arrangement and Amalgamation as stated at paragraph 12 of the Affidavit in support of Summons.

That, dispensation is granted for convening the meeting of the Secured Creditor of the Applicant Company No.1 as the sole Secured Creditor of the Applicant Company No.1 has given written consent and approval to the Scheme of Arrangement and Amalgamation as stated at paragraph 13 of the Affidavit in support of Summons.

That, dispensation is granted for convening the meeting of the Unsecured Creditors of the Applicant Company No.1 as Unsecured Creditors of the Applicant Company No.1 have given written consent and approval to the Scheme of Arrangement and Amalgamation as stated at paragraph 14 of the Affidavit in support of Summons.

That, a meeting of the Equity Shareholders of the Applicant No.2, DPSC Limited be held at the Conference Hall, Plot no X-1, 2 & 3, Block EP, Sector - V, Salt Lake City, Kolkata

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