

BEFORE THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH  
TRANSFERRED COMPANY PETITION NO. 477 OF 2017

Date: 20.07.2017

Jimeet Shah  
Proprietor of Necon Engineering  
v/s  
Anuraj Sugars Limited

... Petitioner

... Respondent

To,  
The Registrar,  
The National Company Law Tribunal,  
Mumbai Bench.

Subject: Application for Withdrawal

राष्ट्रीय कम्पनी विधि अधिकरण NATIONAL COMPANY LAW TRIBUNAL मुंबई बेंच/ MUMBAI BENCH
20 JUL 2017
डायरी नं./ Diary No. 14178
क. बीटीएन अपिलेशन CO. PETITION APPLICATION NO. 240

Sir,

The matter is on <sup>tomorrow's</sup> ~~today's~~ board. i.e. 21.07.17

The parties are filing consent terms in the above mentioned matter.

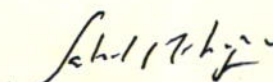
Accordingly, the Respondent Company shall pay and the Petitioner shall accept a sum of Rs.2,11,30,002/- (Rupees two crore eleven lakhs thirty thousand and two only) in full and final settlement of their claim against the Company and as made in the aforesaid Petition.


The Company agrees and undertakes to pay to the Petitioner the aforesaid sum of Rs.2,11,30,002/- (Rupees two crore eleven lakhs thirty thousand and two only) in eighteen (18) equal installments of Rs.11,73,889/- (Rupees eleven Lakhs seventy three Thousand eight Hundred and eighty nine Only) each of every month. The Company agrees and undertakes to pay the said installments on last day of every month commencing from 30.07.2017 to 30.12.2018 through Electronic transfer to Petitioner.

In view of the above, it is prayed that the Hon'ble Tribunal take on record the Consent Terms and dispose off the Petition accordingly.

  
Petitioner

  
Respondent

  
Advocate for the Petitioner  
Sahil Mahajan

  
Advocate for the Respondent  
Atit Kumar Soni

IN THE NATIONAL COMPANY LAW TRIBUNAL  
MUMBAI BENCH

TRANSFER COMPANY PETITION NO. 477 OF 2017  
[HIGH COURT COMPANY PETITION (Lodging) NO. 318 OF 2016]

Mr. Jimeet Shah  
Proprietor of "Necon Engineering"  
Versus

... Petitioner

Anuraj Sugars Limited

... Respondent

**CONSENT TERMS**

The Petitioner and the Respondent Company herein have agreed to settle the entire dispute amicably and thereby have agreed to file the Consent Terms as under:


1. The Respondent Company shall pay and the Petitioner shall accept a sum of Rs.2,11,30,002/- (Rupees two crore eleven lakhs thirty thousand and two only) in full and final settlement of their claim against the Company and as made in the aforesaid Petition.
2. The Company agrees and undertakes to pay to the Petitioner the aforesaid sum of Rs.2,11,30,002/- (Rupees two crore eleven lakhs thirty thousand and two only) as mentioned in clause 1 herein above in eighteen (18) equal installments of Rs.11,73,889/- (Rupees eleven Lakhs seventy three Thousand eight Hundred and eighty nine Only) each of every month. The Company agrees and undertakes to pay the said installments on last day of every month commencing from 30.07.2017 to 30.12.2018 through Electronic transfer to Petitioner.
3. In the event of Respondent Company committing any default in payment of any of the aforesaid installments on their due date set out in paragraph 2 above, the Company Petition shall revived and restore in the file of the Hon'ble Tribunal.

 H. P. S.



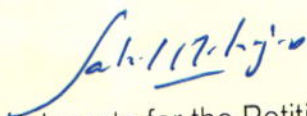
4. The Petition stands disposed off in the aforesaid terms.
5. There shall be no order as to costs.

Dated this 20<sup>th</sup> day of July, 2017



Jimmeet Shah  
(Proprietor of "Necon Engineering")  
The Petitioner above named.

[Through its constituted attorney  
Mr. Nitin Navnitlal Shah]

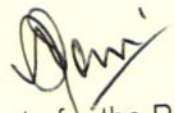


Advocate for the Petitioner

Anuraj Sugars Ltd.

