§ 610. Resumption of business in accordance with plan of reorganization. The superintendent, in his discretion, may permit a corporation of which he has taken possession or which is operating on a restricted basis pursuant to regulations promulgated by duly constituted authority, to resume business in accordance with a plan of reorganization under which depositors and other creditors will receive less than the full amount of their claims and/or in partial payment thereof will receive certificates of beneficial interest in certain segregated assets and/or stock of such corporation, and under which stockholders will contribute their shares of capital stock and/or money in lieu of assessments upon such stock. In any such case in which the superintendent permits resumption of business pursuant to such a plan of reorganization, all depositors and creditors and stockholders of any such corporation, whether or not they shall have consented to such plan of reorganization, shall be fully and in all respects subject to and bound by its provisions, and claims of all depositors and other creditors shall be treated as if they had consented to such plan; provided, however, that the superintendent shall not permit a corporation to resume business in accordance with such a plan of reorganization unless it has been shown to his satisfaction that (1) such plan is fair and equitable to all depositors and other creditors and stockholders and is in the public interest and (2) that depositors and other creditors, representing at least eighty per centum in amount of its total deposits and other liabilities, exclusive of the claims of depositors and other creditors which will be satisfied in full under the plan of reorganization, and stockholders owning at least two-thirds of its outstanding capital stock, as shown by the books of the corporation, have consented in writing to such plan; provided further, that permission to resume business under any such plan of reorganization shall be granted by the superintendent only upon an order of the supreme court in and for the county in which the principal office of such corporation is located. The application for an order of the supreme court pursuant to this section shall be made upon an order to show cause which shall provide that notice thereof, of a kind which the court deems to be adequate and proper, be given to depositors, creditors and stockholders of such corporation.