

IN THE SUPREME COURT OF NEW SOUTH WALES

2025/00356100

DIVISION: Equity

REGISTRY: Sydney

This document was eFiled
on 16 Sep 2025 . Final
acceptance has been
given.

R.H Kenna (L.S.)
Principal Registrar &
Chief Executive Officer



**IN THE MATTER OF INNOVA GROUP AUSTRALASIA PTY LTD
(ADMINISTRATOR APPOINTED) ACN 633 938 664 & ORS**

**Rajiv Goyal in his capacity as Voluntary Administrator of the Second to Fourth
Plaintiffs named in the Schedule
First Plaintiff
And others listed in the schedule**

Originating process

A. DETAILS OF APPLICATION

This application is made under sections 439A and 447A of the *Corporations Act* 2001 (Cth) (**Act**).

Through this application, the Plaintiffs seek to extend the convening period for the second meetings of creditors (**Second Meetings**) of the Second to Fourth Plaintiffs (**Companies**).

On the facts stated in the supporting affidavit of Rajiv Goyal affirmed 16 September 2025 and filed in support of this application, the Plaintiffs seek the following orders:

Extension of Convening Period

1. An order pursuant to section 439A(6) of the Act that the date of the convening period, as defined by section 439A(5) of the Act, within which the Plaintiffs must convene the Second Meetings of the Companies as required by s 439A of the Act, be extended up to and including **27 January 2026**.

2. An order pursuant to s 447A(1) of the Act, that Part 5.3A of the Act is to operate in relation to the Companies such that the Second Meetings may be convened and held, at any time during, or within five (5) business days after, the end of the convening period as extended by proposed order 1 above, notwithstanding the provisions of section 439A(2) of the Act.

Notice and other orders

3. An order, pursuant to section 447A(1) of the Act, that Part 5.3A of the Act is to operate in relation to the Companies as if any notice required to be given under section 75-225(1) and 75-15 of the *Insolvency Practice Rules (Corporations) 2016* (Cth) (**Rules**) will be validly given to the creditors of the Companies (including persons claiming to be creditors) by reason of the following steps having been taken not less than 5 business days prior to the date of the proposed meeting:
 - a. where the First Plaintiffs:
 - i. have an email address for a creditor, by sending such notice electronically to the email address of the creditor; and
 - ii. do not have an email address for the creditor, by sending the notice by posting a copy of it to the postal address for the creditor;
 - b. by causing such notice to be published on the website of the First Plaintiffs at <https://olveraadvisors.com/creditors>;
 - c. by causing the notice to be published on the Australian Securities and Investments Commission (**ASIC**) published notices website at <https://insolvencynotices.asic.gov.au/>.

Notification of the application

4. An order that the First Plaintiffs must take all reasonable steps to cause notice of the orders to be given within 2 business days of the making of these orders, to:
 - a. the creditors (including persons or entities claiming to be creditors) of the Companies, in the following manner:

- i. where the First Plaintiffs have an email address for a creditor – by notifying each such creditor, via email, of the making of the orders and providing a link to a website where the creditor may download the orders and the Originating Process;
- ii. where the First Plaintiffs do not have an email address for a creditor, but have a postal address for that creditor (or have received notification of non-delivery of a notice sent by email in accordance with 4.a.i above) – by notifying each such creditor, via post, of the making of the orders and providing a link to a website where the creditor may download the orders and the Originating Process;
- iii. placing sealed copies of the Originating Process and the orders on the website maintained by the First Plaintiffs at <https://olveraadvisors.com/creditors>; and

b. the ASIC.

Other relief

- 5. An order that any person who can demonstrate a sufficient interest has liberty to apply to vary or discharge any orders made pursuant to orders 1 to 4 above, on 3 business days' written notice being given to the Plaintiffs and to the Associate to the Corporations List judge.
- 6. An order that the Plaintiffs have liberty to apply on three (3) business days' written notice to the Court in relation to any variation of these orders or any other matter generally arising in the administration of the Companies.
- 7. An order that the Plaintiffs' costs and expenses of and incidental to this application are to be costs in the administration of the Companies, jointly and severally.
- 8. An order that these orders be entered forthwith.

9. Such further or other orders or directions as the Court considers appropriate.

Date: 16 September 2025



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*Signature of plaintiff or
plaintiff's legal practitioner*

This application will be heard by at 184 Phillip Street,
Sydney NSW 2000 at*am/*pm on

B. NOTICE TO DEFENDANT(S) (IF ANY)

Not applicable.

C. APPLICATION FOR WINDING UP ON GROUND OF INSOLVENCY

Not applicable.

D. FILING

Date of filing: 16 September 2025

This originating process is filed by Hamilton Locke for the plaintiffs.

E. SERVICE

The plaintiff's address for service is:

C/-Hamilton Locke
Attention: Brit Ibanez
Level 37, Salesforce Tower
180 George Street
SYDNEY NSW 2000

It is not intended to serve a copy of this originating process on any person.

SCHEDULE

First Plaintiffs:	Rajiv Goyal in his capacity as voluntary administrator of the Second to Fourth Plaintiffs
Second Plaintiff:	Innova Group Australasia Pty Ltd (Administrator Appointed) ACN 633 938 664
Third Plaintiff:	Innova Design Australasia Pty Ltd (Administrator Appointed) ACN 653 095 366
Fourth Plaintiff:	Innova Group International Pty Ltd (Administrator Appointed) ACN 641 232 180