



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 13TH DAY OF MARCH, 2026

BEFORE

THE HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

COMPANY APPLICATION NO. 34 OF 2026

A/W

COMPANY APPLICATION NO.35 OF 2026

IN

COMPANY APPLICATION NO.318 OF 2023

IN

COMPANY PETITION NO.57 OF 2012

BETWEEN:

1. HITACHI PAYMENTS SERVICES PVT. LTD.,
LEVEL 2, MPL SILICON TOWERS,
23/1, VELACHERRY TAMBARAN ROAD,
PALLIKARNAI, CHENNAI - 600100, TAMIL NADU.
REPRESENTED BY MANAGING DIRECTOR
SRI. LONEY ANTONY.
2. SRI LONEY ANTONY,
FORMER MANAGING DIRECTOR,
C/30001, 30TH FLOOR, OBEROI SPRINS,
NEAR MONGINS CAKE FACTOR,
LINK ROAD, ANDHERI WEST,
MUMBAI - 400053, MAHARASHTRA.
3. SRI SHYAM SUNDER CHANDRASHEKAR,
FORMER WHOLE TIME DIRECTOR
FLT NO.1202, 12TH FLOOR, BUILDING NO.7,
RAHEJA CLASSIQUE, NEW LINK ROAD,
OSHIWARA, ANDHERI WEST,
MUMBAI-400053, MAHARASHTRA.





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4. SRI SUMIL CHANDRAKANT VIKAMSEY,
MANAGING DIRECTOR,
D-1506, RNA CONTINENTAL
SUBHASHNAGAR LAYOUT,
NEAR CHEMBUR GYMKHANA CHEMBUR,
MUMBAI-400071, MAHARASHTRA.

...APPLICANTS
(COMMON)

(BY SRI SHREYAS ACHARYA, ADVOCATE FOR
SMT LAKSHMI MENON, 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-560001

...RESPONDENT
(COMMON)

(BY SMT KRUTIKA RAGHAVAN, OL)

THIS COMPANY APPLICATION IS FILED UNDER SECTION 60(C) OF THE BHARATIYA SAKSHYA ADHINIYAM, 2023 READ WITH SECTION 151 READ WITH SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 AND RULE 6 AND 9 OF THE COMPANY (COURT) RULES, 1959 THAT FOR THE REASONS STATED IN THE ACCOMPANYING AFFIDAVIT, THE APPLICANT NO.1 PRAYS THAT THIS HON'BLE COURT MAY BE PLEASED TO TAKE PHOTOCOPIES OF FOLLOWING DOCUMENTS ON RECORD IN THE INTEREST OF JUSTICE.

THIS COMPANY APPLICATION IS FILED UNDER ORDER VIII RULE 1A(3) READ WITH SECTION 151 OF THE CODE OF CIVIL PROCEDURE, 1908 AND RULES 6 AND 9 OF THE COMPANY (COURT) RULES, 1959 THAT FOR THE REASONS STATED IN THE ACCOMPANYING AFFIDAVIT, THE APPLICANT NO.1 PRAYS THAT THIS HON'BLE COURT MAY BE PLEASED TO TAKE PHOTOCOPIES OF FOLLOWING DOCUMENTS ON RECORD IN THE INTEREST OF JUSTICE.



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THESE APPLICATIONS COMING ON FOR ORDERS THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE ANANT RAMANATH HEGDE

ORAL ORDER

CA.No.34/2026 is filed for production of five documents and all those documents according to the applicants are secondary evidence of the originals and the applicants claim that originals are not available and misplaced and on this ground seek production of secondary evidence.

2. Learned counsel for the Official Liquidator would oppose the application on the premise that no ground is made out to permit production of secondary evidence. It is also the contention that in case the original is not available with the applicants, it is quite possible that the original of the license agreement marked as Annexure-1 may be with other parties to the said license agreement.

3. Learned that for the applicants by way of reply would submit that the necessary efforts will be made to secure the originals of the license agreement if they are with the parties to the said agreement.



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4. It is urged that rest of the documents sought to be produced are the office copies of the communication addressed by the applicants and there cannot be any objection for production of those office copies.

5. To produce the secondary evidence and to admit the same in evidence, the party must satisfy that the requirements for production of secondary evidence as contemplated under the Bharatiya Sakshya Adhiniyam, 2023.

6. This Court is of the view that keeping open all objections permissible under law, production of documents may be allowed and the documents may be permitted to be marked in evidence for identification of the documents. The question on admissibility and proof be decided at the time of final hearing of the Company Application in which the application is filed for production of documents.

7. This order should not be construed as having held anything on the admissibility or proof of documents sought to be produced.



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8. Accordingly, C.A.No.34/2026 **allowed** as indicated above.

9. C.A.No.35/2026 is filed for production of additional documents. The production of additional documents is allowed. Admissibility and proof is subject to law and all such questions shall be decided at the time of final disposal of C.A.No.318/2023. The documents can be marked in evidence for the purpose of identification.

10. Accordingly, C.A.No.35/2026 **allowed** to the above said extent.

Sd/-
(ANANT RAMANATH HEGDE)
JUDGE

GVP