

Chapter IV-F - Foreclosure, Redemption and Subrogation

Map redemption standing, subrogation, tacking and title-deed deposit while separating repealed procedure now governed elsewhere.

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Dedicated Finin2min Summary - Chapter in 2 Minutes

- Section 85: Repealed - convert every statutory limb into evidence-backed transaction controls.
- Section 86: Repealed - convert every statutory limb into evidence-backed transaction controls.
- Section 87: Repealed - convert every statutory limb into evidence-backed transaction controls.
- Section 88: Repealed - convert every statutory limb into evidence-backed transaction controls.
- Map redemption standing, subrogation, tacking and title-deed deposit while separating repealed procedure now governed elsewhere.
- Apply the current official Act and transaction-date State stamp, registration, land, tenancy, RERA and procedural law.

Current statutory text / controlled source map

Section 85 - Repealed.
Section 86 - Repealed.
Section 87 - Repealed.
Section 88 - Repealed.
Section 89 - Repealed.
Section 90 - Repealed.
Section 91 - Persons who may sue for redemption.
Section 92 - Subrogation.
Section 93 - Prohibition of tacking.
Section 94 - Rights of mesne mortgagee.
Section 95 - Redeeming co-mortgagor expenses.
Section 96 - Mortgage by deposit of title deeds.
Section 97 - Repealed.

Section-by-section provision map

Provision	Subject / status	Finin2min clause-by-clause decode and implementation
Section 85	Repealed <i>Repealed - historical map only</i>	Section 85 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 86	Repealed <i>Repealed - historical map only</i>	Section 86 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 87	Repealed <i>Repealed - historical map only</i>	Section 87 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.

Provision	Subject / status	Finin2min clause-by-clause decode and implementation
Section 88	Repealed <i>Repealed - historical map only</i>	Section 88 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 89	Repealed <i>Repealed - historical map only</i>	Section 89 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 90	Repealed <i>Repealed - historical map only</i>	Section 90 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 91	Persons who may sue for redemption <i>Operative subject to current official/State law</i>	Section 91 governs persons who may sue for redemption. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 92	Subrogation <i>Operative subject to current official/State law</i>	Section 92 governs subrogation. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 93	Prohibition of tacking <i>Operative subject to current official/State law</i>	Section 93 governs prohibition of tacking. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 94	Rights of mesne mortgagee <i>Operative subject to current official/State law</i>	Section 94 governs rights of mesne mortgagee. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.

Provision	Subject / status	Finin2min clause-by-clause decode and implementation
Section 95	Redeeming co-mortgagor expenses <i>Operative subject to current official/State law</i>	Section 95 governs redeeming co-mortgagor expenses. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 96	Mortgage by deposit of title deeds <i>Operative subject to current official/State law</i>	A title-deed deposit mortgage depends on delivery in a notified place with intention to create security; document the deposit and State stamp consequences. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.
Section 97	Repealed <i>Repealed - historical map only</i>	Section 97 governs repealed. Identify actor, property/right, transfer event, statutory conditions, exceptions, notice and legal consequence within the redemption, subrogation and procedural interface framework. Implementation: Record title and authority, transaction dates, consideration, possession, instrument form, stamp/registration status, notice, approvals and third-party claims. Obtain State-specific review before execution or enforcement. Evidence: Official source snapshot; title chain; encumbrance/litigation search; authority; executed instrument; valuation; payment and tax proof; possession/delivery record; notices; registration receipt.

Finin2min implementation explanation

Classify the property interest, parties, authority, consideration, possession and intended legal result. Complete title, encumbrance, litigation and State-law diligence. Select the correct instrument, stamp, registration and perfection route. Block payment or possession until closing conditions and evidence are complete.

Practical examples and calculations

Scenario: A property transaction is approved commercially before legal classification is complete. The professional file must identify the statutory transaction, authority, title, form, consideration, possession, registration, third-party rights and remedies before execution.

