
**Bengal Land (Redemption and Foreclosure) Regulations,
1806**

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A Regulation for extending to the Province of Benares the rates of interest on future loans, and provisions relative thereto, contained in Regulation XV, 1793; also for a general extension of the period fixed by Regulation I, 1798, and XXXIV, 1803 for the redemption of mortgages and conditional sales of land, under deeds of bai-bil-wafa, katkabala or other similar designation

What shall entitle mortgagor or his representative to redeem before final foreclosure, after application by mortgagee for foreclosure In addition to the provisions made in the Provinces of Bengal, Bihar, Orissa and Benares, by Regulation I, 1798, and in the Ceded and Conquered Provinces by Regulation XXXIV, 1803, for the redemption of mortgages and conditional sales of land, under deeds of bai-bil-wafa, kat-kabala or any similar designation, it is hereby provided that, when the mortgagee may have obtained possession of the land on execution of the mortgage-deed, or at any time before a final foreclosure of the mortgage, the payment or established tender of the sum lent under any such deed of mortgage and conditional sale, or of the balance due, if any part of the principal amount shall have been discharge, or when the mortgagee may not have been put in possession of mortgaged property, the payment or established tender of the principal sum lent, with any interest due thereupon, shall entitle the morgagor

and owner of such property, or his legal representative, to the redemption of his property, before the mortgage is finally, foreclosed in the manner provided for by the following section; that is to say, at any time within one year (West Bengal, Fasli or willaiti, according to the era current where the mortgage may take place) form and after the application of the mortgagee to the zila or City Court of Diwani Adalat foreclosing the mortgage and rendering the sale conclusive in conformity with section 8 of this Regulation : Provided that such payment or tender be clearly proved to have been made to the lender and" mortgagee or his representative; or that the amount due be deposited within the time above specified, in the Diwani Adalat of the zila or city in which the mortgaged property may be situated, as allowed for the security of the borrower and mortgagor, in such cases, by section 2, Regulation I, 1798, and section 12, Regulation XXXIV, 1803 the whole of the provisions contained in which sections, as applied therein to the stipulated period of redemption, are declared to be equally applicable to the extended period of one year, granted for an equitable right of redemption by this Regulation.

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