

NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T. C.P No. 07/(MAH)/2016  
CA No. 38/2016

CORAM:

Present: SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)

SHRI V. NALLASENAPATHY  
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 26.10.2016

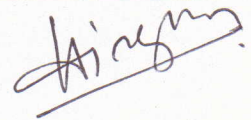
NAME OF THE PARTIES: Mr. Girish Chandrakant Nirgun  
V/s.  
M/s. Mangalmurti Mats Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 241, 242, 244 & 246 of the Companies  
Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
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10' cp/7	Girish C. Nirgun	petitioner	
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	Jayesh R. More	Advocate of Respondent	
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Order

CA No.38/241,242,244 & 246/NCLT/MB/MAH in CP No.07/241,242,244 & 246/NCLT/MB/MAH/2016

At request of the parties, list this matter for hearing on 15.11.2016

sd/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)

sd/-

**V. NALLASENAPATHY**  
Member (Technical)

NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T. C.P No. 07/(MAH)/2016  
CA No. 38/2016

CORAM:

Present:



SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)

SHRI V. NALLASENAPATHY  
MEMBER (T)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 19.10.2016

NAME OF THE PARTIES: Mr. Girish Chandrakant Nirgun  
V/s.  
M/s. Mangalmurti Mats Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 241, 242, 244 & 246 of the Companies  
Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
1	Ankur Kumar of Ezy Laws	Advocate for Petitioner	
2	Jayesh R. Mone	Advocate for Applicant	

Order

CA No.38/241,242,244 & 246/NCLT/MB/MAH in CP No.07/241,242,244 & 246/ NCLT/MB/MAH/2016

On the suggestions of this Bench, the party has sought adjournment to try for settlement as the Settlement already arrived at between the parties in the past has failed. Since R4 has expressed his helplessness in paying fees of the Valuer, R2 has come forward to clear the payments of R4 to the Valuer on an oral agreement to deduct the fees paid on R4 behalf from the share value of R4 or otherwise.

Since the Respondents have already agreed to buy out the Petitioner, the Valuer shall proceed on valuation of shares of this company notwithstanding the clauses regarding sale agreement made between the parties.

The parties are hereby directed to strike out the para from the Consent term showing as Petitioner buying out the Respondents and insert the term showing answering Respondents agreed to buy out the Petitioner with a direction to the Valuer to take remaining consent terms into consideration for Valuation of Shares of the company.

List this matter for further progress on 24.10.2016.

sd/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)

sd/-

**V. NALLASENAPATHY**  
Member (Technical)



NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T. C.P No. 07/(MAH)/2016  
CA No. 38/2016

CORAM:

Present:

SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)

ATTENDANCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 14.10.2016

NAME OF THE PARTIES: Mr. Girish Chandrakant Nirgun  
V/s.  
M/s. Mangalmurti Mats Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 241, 242, 244 & 246 of the Companies  
Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
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	Jayesh R. More	Advocate for Applicant.	
	Girish C. Nirgun,	party.	

*J. More*  
14/10/16  
*Girish C. Nirgun*  
14/10/16.

Order

CA No. 38/241,242 & 244/NCLT/MB/MAH/2016 in CP No. 07/241,242,244,246/NCLT/MB/MAH/2016

Respondent side is present and Petitioner side is also present.

At request of the Petitioner, list this matter 19.10.2016 because he is not in a position to fulfill the Consent Terms as agreed between the parties.

Hence, this Bench has hereby recorded that the petitioner is unable to comply with the Consent Terms in view of the submissions made by the Petitioner. Further, the Petitioner has voluntarily agreed to give the possession of the company back to the Respondent side. The Respondent side is directed to take back the possession of the company and Assets therein tomorrow, i.e., on 15.10.2016.

List this matter for hearing on 19.10.2016

sd/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)



NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH, MUMBAI

T. C.P No. 07/(MAH)/2016  
CA No. 38/2016

CORAM:


Present: SHRI B.S.V. PRAKASH KUMAR  
MEMBER (J)

SHRI V. NALLASENAPATHY  
MEMBER (T)

ATTENDENCE-CUM-ORDER SHEET OF THE HEARING OF MUMBAI BENCH OF  
THE NATIONAL COMPANY LAW TRIBUNAL ON 30.09.2016

NAME OF THE PARTIES: Mr. Girish Chandrakant Nirgun  
V/s.  
M/s. Mangalmurti Mats Pvt. Ltd.

SECTION OF THE COMPANIES ACT: 241, 242, 244 & 246 of the Companies  
Act, 2013.

S. No.	NAME	DESIGNATION	SIGNATURE
1.	G. Arinuth Purusothaman	Adv. for R 2	

Order

CA. No. 38/241-242,244,246/NCLT/MB/MAH/2016

IN

CP. No. 07/241-242,244,246/NCLT/MB/MAH/2016

The Petitioner says that their side people have not yet been taken as directors as per orders of this Bench, whereas Respondents has stated that Bank sent a letter to declare the Account as NPA, if dues are not paid forthwith.

On seeing the conduct of the either side even after the consent arrived between the parties and consent order has been passed by this Bench, these parties are not fair to each other, not reconciling to coordinate with each other to proceed with in accordance with the consent terms.

Therefore, the rival parties are directed to hold Board Meeting today itself and pass resolutions appointing the petitioner side people as directors as stated in the order.

Tomorrow the Petitioner will go to the Bank and respond to the letter given by Union Bank of India dated 28.09.2016 and it is also needless to say that in case parties fail to comply with consent terms come before this Bench, this Bench will take necessary steps for non-compliance of the order dated 11.07.2016.

List this matter for hearing on 14.10.2016.

sd/-

**B.S.V. PRAKASH KUMAR**  
Member (Judicial)

sd/-

**V. NALLASENAPATHY**  
Member (Technical)