Calculation/control	Method	Evidence
Consideration/value	Reconcile stated price, market value, taxes, retention, debt and non-cash consideration.	Agreement, valuation and ledger
Stamp and fees	Apply State instrument classification, market value, duty, surcharge and registration fee.	Current State schedule and adjudication
Exposure	Quantify encumbrances, arrears, interest, possession loss, cure cost and remedy value.	Searches, statements and legal model

Practical transaction application

1. Classify the transaction and every interest. 2. Complete title, authority, encumbrance, litigation, land-use and possession diligence. 3. Map the Act and State overlays to the instrument. 4. Reconcile consideration, taxes, possession and completion. 5. Preserve closing and enforcement evidence.

Authority, consent and execution controls

Confirm legal identity, capacity, title, board/partner/trustee/co-owner/lender consents, power-of-attorney scope, execution, attestation, witnessing and document custody.

Stamp duty and registration alerts

Apply current State instrument classification, market value, duty, surcharge, registration fee, adjudication and impounding rules. Registration does not cure defective title or prohibited transfer.

Evidence and document-retention checklist

Retain title chain, searches, authority, valuation, tax and KYC records, executed instrument, witness evidence, registration receipt, consideration, possession, originals handover and notices.

Performance, delivery and payment controls

Define conditions precedent, long-stop date, escrow/retention, possession condition, risk transfer, taxes, apportionments, originals handover and post-closing filings.

Breach, loss, mitigation and remedy framework

Separate invalidity, rescission, specific performance, injunction, possession, redemption, foreclosure/sale, damages, restitution and indemnity. Prove causation, market value and mitigation.

Limitation and forum controls

Select relief-specific limitation and forum: civil/Commercial Court, RERA, DRT/DRAT, NCLT, consumer, revenue or arbitration. Compute notice, cure, termination, appeal and enforcement clocks.

Arbitration and mediation interface

Assess arbitrability, rights in rem, statutory forums, third-party interests, interim protection, lis pendens, possession and limitation. Preserve source and evidence during settlement.

Company, partnership, GST and tax overlays

Apply entity authority, charges, RERA, GST, TDS, capital gains, valuation, FEMA, benami, PMLA/KYC, insolvency moratorium and secured-creditor priority.

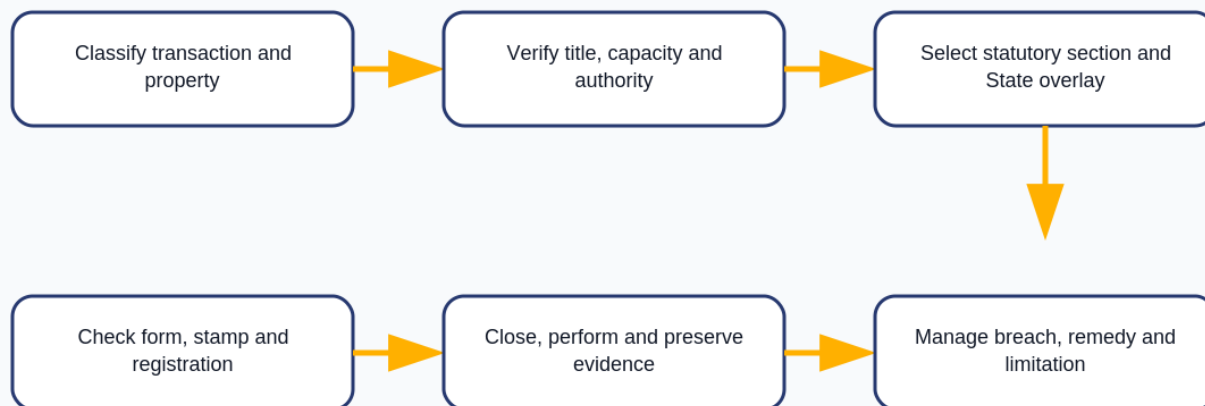
Finin2min Q&A;

First classify the transaction and title. The common failure is execution or payment before State stamp/registration and third-party rights are verified. A contract does not always transfer title. Maintain a reproducible source, title, authority, closing and remedy file.

Chapter-specific decision flowchart

Classify transaction -> verify title/capacity -> select section and State overlay -> check form/stamp/registration -> close and preserve evidence -> manage breach, remedy and limitation.

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Finin2min decision flow - verify current official and State law before reliance

Official source: <https://www.indiacode.nic.in/bitstream/123456789/2338/1/A1882-04.pdf>

Legal-use note: verify current official and State law and obtain matter-specific advice before execution, registration, enforcement or litigation.