



## COMPETITION COMMISSION OF INDIA

08.12.2015

### Case No. 87/2015

Filed By **Mr. C. Nandeesh&Mrs. H.S. Gayathri**

Against **GE Countrywide Consumer Financial Services Limited &Ors.**

### ORDER

The present Information was filed on 23.09.2015 under Section 19(1)(a) of the Competition Act, 2002. The Commission considered the matter in its ordinary meeting held on 15.10.2015 and after due consideration of material available on record passed an order under section 26(2) of the Act on 17.11.2015.

Today, the Commission considered the application dated 22.11.2015 filed by the Informant seeking rectification of the aforesaid order of the Commission. The Commission observed that certain factual/clerical errors have crept in the order dated 17.11.2015 due to variations in the different documents annexed with the information. It is a matter of record that as per the Informant, the loan was repayable in 120 instalments. However, the arbitration claim filed by OP 4 reflected that the instalments were rescheduled to 177 from 120 (Page 119 of the information). Similarly, in fact the loan was assigned by OP 3 to OP 4 and not by OP 1 to OP 4. Although these factual errors have no bearing on the merits of the case/order, they need to be rectified. Ordered accordingly. Thus, Para 5 of the order dated 17.11.2015 shall be read as under:

*‘The Commission has perused the allegations of the Informant and the documents/ annexure which have been appended to the information. As per the information/facts culled out from the annexures appended to the present information, a Loan Agreement was entered between the Informants and OP 1. For the purposes of creating security interest, the Informants had deposited original title deeds of their property with OP 1. The Informants had agreed to*

*repay the loan amount by way of 120 monthly instalments of Rs. 24,634/-. The loan availed by the Informants was assigned to OP 4 by OP 3 by way of assignment deed entered between OP 3 and OP 4 on 13.02.2013. As such, all rights were assigned to OP 4.'*

As regards the request pertaining to Para 6, the Commission is of the view that the observations are based on the information filed by the Informant. There is no error apparent on facts or record. Thus the prayer for rectification of Para 6 cannot be entertained. The same is accordingly rejected.

The Secretary is directed to intimate the Informant accordingly.

**Sd/-**  
**(S. L. Bunker)**  
**Member**

**Sd/-**  
**(SudhirMital)**  
**Member**

**Sd/-**  
**(Augustine Peter)**  
**Member**

**Sd/-**  
**(U. C. Nahta)**  
**Member**

**Sd/-**  
**(M. S. Sahoo)**  
**Member**

**Sd/-**  
**(Justice G. P. Mittal)**  
**Member**