  
Managing Director

Anuraj Sugars Limited  
The Respondent above named.



Advocate for the Respondent



# ANURAJ SUGARS LTD.

Regd. Office : Dadasaheb Borkar Memorial Hospital, At.Post. Loni (Kalbhor), Tal. Haveli, Dist. Pune - 412 201.  
Ph.: (020) 26914457, Fax.: (020) 26912557 Email - anurajsugarsltd@gmail.com

**EXTRACT OF THE RESOLUTION(S) PASSED AT MEETING OF THE BOARD OF DIRECTORS OF ANURAJ SUGARS LIMITED (COMPANY) HELD ON MONDAY THE 17<sup>TH</sup> DAY OF JULY 2017 AT 11.00 A.M. AT THE REGISTERED OFFICE OF THE COMPANY SITUATED AT DADASAHEB BORKAR MEMORIAL HOSPITAL AT POST LONI KALBHOR, TAL HAVELI, PUNE - 412201.**

**"RESOLVED THAT** the Company take all necessary steps, including filing any necessary pleadings, replies before the Hon'ble National Company Law Tribunal, Mumbai Bench, National Company Law Appellate Tribunal, New Delhi, the Hon'ble Bombay High Court and/ or any other Court/ Tribunal/ Authority/ Forum, in relation to the Insolvency Application(s) Petition filed by Mr. Jimeet Shah Proprietor of Necon Engineering and Ritesh Shah Proprietor of Innovative Engineers, against the Company before the Hon'ble National Company Law Tribunal, Mumbai Bench.

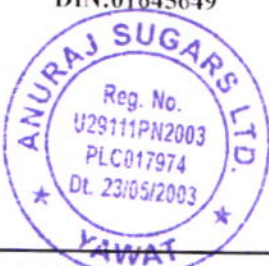
**RESOLVED FURTHER THAT** Mr. Manik Rajaram Borkar, Director, and Mr. Raju Maruti Wachakawade, Accountant be and are hereby severally authorized to take all steps necessary, for the purpose of filing the aforesaid pleadings before the Hon'ble National Company Law Tribunal, Mumbai Bench, National Company Law Appellate Tribunal, New Delhi, the Hon'ble Bombay High Court and/ or any other Court/ Tribunal/ Authority/ Forum, and to do all or any acts in connection with the aforesaid proceedings including but not limited to the following:

- (a) execute, sign, affirm, declare, swear and file the notice(s), vakalatnamas(s), appeal(s), caveat(s), application(s), declaration(s), affidavit(s), counter affidavit(s), rejoinder(s), counter-rejoinder(s), sur-rejoinder(s), authorization(s) as well as all other documents and papers as may be required to be filed before the Hon'ble Company Law Board, Mumbai Bench, the Hon'ble Bombay High Court and/ or any other Court/ Tribunal/ Authority/ Forum, as may be necessary;
- (b) represent the Company, make depositions, make submissions or averments, give evidence, submit and receive papers, proceedings, documents, enforce orders on behalf of the Company;
- (c) Do all such things / acts / deeds / matters and things as he may, in his absolute discretion, deem necessary, expedient, usual or proper.

**RESOLVED FURTHER THAT** an extract of the resolutions passed by the Board of Directors of the Company be forwarded under the signature of any one of the Directors of the Company."

**CERTIFIED TRUE COPY**  
For Anuraj Sugar Limited

(MANIK BORKAR)  
Director  
DIN:01645649



IN THE NATIONAL COMPANY LAW  
TRIBUNAL  
MUMBAI BENCH  
TRANSFER COMPANY PETITION NO.  
\_\_\_\_\_ OF 2017  
[HIGH COURT COMPANY PETITION  
(Lodging) NO. 992 OF 2016]

Mr. Jimeet Shah  
Proprietor of "Necon Engineering  
... Petitioner

Versus

Anuraj Sugars Limited  
... Respondent

---

**CONSENT TERMS**

---

Dated this 20<sup>th</sup> day of July, 2017

Mr. Sahil Mahajan  
Advocate for the Petitioner,  
Office No. 105, Biry House,  
265 Perin Nariman Street,  
Fort, Mumbai – 400 001.