

IN THE NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD
COURT - 2

ITEM No.305

IA/71(AHM)2023 in CP 114 of 2018

Proceedings under Section Rule 11 of NCLT Rules, 2016

IN THE MATTER OF:

NAVINCHANDRA DAYALAL VADALIA

.....Applicant

VS

PRABHAT SOLVENT EXTRACTION INDUSTRIES PRIVATE
LIMITED

.....Respondent

Order delivered on: 07/07/2026

Coram:

Mrs. Chitra Hankare, Hon'ble Member(J)

Dr. Velamur G Venkata Chalapathy, Hon'ble Member(T)

ORDER

This case is fixed for pronouncement of order

The order is pronounced in open court vide separate sheet.

-SD-

DR. V. G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

-SD-

CHITRA HANKARE
MEMBER (JUDICIAL)

**NATIONAL COMPANY LAW TRIBUNAL
AHMEDABAD BENCH (COURT-II)**

Interlocutory Application No. 71 of 2023

In

Company Petition No. 114 of 2018

(Company Application under Rule 11 of the National Company Law Tribunal Rules, 2016 read with Section 241 and 242 of the Companies Act, 2013)

IN THE MATTER OF:

1. Navinchandra Dayalal Vadalia,
Having address at
801, Floor No.8, Prabhat Complex -1,
Government Press Road,
Rajkot 360001
Email: navinvadalia@gmail.com

2. Nishaben Navinchandra Vadalia
Having address at
801, Floor No.8, Prabhat Complex -1,
Government Press Road,
Rajkot 360001
Email: nisha_vadalia@yahoo.com

3. Navinchandra Dayalal Vadalia HUF,
Through its Karta
Navinchandra Dayalal Vadalia
Having address
at 801, Floor No.8, Prabhat Complex -1,
Government Press Road, Rajkot 360001
Email: navinvadalia@gmail.com,

...Applicants

Versus

-SD-

-SD-

1. Prabhat Solvent Extraction Industries Pvt. Ltd.
Having its registered office at
1st Floor, Sterling Apartment,
Jawahar Road, Rajkot-360001,
Email: prabhatsolventrajkot@gmail.com
2. Maheshkumar Dayalal Vadalia,
B-501 Decora West Hills, Near Iskcon Temple
Kalawad Road, Rajkot-360005
Email: mahesh_vadalia@yahoo.com
3. Maheshkumar Dayalal Vadalia (HUF)
Through its Karta Maheshkumar Dayalal Vadalia
Having his address at Near Iskcon temple
B-501 Decora West hills
Rajkot 360005
Email: mahesh_vadalia@yahoo.com
4. Heenaben Maheshkumar Vadalia,
B-501 Decora West hills
Near Iskcon temple
Rajkot – 360005
Email: hina_vadalia@yahoo.com
5. Gopal Dhirajlal Vadalia,
27, Shitvan Club, Niyari Dam Main Road,
Besides Star Life Style,
Kalawad Road, Kankot, Rajkot – 360005
Email: gopalvadalia@gmail.com
6. Jyotsana Dhirajlal Vadalia,
27, Shitvan Club, Niyari Dam Main Road,
Besides Star Life Style,
Kalawad Road, Kankot, Rajkot – 360005
7. Jyotiben Dayalal Vadalia,
5, Philips Lane, Lake Grove,

-SD-

sdl-

New York-11755
Email: jyotisutaria@gmail.com

8. Bharatkumar Mohanlal Vadalia,
Having Address at
Flat No. 801, Rajyog,
Pradhyuman Green City,
Kalawad Road, Rajkot 360005
Email: bharatvadalia@gmail.com

9. Gopal Dhirajlal Vadalia,
27, Shitvan Club, Niyari Dam Main Road,
Besides Star Life Style,
Kalawad Road, Kankot, Rajkot – 360005
Email: gopalvadalia@gmail.com
(Substituted deceased
Mr. Dhirajlal Bhanjibhai Vadalia,
pursuant to order dated 18.09.2025)

10. J. A. Sheth and Associates
Shri Jingal A. Sheth CA
Proprietor
Male, Aged Adult,
507, Alaap-A Limbda Chowk,
Rajkot-360001
Email: jingal2005@gmail.com

11. The Mamlatdar
Mamlatdar and Executive Magistrate Kacheri
Padadhari
Village Taraghadi
Ta. Padhadhari,
Dist Rajkot
Email ID: mam-paddhari@gujarat.gov.in

12. The Revenue Talati

sd/-

sd/-

Mamlatdar and Executive Magistrate Kacheri
Padadhari Village Taraghadi
Ta. Padhadhari, Dist Rajkot
Email ID: mam-paddhari@ gujarat.gov.in

13. The Circle Officer

Mamlatdar and Executive Magistrate Kacheri
Padadhari Village Taraghadi
Ta. Padhadhari, Dist Rajkot
Email ID: mam-paddhari@ gujarat.gov.in

14. Gujarat State Ware Housing Corporation (GSWC)

Lal Darwaja, Opposite Lucky Hotel,
Mirzapur road, Ahmedabad-380001
Email ID: aogswc@yahoo.co.in

....Respondents

Order pronounced on 07.07.2026

Coram:

MRS. CHITRA HANKARE
HON'BLE MEMBER (JUDICIAL)

MR. VELAMUR G. VENKATA CHALAPATHY
HON'BLE MEMBER (TECHNICAL)

Appearance:

