

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPC No. 4754 of 2019**

Sanjay Kumar Sahu S/o Late S. L. Sahu Aged About 54 Years R/o
Ramagreen City, Nagoi, Road, Khamtaraii, Tahsil And District - Bilaspur
Chhattisgarh

---- Petitioner**Versus**

1. State Bank Of India Through Chairman And Managing Director, Registered Office State Bank Bhawan 14th Floor, Madame Cama Road, Nariman Point, Mumbai (Maharashtra)
2. Regional Manager, State Bank Of India, R B O State Bank Third Floor, Vikas Bhawan, Nehru Chowk, Bilaspur, District - Bilaspur Chhattisgarh
3. Assistant General Manager, Retail Asset And Small And Medium Enterprises, State Bank Of India, City Credit Center And S A R C, 2nd Floor, Galaxy Heights, Vyapar Vihar, Bilaspur, District - Bilaspur Chhattisgarh
4. Branch Manager, State Bank Of India, Main Branch, Bilaspur District - Bilaspur Chhattisgarh
5. Manager Recovery, State Bank Of India, City Credit Center And S A R C, 2nd Floor, Galaxy Heights, Vyapar Vihar, Bilaspur, District - Bilaspur Chhattisgarh

---- Respondents

For Petitioner	:	Mr. Hemant Kesharwani, Advocate
For SBI	:	Mr. P. R. Patankar, Advocate

Hon'ble Shri Justice P. Sam Koshy**Order on Board****03/01/2020**

1. The limited relief that the petitioner has sought for is for direction to the respondent Bank authorities for taking appropriate steps in getting the sale deed of the petitioner registered before the concerned District Registrar.

2. The contention of the petitioner is that he had purchased Flat No.303 in the first floor of Mahavir Apartment village Mangala Patwari Halka No. 21 and Revenue Circle and Tahsil, Bilaspur, situated in Khasra No. 1050/5, 1055/7 by way of an auction held by the respondent authorities under the Sarfaesi Act, 2002. According to the petitioner since the time of auction purchase, he has been approaching the respondent Bank to appoint an officer so that the sale deed could be registered before the concerned District Registrar.
3. On the contrary, counsel for the respondent Bank submits that the petitioner has never approached the authorities for execution of the sale deed and that the petitioner has only recently sent a legal notice to which the Bank had promptly responded. Counsel for the respondent Bank makes a statement today that he had instruction from his client that subject to the petitioner furnishing search report of the concerned flat from an empaneled lawyer of the Respondent Bank, the bank shall take necessary steps in ensuring the registration of the said flat at the earliest. Further contention of learned counsel for the Bank is that in the search report the property should be found to be free from all encumbrances for the Bank to take necessary steps in getting the property registered.
4. Given the said statement by the learned counsel for the respondent Bank, this Court is of the opinion that nothing further remains to be adjudicated in the present writ petition. Subject to the petitioner furnishing search report from an empaneled Advocate of the respondent Bank in respect of the aforesaid flat the Respondent Bank shall take appropriate steps in getting the property registered at the earliest.

5. The writ petition stands accordingly disposed of.

Sd/-
(P. Sam Koshy)
Judge

Rohit