



W.M.P.No.13228 of 2023
in W.P. SR No.44653 of 2023

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THE HON'BLE ACTING CHIEF JUSTICE
and
D.BHARATHA CHAKRAVARTHY, J.

It is submitted by the learned counsel for the petitioner that the petitioner is the sister of the borrower and is having a share in the property which is the subject matter of the SARFAESI proceedings. Since the brother of the petitioner has already borrowed loan and committed default, the respondent bank has proceeded to sell away the property and if the sale is allowed to take place behind the back of the petitioner, who has also filed a suit for partition, the petitioner would be put to great prejudice.

Considering the case of the petitioner, we find prima facie case has been made out and therefore, leave is granted as prayed for.

(T.R., ACJ.) (D.B.C., J.)
28.04.2023

sra