



AN APPLICATION TO CHIEF METROPOLITAN MAGISTRATE OR DISTRICT MAGISTRATE BY BANKS/FINANCIAL INSTITUTIONS/ SECURED CREDITOR U/S. 14 OF SARFAESI ACT, 2002 FOR THE PURPOSE OF TAKING POSSESSION/FORCIBLE POSSESSION OR CONTROL OF THE SECURED ASSET

IN THE COURT OF CHIEF METROPOLITAN MAGISTRATE, _____ AT _____

OR

IN THE COURT OF DISTRICT MAGISTRATE, _____ AT _____

CASE NO. / ____ / 20____

(APPLICATION UNDER SECTION 14 OF SARFAESI ACT)

_____, a company)
incorporated under the Companies Act, 1956)
and deemed to exist under the Companies)
Act, 2013 and carrying on business of)
banking under the Banking Regulation Act,)
1949, having its registered office at)
_____,)
_____ and controlling)
Office/Branch at _____,)
_____)

through Mr. _____, the Authorized)
officer of the Applicant)... Applicant

Versus

_____, a limited liability)
partnership, having its registered office at)
_____,)
_____,)
_____, through its)
partners. _____,)... Respondent

MISCELLANEOUS APPLICATION ON BEHALF OF THE APPLICANT ABOVE NAMED UNDER SECTION 14 OF THE SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS AND ENFORCEMENT OF SECURITY INTEREST ACT, 2002 (SARFAESI ACT).

1. The Applicant is a company incorporated under the Companies Act, 1956 and deemed to exist within the purview of the Companies Act, 2013 and is a banking company under the Banking Regulation Act, 1949 in accordance with the rules, regulations, guidelines of the Reserve Bank of India and having its registered office at the address mentioned in the cause title herein above. In terms of the Board Resolution dated _____, Mr. _____ has been appointed and nominated by the Applicant as the Authorized Officer under the provisions of SARFAESI Act to initiate action on behalf of Applicant against the Respondent above named by invoking provisions of Section 13(2) read with Section 14 of the SARFAESI Act. A copy of the said Board Resolution is annexed and marked as **Exhibit "A"** hereto.

2. The Applicant has filed the present Application before this Hon'ble Court under Section 14 of SARFAESI Act to seek necessary assistance for taking physical possession of its secured mortgaged assets from the Respondent for enforcement of the same for realization of its secured debts by following due process and by taking requisite measures under Section 13(4) of the SARFAESI Act on the following facts and circumstances.

3. The Respondent is a Limited Liability Partnership concern and carries on business inter alia trading of electronic goods and sports wears through its partners.

4. Material facts for the purpose of the present application are:-

- (a) The Respondent is banking with the Applicant since _____. Under the sanction letter dated _____ issued by the Applicant, the Respondent had availed Term Loan facility in the sum of Rs. _____ Crore ("*Financial Assistance/ Term Loan Facility*") upon the terms and conditions as detailed in the said sanction letter. Hereto annexed and marked as **Exhibit "B"** is a copy of the said sanction letter dated _____. The Respondent also obtained necessary approval to avail the said facility by passing necessary resolution dated _____, a copy of the said Resolution is annexed and marked as **Exhibit "C"** hereto.
- (b) In lieu of the aforesaid facilities being granted, sanctioned and disbursed, various documents were executed for and on behalf of

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW

PAGES 4 TO 14 NOT AVAILABLE FOR PREVIEW

PREVIEW