

THE HON'BLE SRI JUSTICE T. AMARNATH GOUD

WRIT PETITION No.17184 of 2019

ORDER :

Heard learned counsel for the petitioner and learned Government Pleader. With the consent of both sides, this writ petition is disposed of at the stage of admission.

It is the case of the petitioner that the instrument involved in the present writ petition is by way of Sale Certificate dated 17.05.2019 under the SARFAESI proceedings issued by the petitioner-Bank in favour of the vendee/highest bidder. When the Bank has approached the office of 2nd respondent/Sub-Registrar, the same is not registered, and despite the petitioner-Bank addressing letters dated 21.05.2019 and 20.06.2019, the 2nd respondent/Sub-Registrar has not acted upon such letters. Hence, this writ petition is filed.

Heard both sides.

In the facts and circumstances of the case, this Court is of the considered view that it is not just on the part of the 2nd respondent/Sub-Registrar to sleepover the matter when the bank has presented the Sale Certificate for registration and also addressed letters more than once requesting the Sub-Registrar to register the said Sale Certificate.

Hence, this writ petition is disposed of, directing the 2nd respondent/Sub-Registrar to receive and process the Sale Certificate

presented by the petitioner-Bank for the purpose of registration and releasing the document subject to compliance of the provisions of the Indian Registration Act, 1908 and Indian Stamp Act 1899.

Pending miscellaneous applications, if any, shall stand closed.

T. AMARNATH GOUD, J.

Date: 12.02.2021

ajr

