

THE HON'BLE Dr. JUSTICE SHAMEEM AKTHER

CIVIL REVISION PETITION No.1066 of 2019

ORDER:

This civil revision petition is filed under Section 115 of Code of Civil Procedure, 1908 ('CPC'), by the petitioners herein/Judgment Debtors aggrieved by the order dated 02.04.2019 passed in E.A.No.2 of 2019 in E.P.No.8 of 2016 by the learned XIII Additional Chief Judge, City Civil Court, Hyderabad, wherein the Court below allowed the impugned amendment application and new Managing Director was brought on record to represent the respondent herein/Decree Holder company.

2) Heard Sri Khaja Aijazuddin, learned counsel for the revision petitioners and Sri M.S.Prasad, learned Senior Counsel for Smt.A.Satya Sri, learned counsel for the respondent and perused the record.

3) Learned counsel for the revision petitioners would contend that Sri Humnabad Mohammed Ali, is not the right person to represent, as Managing Director of the respondent/D.Hr company. The Court below without there being any material on record, erroneously allowed the application and ultimately prayed to set aside the same by allowing the revision petition.

4) On the other hand, Sri M.S.Prasad, learned senior counsel appearing for the respondent would contend that pursuant to the resolution of the Board of Directors dated 04.02.2019, Sri Humnabad Mohammed Ali, is appointed as new Managing Director and he is the right person to represent the respondent/D.Hr company and the

Court below rightly allowed the application. There is no infirmity or illegality in the impugned order and ultimately prayed to dismiss the revision petition.

5) In view of the submissions made by both sides, the point for determination is:

“Whether the impugned order dated 02.04.2019 passed in E.A.No.2 of 2019 in E.P.No.8 of 2016 by the Court below, is liable to be set aside?”

6) **POINT:** While dealing with the subject matter, the Court below specifically noted that certified true copy of the resolution passed by the Board of Directors of respondent herein/D.Hr company on 04.02.2019, was signed by Sri Humnabad Mohammed Ali, in the capacity of Managing Director of the company. When there is a resolution of the respondent/D.Hr company appointing Sri Humnabad Mohammed Ali as Managing Director, he is the right person to represent the said company. There is no infirmity or illegality in the impugned order passed by the Court below. This Civil Revision Petition is devoid of merit and is liable to be dismissed.

7) Accordingly, this Civil Revision Petition is dismissed. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed.

Dr. SHAMEEM AKTHER, J

Date: 09.09.2019
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