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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.766 OF 2014
IN
EXECUTION APPLICATION NO.390 OF 2010

Magma Housing Finance	... Applicant
<i>In the matter between</i>	
GE Money Financial Services Ltd.	... Claimant / Ori. Decree Holder.
Vs.	
Salim Z. Shaikh and Anr.	... Judg. Debtors

Ms. Juhi Bhogle, i/b. OM Gujjar Law Chambers for the Applicant.

CORAM:	R. I. CHAGLA, J.
DATE:	24TH MARCH, 2021

PC:-

1. Heard learned Counsel for the Applicant.
2. This Chamber Summons has been taken out for removal of the name of Original Decree Holder and allow the Applicant to carry out amendment as per schedule as well as consequential amendment. It appears from the Affidavit in Support of the Chamber Summons that the original Decree Holder M/s. GE Money Financial Services Ltd. (a public limited company for unlimited liability) which was originally incorporated on 21st April, 2004 under the Companies Act, 1956 has been changed to the Magma Housing Finance, the Applicant herein. This change is

pursuant to the necessary resolutions in terms of Section 21 of the Companies Act, 1956 read with Government of India, Department of Company Affairs, New Delhi and Notification No.GSR 507 (E) vide SRN No.B68750868 dated 23rd March, 2013 and certificate to that effect issued pursuant to Section 23(1) of the Companies Act, 1956. Thus, the learned Counsel for Applicant has sought necessary amendments in the Execution application as per the schedule as well as consequential amendment to reflect the Applicant's name in place and stead of M/s. GE Money Financial Services Ltd – Original Decree Holder.

3. Having considered the submissions of the learned Counsel for the Applicant and the contents of the Affidavit in Support of the Chamber Summons, I am satisfied that, it would be necessary that the Applicant be substituted in place and stead of M/s. GE Money Financial Services Ltd as the Decree Holder subsequent to the change in the name of the Original Decree Holder to the Applicant Company and all the rights under the award with respect to aforesaid loan would now stands in favour of the Applicant Company. Accordingly, the Chamber Summons is made absolute in terms of prayer clauses (a) and (b) which read as under:-

A) This Hon'ble Court be pleased to allow to remove name of Original Decree Holder and allow the Applicant to carry out amendment as per schedule.

B) This Hon'ble Court be pleased to grant consequential amendment.

a) The Applicant shall carry out the necessary amendment within a period of three weeks from the date of this order.

b) The Execution Application be listed on 26th April, 2021.

(R I. CHAGLA, J.)