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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

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+ CCP(CO.) 33/2014 & CO.APPL. 708/2017

M/S OLAM AGRO INDIA LIMITED Petitioner

Through: Mr. Vishal Bhatnagar,
Advocate.

versus

MR. RAJESH KHANNA, & ANR. Respondents

Through: Mr. D. Bhattacharya, Standing
counsel for OL.

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+ CO.PET. 302/2012 & CO.APPL. 1861/2015

M/S OLAM AGRO INDIA LTD Petitioner

Through: Mr. Vishal Bhatnagar,
Advocate.

versus

M/S MOTHER V IMPEX PVT LTD Respondent

Through: Mr. D. Bhattacharya, Standing
counsel for OL.

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

ORDER

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30.01.2024

OLR 10/2024 in CO.PET. 302/2012

1. This is a report filed by the Official Liquidator experiencing certain difficulties in the on-going winding-up proceedings for want of details about the assets of the respondent/company (in liquidation).
2. Learned Standing Counsel appearing for the Official Liquidator has submitted that Mr. Rajesh Khanna, *erstwhile* Managing Director of the company (in liquidation) is in judicial custody in RC-



219/2007(E-0002), which is being investigated by the Economic Offences Wing, Delhi Police in connection with the proceedings under Section 120-B read with Sections 420 and 421 IPC besides Section 13(2) read with Section 13(1)(b) of the Prevention of Corruption Act, 1988. It is submitted that although ex-directors of the respondent/company (in liquidation) have been approached, but they have not been able to divulge any specific details about the assets of the company (in liquidation) and Mr. Rajesh Khanna, ex-Managing Director has been instrumental and key player in dealing with the assets of the company (in liquidation).

3. The report of the Official Liquidator is taken on record and the following directions are passed:

- (i) Special Commissioner of Police, Economic Offences Wing, Crime Branch, Mandir Marg, Delhi is impressed upon to provide the current status of criminal proceedings pending before the court against the company (in liquidation) and its ex-directors, in particular Mr. Rajesh Khanna, ex-Managing Director and the information may be given to the Official Liquidator within four weeks from today and;
- (ii) Further, the Superintendent, Tihar Jail, is directed to facilitate examination of Mr. Rajesh Khanna, ex-Managing Director of the respondent/company (in liquidation) through video conferencing with the Official Liquidator on any working day between 2:00 PM to 5:00 PM. It shall be ensured that there should be no recording of the video conferencing at either ends. This order be complied with within four weeks from today as well.



4. Let a complete status report be filed by the Official Liquidator before the next date of hearing.

CO.APPL. 1861/2015 in CO.PET. 302/2012

5. At the request of the learned Standing Counsel appearing for the Official Liquidator, it is also observed that by this application, Mr. Rajesh Khanna, ex-Managing Director has sought revival of the company (in liquidation). Anyhow, it would be appropriate that fate of this application be considered after status report is filed in terms of the direction in the OLR 10/2024 passed by this Court today.

CCP(CO.) 33/2014
CO.PET. 302/2012

6. Re-notify on 02.04.2024.

DHARMESH SHARMA, J.

JANUARY 30, 2024/ck