

ORDERS

Petitioner has filed this petition against respondents u/S.14 of the SARFAESI Act for the relief of possession of the petition property.

Heard the arguments, it is noticed that, respondents have availed Loan facility in the form of Loan against property on the security of the schedule property, agreeing to repay the same in terms of the agreement, in support of the same, executed the mortgage deed but they have failed to repay the same as agreed by them so that, loan has become NPA, then petitioner has duly complied the Sec. 13(2) and 13(4) of SARFAESI Act. Further it is noticed that, petition property is within the jurisdiction of this court and petition is supported with the affidavit of the petitioner so that, considering the all these facts this court proceed to pass the following:-

ORDER

Petition filed by the petitioner u/S.14 of the SARFAESI Act is hereby allowed.

2. He is entitled for the reliefs as prays for.

3 M. Jabiulla advocate (KAR 1947/2009 is appointed as Court commissioner and directed to conduct the commission work as per the procedure.

4. His fees is fixed at the rate of Rs.5,000/-.

5. Commissioner is at liberty to receive the commission fee directly from the Petitioner at the time of conducting the commission work.

6. Petitioners is directed to assist the court commissioner for conducting the commission work.

7. Petitioner is at liberty to break open the lock and take police assistance if required.

8. Office is directed return the original documents in favour of the petitioner.

9. Issue commission warrant and close this file.

XI Addl.C.M.M., Bangalore City.