



CNR: KAHC010205232026

NC: 2026:KHC:54964
CA No. 47 of 2026
In CA No. 348 of 2023
In COP No. 57 of 2012

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 1ST DAY OF OCTOBER, 2026

BEFORE

THE HON'BLE MS. JUSTICE JYOTI M

COMPANY APPLICATION NO. 47 OF 2026

IN

COMPANY APPLICATION NO. 348 OF 2023

IN

COMPANY PETITION NO. 57 OF 2012

BETWEEN:

MR. RAJESH KUMAR VARMA,
DIRECTOR
FLAT NO.912B, DLF MANGNOLIAS,
GOLF COURSE ROAD, GURGAON - 122001.

...APPLICANT

(BY SMT. PRATHISTA, ADVOCATE FOR
SRI. KIRAN V RON, ADVOCATE)

AND:

OFFICIAL LIQUIDATOR OF
M/S UNITED BREWERIES (HOLDINGS) LTD (IN LIQN)
ATTACHED TO HIGH COURT OF KARNATAKA,
CORPORATE BHAVAN, NO.26-27, 12TH FLOOR,
RAHEJA TOWERS, M.G. ROAD,
BENGALURU - 560 001

...RESPONDENT

(BY SRI. SHRISHAIL NAVALGUND, ADVOCATE FOR OL)



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THIS COMPANY APPLICATION IS FILED UNDER SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 READ WITH RULE 9 OF THE COMPANIES (COURT) RULES, 1959.

THIS COMPANY APPLICATION IS LISTED FOR ORDERS, THIS DAY AN ORDER IS MADE AS UNDER:

ORAL ORDER

Smt.Prathishta C.K., counsel on behalf of Sri.Kiran V.Ron for the applicant and Sri.Shrishail Navalgund, counsel on behalf of Official Liquidator for respondents appeared in person.

Counsel for the respective parties urged several contentions.

Counsel for the applicant submits that an application under Section 151 of the CPC, read with Rule 9 of the Companies (Court) Rules, 1959, has been filed to recall the order dated 20.02.2026. Counsel argues that the reasons set out in the affidavit be considered and that the application be allowed.



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Counsel for the Official Liquidator submits that a detailed statement of objections has been filed and that it may be taken note of, and that the application may be dismissed. He argues that, pursuant to the order dated 20.02.2026, the matter has been referred to the CPC and that the evidence is ongoing. On additional grounds, he further submits that the application may be dismissed.

Heard the arguments, perused the papers, and also the daily order sheet with care.

The Official Liquidator filed the application in CA 348/2023, seeking certain relief. The applicant in CA 47/2026 is respondent No. 4 in CA 348/2023. After notice was issued, time was granted to file a statement of objections.

A perusal of the daily order sheet shows that the matter was listed on 30.01.2026, and it was ordered that objections be filed on or before 17.02.2026, failing which they would be treated as not filed and the matter would



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proceed. The application was listed on 20.02.2026, and on that day also, the objections were not filed. As the objections were not filed as ordered earlier, they were treated as Nil on 20.02.2026.

Subsequently, the present application was filed, setting out certain reasons in the affidavit. The affidavit states that the applicant is currently residing in the United Kingdom, in a different time zone, and is unable to contact the Advocate in time to prepare the statement of objections. However, residing in the United Kingdom in a different time zone and being unable to contact the Advocate cannot constitute grounds for failing to comply with this Court's order to file the objections.

This Court provided sufficient time to file the statement of objections. Despite this, the objections have not been filed, and the Court's order has not been complied with. The reasons stated in the affidavit do not constitute sufficient cause to accept the statement of



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objections. Furthermore, pursuant to the order dated 20.02.2026, evidence is ongoing before the CPC. In view of these events, this Court is not inclined to permit the applicant to submit the statement of objections.

Lastly, counsel for the applicant submits that the statement of objections has been filed. However, as this Court has dismissed CA 47/2026, the objections cannot be taken on record or considered.

The matter has been sent back to the CPC to record further evidence.

Accordingly, CA 47/2026 is ***dismissed***.

SD/-
(JYOTI M)
JUDGE

SS
List No.:1 SI No.:6