

Spl. Civil Sunit No. 357/2015

ORDER BELOW EXH.30

Plaintiff has filed this application under Order VI Rule 17 of C.P.C. Plaintiff submitted that as per order dated 10.08.2017 passed by National Company Law Tribunal in CSP No.661/2017 amalgamation scheme sanctioned and plaintiff company is amalgamated into Goel Ganga India Pvt. Ltd. Therefore, it is necessary to carry out appropriate amendment in the title of the suit. The present name of the plaintiff is replaced with following name -

Goel Ganga India Private Limited

2] The amendment sought is not change the nature of the suit. No loss or prejudice will be caused. Hence prayed for amendment may be allowed.

3] Defendant has filed his say and submitted that, any appropriate order may be passed.

4] Considering the rival contention of the parties following points arise for my determination to which I have recorded my findings along with reasons as under :-

<u>No</u>	<u>POINTS</u>	<u>FINDINGS</u>
1}	Whether amendment is necessary ?	... Yes.
2}	Whether nature of suit will be changed due to amendment ?	... No.
3}	What order ?	...Application allowed.

REASONS

5] Read the application and say. As per the application the name of the plaintiff company is changed as **Goel Ganga India Private Limited** after amalgamation scheme. By the amendment no nature of the suit will changed and no loss or prejudice is caused to defendant. Therefore, amendment is necessary. In these circumstances amendment is allowed as per following order -

ORDER

- 1] The application is hereby allowed.
- 2] Plaintiff shall carry the amendment within the stipulated time.

(Dictated & pronounced in open Court)

Date: 27/11/2018.

(S.S. Ghorpade)
2nd Jt. C.J.S.D. Pune.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order is same word for word as per original Order.

Name of Steno	:	P.K.Shirolkar (Stenographer Grade-II)
Court Name	:	S.S. Ghorpade 2 nd Jt. C.J.S.D., Pune.
Date of Order	:	27.11.2018
Order signed by the Presiding Officer	:	27/11/2018
Order Uploaded on	:	28/11/2018