

NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI

C.P No. 187/(MAH)/2017

CORAM:

Present:

SHRI M. K. SHRAWAT
MEMBER (J)

SHRI BHASKARA PANTULA MOHAN
MEMBER (J)


ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF
THE NATIONAL COMPANY LAW TRIBUNAL ON 23.11.2017

NAME OF THE PARTIES: Satish Shaligram Gupta

V/s.

Anand Tyre Retreding (Pune) Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 241, 242, 244 of the Companies Act,
2013.

<u>S. No.</u>	<u>NAME</u>	<u>DESIGNATION</u>	<u>SIGNATURE</u>
1.	Lakshyaeeal R. Colhiden	Advs for the Respondent	

COMMON ORDER

C.P. 187/241-242/NCLT/MB/MAH/2017

C.P. 189/241-242/NCLT/MB/MAH/2017

1. The Learned Representative of the Respondent is present.
2. The Consent Terms duly signed by the rival parties are submitted on 17.11.2017, according to which, the parties have settled the dispute. For the sake of completeness of the Settlement, the relevant paras of the Consent Terms are reproduced below :-
 - " (1) *The present petition has been filed by the petitioners against the Respondents u/s 241 & 242 of the Companies Act for the relief specifically mentioned therein.*
 - (2) *The parties hereby desire to inform this Hon'ble forum that there has been a Settlement which has been arrived at between the respondent and the Petitioner.*
 - (3) *The parties have mutually agreed to rest the differences between them and are tendering the present consent terms before the Hon'ble Tribunal in order to put end to the dispute at hand.*

- (4) *It is agreed by and between the parties that the Respondent will fully cooperate with the Petitioners to in order to achieve the best interest and success for the Company.*
- (5) *The Respondents agree to support the Petitioners and do not wish to take any decision or take any action without any mutual understanding and agree not to make any arbitrary decision.*
- (6) *The Petitioners and Respondents have agreed to settle all future disputes amicably in as much as the same is possible, as for both the parties the wellbeing of the Company is at heart.*
- (7) *Both the parties agree that in light of the settlement arrived at between the parties the present matter does not require to be adjudicated. It is therefore prayed that the same may be accordingly disposed of.*
- (8) *Both the parties are concerned for the well being of the Company and present petition came to be filed out of miscommunication in the parties and all the differences and miscommunications are now sorted out by and between the parties.*
- (9) *That respondents are willing to cooperate with the Petitioners in order for the company to function properly for the penultimate success and wellbeing of the company.*
- (10) *That in the light of my statements made in the present consent terms the present petition does not need to be separately adjudicated. "*
3. The request has also been made to allow Withdrawal of these Petitions and to be disposed of according to the Consent Terms.
4. Considering the facts stated in the Consent Terms, these Two Petitions are disposed of accordingly. To be consigned to the Records.

Sd/-

Bhaskara Pantula Mohan
Member (Judicial)
23.11.2017.

aah

Sd/-

M.K. Shrawat
Member (Judicial)

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL,
MUMBAI BENCH, MUMBAI

COMPANY PETITION NO. 187 OF 2017

**PETITION UNDER SECTION
241,242 OF COMPANIES ACT,
2013.**

Satish Shaligram Gupta & Anr.

...Petitioners

Vs.

Anand Tyre Retreading (Pune) Pvt. Ltd. & Ors.


...Respondent


CONSENT TERMS

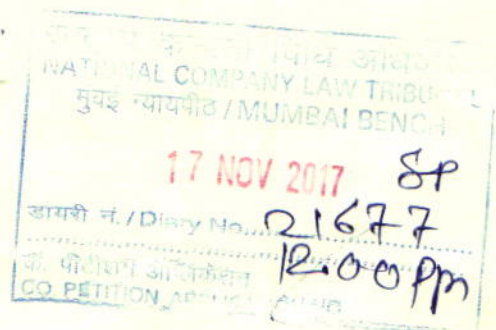
1. The present petition has been filed by the petitioners against the Respondents u/s 241 & 242 of the Companies Act for the relief specifically mentioned therein.
2. The parties hereby desire to inform this Hon'ble forum that there has been a settlement which has been arrived at between the respondent and the Petitioner.
3. The parties have mutually agreed to rest the differences between them and are tendering the present consent terms before this Hon'ble Tribunal in order to put end to the dispute at hand.
4. It is agreed by and between the parties that the Respondent will fully cooperate with the Petitioners to in order to achieve the best interest and success for the Company.


