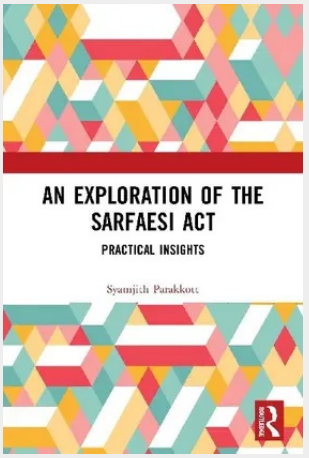
Parakkott

An Exploration of the SARFAESI Act

Practical Insights



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This book looks at the constitutional and regulatory frameworks of loan and debt recovery laws and legislations. It explores different aspects of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002, along with the issues and challenges in enforcing the Act in India. The book explores the evolution of debt recovery laws in India by analysing various past cases and legislations relating to the recovery of dues by banks and financial institutions. Taking the rights of both banks and borrowers into consideration, it provides a description of the relevant provisions of the SARFAESI Act and its implications. The author analyses relevant case laws and practical experiences to highlight the positives and the issues of the SARFAESI Act that have strengthened the creditor’s rights in India. The book also looks at the consolidation of insolvency and bankruptcy laws in India that have contributed to the process of debt recovery while protecting customers. Lucid and comprehensive, this volume will be an indispensable resource for students and researchers of law, business and company law, monetary economics, macroeconomics, Asian law, and comparative law. It will also be useful for teaching faculty, legal practioners and bankers.

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