

Provided that, if he has reason to think that the sale ought to be set aside notwithstanding that no such application has been made, or on ground other than those alleged in any application which has been rejected, he may, after recording his reasons in writing, set aside the sale.

Purchaser may apply to set aside sale under certain circumstances.

**209.** Except in a case, where land has been sold for arrears which form a charge on the land, the purchaser may, at any time within thirty days from the date of sale, apply to the Collector to set aside the sale on the ground that the defaulter had no saleable interest in the property sold; and the Collector shall, after due enquiry, pass such order on such application as he deems fit.

Application to set aside sale by person owning to holding interest in property.

**210.** (1) Where immoveable property has been sold under this code, any person either owning such property or holding an interest therein by virtue of a title acquired before such sale may, at any time within thirty days from the date of sale, apply to the Collector to have the sale set aside on his depositing—

(a) for payment to the purchaser a sum equal to five per cent of the purchase money;

(b) for payment on account of the arrear, the amounts specified in the proclamation of sale as that for the recovery of which the sale was ordered, less any amount which may have been paid since the date of sale on that account ; and

(c) the cost of the sale :

<sup>1</sup>[Provided that, such application may be made by any such person belonging to a Scheduled Tribe within one hundred and eighty days from the date of sale.]

(2) If such deposit is made within thirty days, <sup>2</sup>[or as the case may be, one hundred and eighty days] from the date of sale, the Collector shall pass an order setting aside the sale.

Refund of deposit or purchase money when sale set aside.

**211.** Whenever the sale of any property is not confirmed, or is set aside, the purchaser shall be entitled to receive back his deposit or his purchase money, as the case may be and the sum equal to five per cent. of the purchase money deposited under clause (a) of sub-section (1) of section 210.

On confirmation of sale, purchaser to be put in possession, Certificate of purchase.

**212.** After a sale of any occupancy or alienated holding has been confirmed in the manner aforesaid, the Collector shall put the person declared to be the purchaser into possession of the land and shall cause his name to be entered in the land records as occupant or holder in *lieu* of that of the defaulter and shall grant him a certificate to the effect that he has purchased the land to which the certificate refers.

Bar of suit against certified purchaser.

**213.** The certificate shall state the name of the person declared at the time of sale to be the actual purchaser; and any suit brought in a civil court against the certified purchaser on the ground that the purchase was made on behalf of another person not the certified purchaser, though by agreement the name of the certified purchaser was used, shall be dismissed.

<sup>1</sup> This proviso was added by Mah. 35 of 1974, s. 8 (1).

<sup>2</sup> These words were inserted, *ibid*, s. 8 (2).