ORDER

The instant petition is filed by the petitioner u/s.14 of SARFAESI ACT seeking assistance of the Court to take physical possession of the mortgaged property.

In the instant petition the petitioner has reiterated the fact that it is the secured creditor and the respondents have obtained cash credit facility from it and the respondents have not repaid the amount and subsequently the loan amount of the respondents became non performing asset. The petitioner bank claims to have issued notice u/s.13 of the Act which is mandated under law and hence sought for allowing the petition.

The petitioner bank has produced the documents in support of its contents and the Authorised Officer of secured creditor **Mr.Jansirao.V S/o Venkatasubbaiah** filed his affidavit and in his affidavit he has reiterated the petition averments.

Heard, learned counsel for petitioner, perused materials on record. The aforesaid instant petition is filed seeking assistance of the Court to obtain the possession of the mortgaged property. **The contents of petition, affidavit and perusal of the documents reveal that the respondents have availed loan by executing necessary documents and also they mortgaged the property.** Further the materials on record reveal that as contemplated u/s.13 of Act, the petitioner bank has issued notice to the respondent and it appears that the respondents have not paid the amount claimed.

The aforesaid materials on record clearly reveals that the petitioner has produced the relevant documents in support of its contention. The oral and documentary evidence available on record clearly reveal that there is no reasonable ground to disbelieve the contention of the petitioner. It appears that the mandatory provisions of SARFAESI ACT is complied by the petitioner. Therefore the Court is of the opinion that the petitioner is entitled for the relief as sought for. Hence the Court proceed to pass the following

ORDER

The petition filed by the petitioner bank u/s.14 of SARFAESI ACT is hereby **ALLOWED**.

In the result the CMO of this Court is directed to take possession of the schedule property by break opening the lock if necessary and handover the same to the secured creditor with the help of jurisdictional police by drawing necessary panchanama. The compliance of the direction shall be reported to this Court.

C/c. X Addl.C.M.M,.