For the Applicants : Party-in-person
For Respondent : None

JUDGEMENT

1. The applicant has filed present application seeking following prayers:

-SD-

sd/-

- (i) for appropriate orders and directions upon the Respondent No.1 Company, including the CA and Auditor, Respondent No.10 herein, to remove the Taraghadi Lands 1-5 from the Audit Reports of the Respondent No. 1 Company of FY 2021-2022, dated 3/9/2022, under the Heading "4. Title Deed of Immovable Property not held in the name of the Company" until Respondent No.1 Company obtains an order of a competent forum declaring the said company as the owner of the Taraghadi Lands 1-5.
- (ii) for appropriate orders and directions upon Respondent No.1 Company, its Directors, its Officers, its employees, its representatives, third-party lessees such as GSWC to immediately cease any industrial, commercial or agricultural activities on the Taraghadi Lands 1-5 until this Tribunal or the Honorable Civil Court declare Respondent No. 1 Company as the owner of the Taraghadi Lands 1-5.
- (iii) for appropriate directions upon the Respondents 11 to 13 to rectify any records or statements that wrongly attribute ownership of the Taraghadi Lands 1-5 to the Respondent No.1 Company having relied upon the misrepresentation of the order of this Tribunal dated 16/08/2021 made by Respondent No 1 and/or Respondent No.2.
- (iv) for appropriate orders upon Respondent No.2 restraining him from declaring himself as the owner of the Taraghadi lands 1- 5 until this Tribunal or the Honorable Civil Court declare him as the owner of the Taraghadi Lands 1-5.
- (v) for appropriate directions upon Respondent No.10 Auditor Jingle Sheth to produce all the documents relied upon to list the Taraghadi Lands 1-5 in the Audit Reports of the Respondent

sd /-

sd /-

No. 1 Company of FY 2021-2022, dated 3/9/2022, under the Heading "4. Title Deed of Immovable Property not held in the name of the Company".

- (vi) for directions upon Respondent No. 10, Auditor Jingle Sheth, to list all pending dues owed to Applicant No.1 by Respondent No.1 Company in its Financial Statements and accurately represent any undisclosed revenues from agricultural or other activities on the Taraghadi Lands 1-5 in the financial statements of the Respondent No 1 Company.*
- (vii) for removal of Auditor Jingle Sheth as the Auditor/Chartered Accountant/Employee of Respondent No.1 Company and replacement with a Court appointed Auditor/Chartered Accountant.*
- (viii) to issue directives or an order mandating that Respondent No 1 Company conduct a thorough and transparent accounting of all revenues, profits, and other financial benefits derived directly or indirectly from the occupation or use of Taraghadi Lands 1-5, commencing from the effective date of the Hon'ble NCLT's Status Quo Order dated December 17, 2018, and to deposit the entire amount derived to Applicant No. 1, Navinchandra Dayalal Vadalia, within a stipulated timeframe.*
- (ix) to determine and adjudicate an appropriate amount of compensation to be paid by Respondent No. 1 Company to Applicant No 1 Mr. Navinchandra Vadalia.*
- (x) to determine and adjudicate that Respondent No.2, Respondent No.6 and Respondent No.9 are personally liable to compensate Applicant No.1 herein for the unauthorized use of the Taraghadi Lands 1-5.*

Sd/-

Sd/-

- (xi) To issue directives or orders safeguarding the Constitutional Rights of Applicant No. 1 over his Taraghadi Lands 1-5 vis-à-vis the restriction of the presence of Respondent No. 1 Company and other unauthorized lessees on the Taraghadi Lands 1-5 without compensation to Applicant No.1 until the disposal of CP114/2018
- (xii) To direct Respondent No. 1 Company to promptly settle all outstanding financial obligations to Applicant No 1 Mr. Navinchandra Vadalia for the revenues garnered from the Taraghadi Lands 1-5 subsequent to the eviction notice issued to Respondent No 1 Company on January 18, 2021 as detailed in Annexure-R15 Colly, attached hereto.
- (xiii) to order for Immediate Eviction of Smt Sonuben, Dhirubhai, Gujarat State: Warehousing Corporation and any unauthorized parties from the Taraghadi lands and issue an injunction to halt and dismantle any unauthorized structures and activities on the Taraghadi lands under the cover of the Respondent No 1. Company
- (xiv) to initiate appropriate contempt proceedings and judicial actions against the Directors Officers, and Ex Director Mr. Dhirajlal Vadalia as well as any other relevant officers, for unlawfully leasing Taraghadi Lands-legally registered in the name of Applicant 1 Mr. Navinchandra Vadalia-to Respondent No. 14, namely the Gujarat State Warehousing Corporation (GSWC), in the year 2022
- (xv) To issue directives to Respondent No 1 Company and the Gujarat State Warehousing Corporation (GSWC) to promptly restore possession of Taraghadi Lands 1-5 to Applicant No. 1. given that such premises have been unlawfully appropriated

sd/—

sd/—

through unauthorized means including but not limited to, lock-breaking

- (xvi) *to issue directives to Respondent No. 1 Company its agents from using Reserves and Surplus' funds without NCLT's approval, until Respondent No.1 settles all pending payments to Applicant 1 as listed in Annexure-R15 Colly.*
- (xvii) *to issue directives to Respondent No. 2, Respondent No.3, and Respondent No. 4 to engage in legal counsel distinct from the firm M/s Thakkar and Pahwa Advocates who is currently retained by Respondent No 1 Company.*
- (xviii) *To grant any ancillary or consequential directions or such other and further reliefs as may be deemed fit and proper by this Tribunal, in the interest of Justice*

ORDER

In view of the order passed in CP No. 114 of 2018, this IA becomes infructuous.

sd/-

DR. V.G. VENKATA CHALAPATHY
MEMBER (TECHNICAL)

sd/-

CHITRA HANKARE
MEMBER (JUDICIAL)