

**BEFORE THE NATIONAL COMPANY LAW TRIBUNAL
MUMBAI BENCH, MUMBAI
T.C.P.NO.86/397-398/CLB/MB/MAH/2012**

CORAM:

SHRI M.K. SHRAWAT
MEMBER (JUDICIAL)

In the matter of Sections 397, 398, 399, 402, 403, 406,235 AND 237 read with Section 111 of the Companies Act, 1956 ;

Smt. PREETI MANSINGKA AND OTHERS.

.....Petitioner.

Versus

MANSINGKA INDUSTRIES LIMITED AND OTHERS.

.....Respondents.

PRESENT ON BEHALF OF THE PARTIES

FOR THE PETITIONER

Mr. Praveen N. Surange Advocate for the Petitioner

FOR THE RESPONDENTS

Mr. Pradeep Mansingka Representative for Respondent Nos. 1 and 2 present.

ORDER

Pronounced on : 30.06.2017

1. The Learned Representative of the Petitioner is present.
2. He has placed on record an Application M.A. No. 216/2017 for Withdrawal of the Petition along with the "MOU of Settlement" executed amongst the parties.
2. From the side of the Respondent Mr. Pradeep Mansingka in person representing Respondent Nos. 1 and 2 is also present.
3. A prayer in the following manner has been made reproduced below :-
"(a) *The consent terms/settlement deed may kindly be taken on record and the Petitioner may kindly be permitted to withdraw the Company Petition in view of the consent terms/settlement deed with liberty to file fresh petition if Respondents will not acted on the said consent term/settlement deed.*

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- (b) *Receiver appointed by this Hon'ble Board/Tribunal namely Shri V.P. Verma, Advocate may kindly be discharged from their duties as receiver of the Respondent No. 1 Company.*
- (c) *The Bank account opened and operated by the receiver Shri V.P. Verma as per directions of this Hon'ble Board/Tribunal with Union Bank of India, Kalbadevi Branch, Mumbai (Account No. 317401010043141 may kindly be directed to close and bank is directed to hand over the demand draft of the amount laying in the said account in the name of Mansingka Industries Limited. "*
4. It is further stated that in respect of Clause (c) the outstanding balance in the Account of the Union Bank of India shall be reverted back to Mr. Mansingka in the event of the "Settlement" that has been arrived at between the parties.
5. Therefore, the Petition is disposed of accordingly as withdrawn. Consigned to Records.

Dated: 30.06.2017

Sd/-

M.K. Shrawat
Member (Judicial)