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SUPREME COURT

## Supreme Court Rules

### Legal Mortgage Trumps Equitable Mortgage in Bank Dispute

Sheikh Rayees • February 20, 2025

#### PUBLISHED REPORT

In a significant ruling, the Supreme Court has clarified that a mortgage created by the deposit of title deeds holds priority over one based on an unregistered agreement to sell. This decision came in a dispute between Cosmos Co-operative Bank Ltd. and the Central Bank of India over the first charge on a mortgaged property. The case revolved around loans granted by both banks—Central Bank in 1989, backed by an...

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