

**IN THE NATIONAL COMPANY LAW TRIBUNAL**  
**AHMEDABAD**  
**COURT – 2**

ITEM No.310  
IA/140(AHM)2025  
in  
CP 114 of 2018

**Proceedings under Section Rule 11 of NCLT,2016 & sec.420(2)of the Companies Act,2013 r/w Rules 154**

**IN THE MATTER OF:**

Navinchandra Dayalal Vadalia & Another .....Applicant

V/s

Prabhat Solvent Extraction Industries Pvt. Ltd. & Ors. ....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. 140 of 2025**

**In**

**Company Petition No. 114 of 2018**

*(Application under Rule 11 of the National Company Law  
Tribunal Rules, 2016 and Under Section 420(2) of the Companies  
Act, 2013 read with Rules 154)*

**IN THE MATTER OF**

1. Navinchandra Dayalal Vadalia  
801, Prabhat Complex-1,  
Government Press Road,  
Rajkot, 360001  
Email: [navinvadalia@gmail.com](mailto:navinvadalia@gmail.com),

2. Nishaben Navinchandra Vadalia  
801, Prabhat Complex-1,  
Government Press Road,  
Rajkot, 360001  
Email: [nisha\\_vadalia@yahoo.com](mailto:nisha_vadalia@yahoo.com)

**....Applicants**

**Versus**

1. Prabhat Solvent Extraction Industries Pvt. Ltd.  
Having its registered office at  
1<sup>st</sup> Floor, Sterling Apartment,  
Jawahar Road, Rajkot-360001,  
Email: [prabhatsolventrajkot@gmail.com](mailto:prabhatsolventrajkot@gmail.com)

2. Maheshkumar Dayalal Vadalia  
B-501 Decora West hills  
Near Iskcon temple

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Rajkot - 360005

Email: [mahesh\\_vadalia@yahoo.com](mailto:mahesh_vadalia@yahoo.com)

3. Maheshkumar Dayalal Vadalia (HUF)

B-501 Decora West hills

Near Iskcon temple

Rajkot-360005

Email: [mahesh\\_vadalia@yahoo.com](mailto:mahesh_vadalia@yahoo.com)

4. Heenaben Maheshkumar Vadalia

B-501 Decora West hills

Near Iskcon temple

Rajkot - 360005

Email: [hina\\_vadalia@yahoo.com](mailto:hina_vadalia@yahoo.com)

5. Navinchandra Dayalal Vadalia HUF

801, Prabhat Complex-1,

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Rajkot, 360001

Email: [navinvadalia@gmail.com](mailto:navinvadalia@gmail.com),

6. Gopal Dhirajlal Vadalia,

27, Shitvan Club, Niyari Dam Main Road,

Besides Star Life Style,

Kalawad Road, Kankot,

Rajkot - 360005

Email: [gopalvadalia@gmail.com](mailto:gopalvadalia@gmail.com)

7. Jyotsnaben Dhirajlal Vadalia,

27, Shitvan Club, Niyari Dam Main Road,

Besides Star Life Style,

Kalawad Road, Kankot,

Rajkot - 360005

Email: [vadaliapravin@gmail.com](mailto:vadaliapravin@gmail.com)

8. Jyotiben Dayalal Vadalia,

5, Philips Lane, Lake Grove.

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Newyork-11755

Email: [jyotisutaria@gmail.com](mailto:jyotisutaria@gmail.com)

9. Bharatkumar Mohanlal Vadalia

Flat No. 801, Rajyog,  
Pradhyuman Green City,  
Kalawad Road, Rajkot

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10. Krishnaben Navinchandra Vadalia,

801, Prabhat Complex -1,  
Government Press Road,  
Rajkot-360001

Email: [Krishna.v.dadamudi@gmail.com](mailto:Krishna.v.dadamudi@gmail.com)

11. Ranjanben Dayalal Vadalia,

7819, Sanctuary Drive,  
Carona, California, 92879

Email: [drerbera@yahoo.com](mailto:drerbera@yahoo.com)

12. Messer Prabhat Investment G.P.C.P.L,

Sterling Apartment,  
Jawahar Road, Rajkot

Email: [prabhatinvestment1@gmail.com](mailto:prabhatinvestment1@gmail.com)

