



CNR No.GASG030003102023

ORDER BELOW EXH-D-19

(Delivered on this 01st day of the month of August, of the year 2026)

This Order shall dispose of the Application for substituting the Authorized Signatory of the Plaintiff at Exhibit D-19.

2. It is the case of the Plaintiff that they are a body Corporate constituting under the Banking Companies Act having its Head Office at Bangalore Karnataka and having its one of the Branch at Canacona.

3. It is the case of the Plaintiff that the Branch Manager of the said Branch was duly represented at the time of institution of the suit by its Manager Shri. Santosh Dagadu Umbarkar who was then transferred and as such in his place presently Shri. Nitin Bhat the present Manager is appointed in the place of this earlier Branch Manager by the Plaintiff as its New Authorized Signatory vide Power of Attorney dated 29.10.2024 to prosecute, defend and to act in the present case. Hence, the present Application for Substitution.

4. On the other hand Say endorsed by the Advocate K. Komarpant for the defendant and stated that the signatory is appointed on 29.10.2024 and the present application is filed after 2 years and not explained on what basis previous signatory is appointed before this Court. Hence, present application may be dismissed.

5. Perused the records. Heard Advocate S. Mudkudkar for the Plaintiff and Advocate K. Komarpant for the Defendant.

6. The following point has arisen for my determination is as follows and my finding thereon.

Whether the Plaintiff has made out the case for granting of the present application? Yes.

REASONS

7. It is very well settled that legal entity has to be represented by a natural person. As the Plaintiff is a Bank and functions through its Branch Manager. The Plaintiff has to sue and to be sued through a Legal Representative. Since, the Plaintiff was represented by Shri. Santosh Dagadu Umbarkar who is now been transferred and Shri. Nitin Bhat is appointed as the Branch Manager and Authorized Signatory of the Plaintiff. I find no ground to disallow the Application for substitution in view of the above reason. Moreover, the grounds taken by Defendant for disagreement of the Application has to be considered at the time of evidence as he will have ample opportunity to cross-examine the witness. Thus, for proper adjudication of the present matter, the prayers need to be granted.

8. In view of the above reasons, I pass the following:

ORDER

The Application for substitution at Exh.D-19 is allowed.

Pronounced in Open Court.

(Smita U. Sail)
Civil Judge Junior Division,
Canacona- Goa.

Date:01.08.2026.
Anf/-