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Machang solar project developers appoint solicitors to contest RM180 million suit

TheEdge Tue, Jul 12, 2022 02:53pm - 2 years

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KUALA LUMPUR (July 12): Idiqa Energy Sdn Bhd (IESB), Idiqa Holding Sdn Bhd (IHSB) and Idiwan Solar Sdn Bhd have appointed Messrs Thomas Philip Advocates to represent the companies and its directors in a RM180 million suit involving Japanese national Kazuomi Kaneto and his Singapore-based company DPI Solar 1 Pte Ltd, and the BGMC Group.

IESB, IHSB and Idiwan Solar are the developers for the Machang solar project which are named as defendants in the suit along with the BGMC Group of companies that is said to be controlled by Tan Sri Barry Goh Ming Choon and his nephew and BGMC International Ltd CEO/executive director Datuk Datuk Michael Teh Kok Lee.

IHSB owns a 95% stake in Idiwan Solar while the remaining 5% is owned by Hasilwan (M) Sdn Bhd.

Goh is the founder of the BGMC group, which was awarded the Kuala Muda solar project in 2017, following a bid by the Energy Commission for the projects in Kuala Muda and Machang.

In a statement, IESB, IHSB and Idiwan Solar, in response to the suit by Kazuomi and DPI Solar 1, have denied alleged breach of fiduciary duty in connection to the project in Machang that is undertaken by Idiwan Solar to produce 30 megawatt alternating current (MWac).

“The companies intend to contest all legal proceedings filed against them and their respective directors in the Kuala Lumpur High Court and shall seek compensation for losses suffered as well as other reliefs for the spurious claims of breach of fiduciary duty,” they said in a statement to theedgemarkets.com.

According to the statement, Datuk Azizi Abd Hamid, a director of IESB, IHSB and Idiwan Solar, said that earlier this year, the companies entered an agreement where ReNikola Sdn Bhd would come in as a white knight to complete and preserve the integrity of the Machang solar project.

The statement also said that Datuk Azizi Abd Hamid, a director of the three companies, added that earlier this year, the companies entered into an agreement where ReNikola Sdn Bhd would come in as a white knight to complete and preserve the integrity of the Machang solar project.

“We strongly deny all allegations that have been made against the companies and intend to robustly resist any effort to hinder the successful commissioning of our solar project,” the statement read.

In 2018, Idiwan Solar was awarded a contract by the Energy Commission under the second large scale solar programme to develop a 30MWac solar project on land owned by Machang Estate Sdn Bhd and Machang Estate (II) Sdn Bhd.

Once the agreement with ReNikola is complete, the companies are committed to deliver the Machang project as part of their larger vision to play their role in helping Malaysia in achieving its national net zero commitments.

Kazuomi and DPI Solar 1 filed the suit on June 27, and named Goh, Teh, the two Idiqa companies, Idiwan Solar and Azizi as defendants in regard to the Machang project, while BGMC, among others, was named in regard to the Kuala Muda project.

In the statement of claim, the Japanese and DPI Solar 1 also claimed that IHSB is controlled by Goh.

The Japanese claimed that he and his Singapore firm were engaged in the joint venture in 2017 and had pumped in investments and technology for this purpose, but they were allegedly played out when the operating companies for the solar project were said to be offered to third parties, namely ReNikola and ReNikola Holdings Sdn Bhd, which are among the 25 defendants in the suit.

Prior to this BGMC had also appointed Messrs Thomas Philip as its solicitors while Goh had appointed Messrs Hashim Amran Tabian Ahmad to represent him. They had both separately denied the claim made by Kazuomi and DPI Solar 1, who are represented by Messrs Wong & Partners.

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