

THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE SRI JUSTICE P.KESHA RAO

WRIT PETITION NO.13043 OF 2019

ORDER: (per SK,J)

The grievance of the petitioner in this case is that the State Bank of India is not handing over the original documents pertaining to the property purchased by him in the e-auction sale held on 14.03.2015. A consequential direction is sought to the Bank to handover the original link documents.

Sri M.Srikanth Reddy, learned counsel appearing for the Bank, would inform this Court that the original documents were part of the record in S.A.No.284 of 2012 on the file of the Debts Recovery Tribunal, Hyderabad, and an application was filed in the said case for return of the original documents. He would further state that the said application has been ordered and the Bank would be taking back the original documents. He would however inform this Court that an appeal has been filed by the borrower aggrieved by the order passed in S.A.No.284 of 2012 and that the Appellate Tribunal at Kolkata is seized of the appeal.

In the light of the aforesaid facts, we are of the opinion that the Bank is duty bound to supply the original link documents pertaining to the property purchased by the petitioner in the e-auction sale held by it. As the documents will now be taken possession of by the Bank, the writ petition is disposed of directing the Bank to hand over the original documents to the petitioner expeditiously and in any event not later than 16.08.2019. We also make it clear that the petitioner shall be under a duty to produce the said original documents if and when they are required

by the Appellate Tribunal during the course of the appeal proceedings or on the strength of the order passed therein.

Pending miscellaneous petitions, if any, shall stand closed in the light of this final order. No order as to costs.

SANJAY KUMAR,J

P.KESHAVA RAO,J

Date:02.08.2019

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