AGr


AAGR


SG


SSG



5. The Respondents agree to support the Petitioners and do not wish to take any decision or take any action without any mutual understanding and agree not to make any arbitrary decision.
6. The Petitioners and Respondents have agreed to settle all future disputes amicably in as much as the same is possible , as for both the parties the wellbeing of the Company is at heart.
7. Both the parties agree that in light of the settlement arrived at between the parties the present matter does not require to be adjudicated. It is therefore prayed that the same may be accordingly disposed of.
8. Both the parties are concerned for the well being of the company and present petition came to be filed out of miscommunication in the parties and all the differences and miscommunications are now sorted out by & between the parties.
9. That respondents are willing to cooperate with the Petitioners in order for the company to function properly for the penultimate success and wellbeing of the company.
10. That in the light of my statements made in the present consent terms the present petition does not need to be separately adjudicated.



AG



AAG




SG



SSG

11. It is therefore prayed that in the light of the present application this Hon'ble Tribunal may dispose of the present petition.


SGP 
Petitioner No.1


AGP 
Respondent No.1

SSG 
Petitioner No.2

AGP 
Respondent No.2

AAAGP 
Respondent No.3

NSG 
A.R. of the Petitioners

LO. 
Advocate for the Respondent

VAKALATNAMA

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL, MUMBAI BENCH, MUMBAI
COMPANY PETITION NO. _____ OF 2017

**PETITION UNDER SECTION
241,242 OF COMPANIES ACT,
2013.**

Satish Shaligram Gupta & Anr.

...Petitioners

Vs.

1. Anand Tyre Retreading (Pune) Pvt. Ltd

2. Ashok Shaligram Gupta

3. Aditya Ashok Gupta

...Respondents

To,

The Registrar,

National Company Law Tribunal, Mumbai Bench, Mumbai.

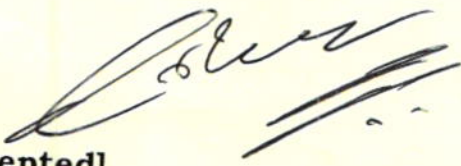
Sir,

We, Anand Tyre Retreading (Pune) Pvt. Ltd, Ashok Shaligram Gupta & Aditya Ashok Gupta, the Respondents abovenamed, do hereby appoint, Advocate **Lakshyaved R. Odhekar**, to act, appear and plead on my behalf in the above Application.




IN WITNESS WHEREOF, I have set and subscribed my hands to this writing at Mumbai.

Dated this _____ day of November, 2017

ACCEPTED:



[Accepted]
Adv. Lakshyaved R. Odhekar,
Advocate for the Respondents

AG 1. 
AG 2. 
AAG 3. 

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Behind Rythem House, Near Kala Ghoda, Fort
Mumbai 400 001

Email : lakshyaved.odhekar@gmail.com || Mob : 9167133542

**BEFORE THE NATIONAL COMPANY LAW
TRIBUNAL, MUMBAI BENCH, AT MUMBAI
Company Petition No. ___ of 2017
PETITION UNDER SECTION 241, 242 OF
COMPANIES ACT, 2013.**

Satish Shaligram Gupta & Anr.
...Petitioners

Vs.

Anand Tyre Retreading (Pune) Pvt. Ltd. & Ors.
...Respondent

CONSENT TERMS

Dated This Day Of _____, 2017

Lakshyaved R. Odhekar

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"12 Bake House" Maharashtra Chamber of
Commerce Lane, Behind Rhythm House, Mumbai-
400001

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