

**(2013) 11 KAR CK 0249**

**Karnataka High Court**

**Case No:** Company Application No. 2304 of 2013 in Company Petition No. 154 of 2012

Hiren Negandhi

APPELLANT

Vs

NGEF Limited (in liquidation)

RESPONDENT

**Date of Decision:** Nov. 29, 2013

**Acts Referred:**

- Companies (Court) Rules, 1959 - Rule 9

**Hon'ble Judges:** Anand Byrareddy, J

**Bench:** Single Bench

**Advocate:** Vinay Giri, for King and Partridge, for the Appellant; V. Jayaram, Advocate for Official Liquidator, for the Respondent

**Final Decision:** Allowed

### **Judgement**

@JUDGMENTTAG-ORDER

Anand Byrareddy, J.

The present application is filed under Rule 9 of the Companies (Court) Rules, 1959 by one Hiren Negandhi, a resident of Bangalore, claiming to be the Head - Finance and Controlling of Mercedes - Benz Research and Development India Private Limited, which is a wholly owned subsidiary of Daimler AG of Germany. EHG Elektro Holding GmbH which held 9.72 percent equity share capital of NGEF Limited company in liquidation is said to be the wholly owned subsidiary of Daimler AG. The applicant claims that one Mr. Roberto Klimmek of Mergers and Acquisition, Department of Daimler AG proposes to visit the factory premises of the NGEF Limited along with one Martin Eisenmann, who is the Chief Financial Officer, Mercedes-Benz Research and Development India Private Limited along with one Mr. P.K. Sehgal, a duly constituted attorney of EHG Elektro Holding GmbH on 3rd and 4th December 2013 in order to view the present status and condition of the land, buildings, machinery and other equipments and movables of the company in liquidation. Therefore, the applicant is before this court in view of the fact that an Official

Liquidator has been appointed by this Court in respect of the NGEF company and that it is under the lock and key and in the custody of the Official Liquidator and seeks approval of this court to visit the company with the assistance of the office of the Official Liquidator on the 3rd and 4th December 2013. The request cannot be said to be unreasonable. Therefore, the application is allowed. The Official Liquidator is directed to make arrangements to receive and allow the applicant and the accompanying guests, referred to hereinabove, to visit all parts of the premises as they may wish to and provide all co-operation in this regard.