

Financial and Debt Laws - Auction - Bid accepted in 2013 - Confirmation stayed by the High Court in the laonee-borrowers writ - Ultimately, property was handed over to the Auction Purchaser only in 2018, after making the entire payment - High Court set aside the confirmation of sale only on the ground that the Corporation has not taken into account the escalation of the prices in property between 2013 to 2018 - Except this ground, there is no fault found with the auction proceedings and finalization of the sale in favour of the Auction Purchaser - Sale in favour of the Auction Purchaser could not have been set aside by the Division Bench on this ground alone - However, Corporation ought to have considered imposing interest on the bid amount from 2013 to 2018 - We reject the submission made on behalf of the Auction Purchaser that it is not liable to pay anything more than the amount that was offered for the property in 2013 - Corporation failed in its duty in not taking into account the lapse of five years from the date of auction while handing over the possession of the property to the Auction Purchaser - The value of the property has undoubtedly increased during the said period - Auction Purchaser directed to pay interest at the rate of 12% per annum on Rs. 11.11 crores for the period from 2013 to 2018.

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