

**IN THE COURT OF DEPUTY COMMISSIONER UTTARA KANNADA KARWAR**

**Present: Dr. Harish Kumar K., I.A.S.**  
Deputy Commissioner,  
Uttar Kannada, Karwar.

**No.DCB/MAG-3/Securitisation/CR-03/2019-20**

**Between**

1. Shri Raghurajan,  
The Authorised Officer,  
State Bank of India,  
PBO-5 Janaki Plaza, 3<sup>rd</sup> Floor,  
Dr. Pikle Road Karwar.  
(Represented through Advocate Sri. P S Bhat)

V/s

.... **Petitioner**

1. Sri. Suresh Ganapati Revankar,  
M/s Shri Balaji Steel Mart  
R/o No. 450 Sabgeri Yellapur, Taluk Yellapur.
2. Smt Aishwarya W/o Suresh Revankar  
R/o No. 450 Sabgeri Yellapur, Taluk Yellapur.  
(Represented through Advocate Sri. G. T Naik, Sri. G N Patgar,  
Sri. A. R Naik and Sri S G Naik)

.... **Respondents**

**Sub:** Application filed U/S 14 of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 (SRFAESI) for enforcement of security interest of Sy No. 201/GR1 an extent of 0-3-8(A-G-A), Sy No. 201/GR2 an extent of 0-11-0( A.G.A) and Sy No. 68A1A/1B an extent of 0-4-12 (A.G.A) situated in Yellapur Village of Yellapur Taluka, Uttar Kannada District.

**Preamble:**

The instant case has filed by Authorised Officer State Bank of India, Regional office Karwar under Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 (SRFAESI) praying that the suit properties be handed over to the Bank as provided u/s/ 14 of the Act, Since Respondents have defaulted in payment of the loan availed from the bank. Notices were issued to both sides.

The respondents Shri Suresh Ganapati Revankar and Smt Aishwarya Suresh Revankar R/o No. 450 Sabgeri Yellapur, Taluk Yellapur have availed loan of Rs.1,84,00,000/- as business term loan on the terms and conditions contained agreements and executed documents in favour of State Bank of India, Yellapur Branch, Yellapur on 20-07-2016 mortgaging his land Sy No. 201/GR1 an extent of 0-3-8(A-G-A), Sy No. 201/GR2 an extent of 0-11-0( A.G.A) and Sy No. 68A1A/1B an extent of 0-4-12 (A.G.A) situated in Yellapur Village of Yellapur Taluka.

The loan account has become Non -Performing Asset NPA on 28-10-2018. The suit land is non-agricultural land and a mortgage has been created in favour of State Bank of India, Yellapur Branch, Yellapur by the respondent.

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The appellant State Bank of India, Yellapur Branch, Yellapur had issued statutory demand notice to the defaulter on 13-11-2018 u/s 13(2) of SRFAESI Act 2002, with a request to repay the dues of Rs.1,65,14,181/- with the 60 days period. The respondent however has failed to discharge his liability during the stipulated period. The view of the facts the Authorised Officer State Bank of India, Regional office Karwar has requested that the Suit property be handed over to the appellant Bank as contemplated u/s 14 (1) of Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002.

The respondent was given time to file written arguments but he nor his advocates file any written argument in the stipulated time.

After going through the records, it clearly shows that all the requirements of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 for direction u/s 14 have been met by State Bank of India, Yellapur Branch, Yellapur. An affidavit is also filed by the appellant bank u/s 14(1) of SRFAESI Act. This is a case of secured loan with Sy No. 201/GR1 an extent of 0-3-8(A-G-A), Sy No. 201/GR2 an extent of 0-11-0( A.G.A) and Sy No. 68A1A/1B an extent of 0-4-12 (A.G.A) as security as evident from the registered mortgage deed dated 28-10-2016. Further notices have been served with acknowledgement to the respondent, other objections raised in so far about evasion of stamp duty etc is not under consideration in this case. Therefore, under such circumstances it is fit case to direct the Tahasildar Yellapur to handover the suit property to the Appellant Authorised Officer, State Bank of India, Regional office Karwar.

#### **ORDER**

**DCB/MAG-3/Securitisation/CR-03/2019-20**

**Date: 09-09-2019.**

The petition is allowed and Tahasildar, Yellapur is directed to hand over the possession of the suit property noted in the schedule, to the Authorised Officer State Bank of India, Regional office Karwar.

#### **Schedule**

All that is part and parcel the property land and building standing in the bearing Sy No. 201/GR1 an extent of 0-3-8(A-G-A), Sy No. 201/GR2 an extent of 0-11-0( A.G.A) and Sy No. 68A1A/1B an extent of 0-4-12 (A.G.A) situated in Yellapur Village of Yellapur Taluka with the following boundaries.

Property-1 Sy No. 201/GR1 an extent of 0-3-8(A-G-A),

- East - Sy Boundary
- West - Sy Boundary
- North - Sy Boundary of remaining portion of Sy No. 201/GR1
- South - Sy Boundary of Sy No. 203

Property-2 Sy No. 201/GR2 an extent of 0-11-0(A-G-A),

- East - Sy Boundary
- West - Sy Boundary
- North - Sy Boundary
- South - Sy Boundary

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Property-3 Sy No. 68A1A/1B an extent of 0-4-12(A-G-A),

East - Sy Boundary  
West - Sy Boundary  
North - Sy Boundary  
South - Sy Boundary

(Order dictated to the Stenographer, got computerized, verified and pronounced in open court on 09-09-2019)

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Deputy Commissioner,  
Uttara Kannada, Karwar.

**Copy to**

1. Advocate Sri P. S Bhat and Sri. G. T Naik, Sri. G N Patgar, Sri. A. R Naik and Sri S G Naik for information
2. Tahasildar Yellapur for necessary action
3. Authorised Officer State Bank of India, Regional office Karwar for information.
4. Shri Suresh Ganapati Revankar R/o No. 450 Sabgeri Yellapur, Taluk Yellapur for information.

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