.....**Respondents**

**Order pronounced on 07.07.2026**

**Coram:**

**MRS. CHITRA HANKARE  
HON'BLE MEMBER (JUDICIAL)**

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

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**Appearance:**

For the Applicant : Party in person  
For Respondent. : None

**JUDGEMENT**

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

(i) *Rectifications of A1-A4 (clerical/misdescription) in daily order 6 Nov 2025: Allow A1-A4 (clerical and misdescription rectifications) as set out in this Application, including:*

a) *correction of the appearance recordal in daily order 6 Nov 2025 (presence/authorisation of Ms Hirva Dave as on 06-11-2025)*

b) *correction of the case number from "CP IB 114 of 2018" to "CP 114 of 2018" in daily order 6 Nov 2025 wherever it appears;*

c) *correction of the reference to "a landed property" to a neutral, parcel-specific description of eleven distinct immovable properties (Lands-in-Dispute) in daily order 6 Nov 2025; and*

d) *substitution of the phrase "landed property of R-1" with neutral language referring to landed property in dispute, without any presumption of ownership in daily order 6 Nov 2025.*

(ii) *Ownership wording & neutral's remit (scope): Delete and substitute the impugned ownership wording and the neutral's remit in the daily order dated 06-11-2025, by:*

a) *confining the neutral, Mr. Mahendra Parmar, strictly to parcel-wise collation and verification of documents (originals*

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*versus translations; legibility; page-index; service/defects) and preparation of a defects-note, with no opinion or finding on title/ownership; and*

*b) recording the Petitioners' admission that title/ownership is not for determination in this petition (as per the Rejoinder Affidavit of original petitioners in CP114 on record, inter alia dated 17-02-2021).*

*(iii) Sealed cover / report transparency:*

*a) Clarify that any direction suggestive of sealed-cover/confidential handling of the neutral's note/report shall not operate, and that if confidentiality is required for any limited part, the same shall be secured by targeted redactions / undertakings, and not by sealed cover; and*

*b) Direct that any note/report of the neutral, when filed, shall be placed on record and supplied or made available for inspection to all parties on the date of filing, and that all parties shall have seven (7) days thereafter to file objections/replies before such note/report is taken on record or relied upon.*

*(iv) Alternative - abeyance of ownership remit; Rule 27 first:*

*a) In the alternative, recall or keep in abeyance the 'ownership-report direction and first frame and adjudicate preliminary issues of jurisdiction/maintainability under Sections 241-242 and limitation; and*

*b) Until such preliminary issues are decided, direct that the matter be listed solely for Rule 27 compliance and case-management, and that no substantive hearing or reliance on non-compliant material shall occur until the Registry certifies that complete, legible, certified and indexed English*

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*translations of all relied-upon pages have been filed and duly served on all parties, with liberty to apply thereafter.*

*(v) Framing and hearing of preliminary issues (jurisdiction & limitation):*

*a) Direct that the following preliminary issues be framed and heard first, or in the alternative, in parallel, before any further substantive progress in CP 114/2018*

*b) Whether this Tribunal has jurisdiction under Sections 241-242 of the Companies Act, 2013, when the dispute concerns inter se title to immovable property, which lies within the domain of the competent civil forum; and*

*c) Limitation, the Petitioners' case being founded on alleged events of 1979/1981/1991, whereas the Company Petition is of 2018, with no explanation for delay or condonation on record; and*

*d) Direct that the above preliminary issues be placed on a separate short-cause board, with a time-bound schedule, independent of and unaffected by any neutral-assisted document-verification process, so that jurisdiction and limitation are adjudicated as threshold matters.*

*(vi) Protection of subject-matter/interim regime: Pass appropriate directions to protect the subject-matter of the proceedings from continuing commercial/user prejudice, by:*

*a) clarifying that the existing "status-quo" / interim order(s) shall mean and include: no further commercial use or exploitation of the disputed lands; no induction of third parties; no fresh licences/leases/permissions; and no material alterations or encumbrances in respect of the eleven Lands-in-Dispute without prior leave of this Tribunal;*

*Sd/-*

*Sd/-*

- b) directing Respondent No. 1-Company and/or the Petitioners to file monthly true accounts of any use/occupation of the disputed lands and to deposit all receipts in an escrow/separate account to the credit of CP 114/2018, to be dealt with at final stage;
- c) directing disclosure of all licences/leases/third-party permissions executed after the grant of interim/stay orders (including orders dated 17.12.2018 and 16.08.2021), along with copies; and
- (vii) Pass such further or other orders as this Honrable Tribunal may deem fit in the facts and circumstances of the case and in the interests of justice.

**ORDER**

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

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

sd/-

**CHITRA HANKARE**  
**MEMBER (JUDICIAL)**