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Securitisation and Reconstruction of Financial Assets and Enforcement of Security [interest](#) Act, 2002 ([sarfaesi](#) Act), Section 26-D, 26-E - Section 26-D provides that the secured creditor shall not be entitled to exercise rights of enforcement of securities under Chapter-III unless the security interest created in its favour by the borrower has been registered with the Central Registry - Even if the Petitioner's [mortgage](#) was not registered under Section 26-D of the SARFAESI Act, in view of Section 31-B of the RDB Act, the alleged non registration, would not affect the legal position on the issue of priority - Mortgage of the secured creditor viz. the Petitioner Bank gets prior charge over the charge of the Respondents for [tax](#)/VAT dues.

Recovery of Debts and Bankruptcy Act , 1993 (RDB Act), Section 31-B

Maharashtra Value Added Tax Act, 2002 (MVAT Act), Section 37.

[#2021 SCeJ 149 \(Bom.\)](#)

Tags: [21.JUL.1](#), [Mortgage not registered](#), [MVAT S. 37](#), [Rddb S. 31-B](#), [Sarfaesi and Tax Act](#), [Sarfaesi S. 26-D](#), [Sarfaesi S. 26-E](#)