

Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (54 of 2002), S. 13(8) – Law relating to the availability of right of redemption after the amendment to Sec.13(8) was enacted in 2016 w.e.f. 1.9.2016 – In our considered opinion, it is clear that the legislature did not have any intention to deal with the right of mortgagor to redeem the mortgage when they amended Sec.13(8) or to modify it in any manner; and amendment cannot be said to have intended to modify the existing law which continued even when the un-amended Section 13(8) of the SARFAESI Act was in force – The amended Sec.13(8) was intended to only deal with the date when the secured creditor's right to transfer the secured asset should stop and nothing more – *Held*, We do not find any discussion in the decision in *Shakeena* about the decisions of the apex court dealing with the right of redemption under Sec.60 of the Transfer of Property Act,1872. , *Shakeena v. Bank of India*, 2019 SCeJ 1021, 2019 PLRonline 13200, 2019 SCC OnLine SC 1059, *distinguished*.

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