



CNR: KAHC010443252015

COMPA NO. 20/2015

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

[MR H ARUN KUMAR VS. NISHMA ELECTRICAL SYSTEM PVT LTD AND OTHERS]

13.08.2026

(VIDEO CONFERENCING / PHYSICAL HEARING)

CORAM: HON'BLE MR. JUSTICE JAYANT BANERJI
AND
HON'BLE MS. JUSTICE TARA VITASTA GANJU

ORAL ORDER

(PER: HON'BLE MR. JUSTICE JAYANT BANERJI)

Heard the learned counsel for the appellant, who appears online.

2. The learned counsel appearing online seeks an adjournment on the ground that there is a Senior Counsel engaged in the matter and therefore, it is he, who will argue the case.

3. It is noted that, previously on 30.07.2026, the following order was passed:-

"Despite the case being called out, no one appears for the appellant.

List the appeal for dismissal on 11.08.2026."

4. It is noted that, on 11.08.2026 the case was being adjourned to 13.08.2026, it is listed for dismissal today. Therefore, we decline to grant adjournment.



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5. As is evident from the Judgment dated 23.06.2023, the appeal was allowed-in-part with the following directions:-

"ORDER

- (i) The Central Government is directed to appoint a person to investigate the affairs and accounts of the 1st respondent Company under Section 235 of the Companies Act, 1956 for the period from 1999-2003, having due regard to the contentions raised by the appellant and respondents*
- (i) The person to be appointed to investigate the affairs and accounts is authorized to collect the documents pertaining to the affairs of the 1st respondent Company and 6th and 7th respondent partnership firm, said to be in the custody of the Lokayuktha Karnataka.*
- (ii) Parties to the proceeding shall cooperate with the person to be appointed to investigate claims and counter claims of the parties to the proceeding.*
- (iii) The investigating officer on completing the investigation, preferably within 6 months from this date, shall submit the report to this Court.*
- (iv) Registry to forward the copy of this order to the designated officer of the Central Government acting under Section 235 of the Companies Act, 1956.*
- (v) Accordingly, the appeal is allowed in part."*

6. It appears that thereafter, the report was received on 11.09.2025. In terms of the order, the person appointed to investigate the affairs and accounts, was authorized to collect the documents pertaining to the affairs of the 1st respondent-company. As per Section 241 of the Companies Act, 1956, the



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Inspector's report is to be submitted to the Central Government for further action. The Inspector's report has been received. Therefore, the Registry is directed to forward the same to the appropriate authority under the Ministry of Corporate Affairs, Government of India, for further action. The same shall be done within a period of 15 days from today.

All pending applications stand disposed of.

The case is consigned.

(JAYANT BANERJI)
JUDGE

(TARA VITASTA GANJU)
JUDGE

KGR
List No.: 2 Sl No.: 4