

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
BENGALURU BENCH

CP No.28/BB/2017  
Under Section 241/242 of Companies Act, 2013

IN THE MATTER OF Dr. UJWALA N JAGDALE @ UJWALA S DISLE  
AND Dr. SUDHINDRA DAMODHAR RAO  
AND  
JAGDALE INDUSTRIES PRIVATE LIMITED

Order delivered on 03.01.2018

CORAM: SRI RATAKONDA MURALI, MEMBER (JUDICIAL)  
SRI ASHOK KUMAR MISHRA, MEMBER (TECHNICAL)

BETWEEN

1. Dr. Ujwala N Jagdale @ Ujwala S Disle  
W/o Dr. Sudhindra Damodhar Rao and  
D/o Late Nagaraja Rao Jagdale  
No.608, 15<sup>th</sup> Cross  
1<sup>st</sup> Phase, JP Nagar  
Bangalore 560 078
2. Dr. Sudhindra Damodhar Rao  
S/o Damodhar Rao  
Aged 45 years  
No.608, 15<sup>th</sup> Cross  
1<sup>st</sup> Phase, JP Nagar  
Bangalore 560 078

.....Applicants

AND

1. Jagdale Industries Private Limited  
(Formerly known as Jagdale Industries Limited)  
A Company incorporated under the Companies Act, 1956  
having its Registered Office at  
No.782, 15<sup>th</sup> Cross,  
1<sup>st</sup> Phase, JP Nagar  
Bangalore 560 078
2. Shri Rajesh N Jagdale  
S/o Late Nagaraja Rao Jagdale  
No. 39/23, 29<sup>th</sup> Cross, 7<sup>th</sup> Block  
Jayanagar, Bangalore 560 070

3. **Shri Jayesh N Jagdale**  
S/o Late Nagaraja Rao Jagdale  
No.12, 30<sup>th</sup> Cross, 7<sup>th</sup> Block  
Jayanagar, Bangalore 560 070
4. **Smt. Uttara Rajesh Jagdale**  
W/o Shri Rajesh N Jagdale  
No. 39/23, 29<sup>th</sup> Cross, 7<sup>th</sup> Block  
Jayanagar, Bangalore 560 070
5. **Smt. Gandhali Jayesh Jagdale**  
W/o Shri Jayesh N Jagdale  
No.12, 30<sup>th</sup> Cross, 7<sup>th</sup> Block  
Jayanagar, Bangalore 560 070
6. **Smt. N Jaymala**  
W/o Late Nagaraja Rao Jagdale  
No.18, Shankar Mutt Road  
Shankarpuram, Bangalore 560 004

.....Respondents

Parties Present:

For Applicants:

Ms. Priyanka M, Shri Manu P. Kulkarni and  
Ms. Shristi Widge, Advocates for Petitioners

For Respondents:

Shri Pradeep Darak, Advocate for  
Respondents 1 to 5

Shri Vikranth Anand, Advocate for  
Respondent 6

Heard on: 21.06.2017, 24.07.2017, 21.08.2017, 27.11.2017 and 03.01.2018

### ORDER

The matter is listed for hearing today. When the matter is taken up, the Counsels have filed a joint memo. Parties to the petition signed in the joint memo along with their respective Counsel. Both the Counsels brought to the notice of the Tribunal about the order passed by NCLAT, New Delhi in CA No.261/17. The parties also brought to the notice of the Tribunal Para-5 of the said order passed by NCALT, New Delhi. For purposes of better approach, Para-5 is reproduced below:

*"The 'terms' of "The Memorandum of Compromise on oral family settlement" now be treated to be direction of this Appellate Tribunal for compliance by all signatories/parties to the Settlement. The Tribunal on the next date of hearing will verify whether "The Memorandum of Compromise*




*on oral family settlement" which amounts to directions of this Appellate Tribunal has been complied or not in its letter and spirit and if it is satisfied that it has been complied by the parties will close the Company Petition in view of the decision of this Appellate Tribunal".*

The parties have also reported in Joint Memo that the settlement relied before the Appellate Tribunal has been complied in letter and spirit. Parties to the Petition are present in person. 1<sup>st</sup> Respondent Company represented by 2<sup>nd</sup> Respondent and other Respondents also present in person besides Petitioners. Tribunal enquired with the parties whether they have complied in terms of settlement as reported before the Appellate Tribunal. Both the parties reported the Tribunal that they have complied the terms of settlement. We are satisfied with the information given by the parties in the presence of their Counsels that terms of settlement have been complied in letter and spirit. Therefore, this Company Petition bearing No.28/2017 is closed as per directions of the Appellate Tribunal.

In the result, Company Petition bearing No.28/2017 is closed in view of the settlement between the parties to the Petition.

  
(ASHOK KUMAR MISHRA)  
MEMBER, TECHNICAL

  
(RATAKONDA MURALI)  
MEMBER, JUDICIAL