

Terms and Conditions for sale of assets of through online e-auction under SARFAESI Act



BANK OF MAHARASHTRA
(A Govt. of India Undertaking)
Head Office: 'Lokmangal', 1501, Shivajinagar, Pune 411005
Zonal Office: Mumbai Zonal Office, Janmangal 45/47,
Mumbai Samachar Marg, Fort, Mumbai-23
Telephone:022-22630884
Branch Office: Asset Recovery Branch, Janmangal, 6th Floor,
45/47,Mumbai Samachar Marg, Fort, Mumbai-400001


Terms and Conditions for sale of assets of Accounts: ASK Group (India) , Pinrap Packaging Pvt. Ltd., Axis Inc., Kuldeep Infrastructure Pvt. Ltd. & Kuldeep Enterprises through online e-auction on 26.12.2019 under SARFAESI Act.

Lot No.	Borrowers/Guarantors/Name & Address:	Description of Property.	Reserve Price	Earnest Money Deposit
1	Borrower: M/S ASK Group (India), Prop: Mr. Aman Puneet Singh- Flat No. 7, 7th Floor, Le Orchid CHSL , Near Khar Gymkhana, Plot 695, TPS-III, 15th Road,Village Bandra, Khar West, Mumbai- 400 052 Guarantor: Mr. Gurmeet Singh Kohli & Mrs. Tejinder Kaur Kohli, Both Residing at- Flat No. 7, 7th Floor, Le Orchid CHSL , Near Khar Gymkhana, Plot 695, TPS-III, 15th Road,Village Bandra, Khar West, Mumbai- 400 052	All that piece and parcel of Flat No. 9, Ground Floor, Rajshree Co-operative Housing Society Limited, CTS No. G/30/12, Village Bandra G, Taluka Andheri, 3/6, Dattatraya Road, Santacruz (West), Mumbai- 400 054 admeasuring 450 sq. ft. carpet area.	Rs. 1,03,68,000/-	Rs. 10,37,000/-
			Bid Increment	Rs. 50,000/-
			Physical Possession	
			Date of E- Auction	26/12/2019
			Time of e-auction:12.30pm to 1.30 pm with unlimited extension of 5 minutes each	
Outstanding Amount: Rs.2,90,35,948/- (Two Crores Ninety Lakhs Thirty Five Thousand Nine Hundred Forty Eight only) plus unapplied interest from 01/03/2016 minus recovery if any plus all costs, charges and expenses or other incidental charges thereof.				
Date & Time for submission of request letter of participation/KYC Documents/Proof of EMD etc. up to 24/12/2019				
Date & Time of inspection on 30/11/2019 at 11.00 am to 3.00pm.				
2	Borrowers/Guarantors/Name & Address: Borrower: M/s Pinrap Packaging Pvt. Ltd. at- Shop 224, Second Floor, Dimple Arcade Premises Co-op Society Ltd. Behind Sai Baba MAndir, Thakur Complex, Kandivali East, Mumbai- 400 101 Guarantors: a. Shri Rang Behari Bhoot, b. Shri Abhishek Bhoot c. Shri Puneet Bhoot d. Smt Nutan Bhoot e. Giriraj Packaging Solutions (Prop: Rang Bihari Bhoot)	All that piece and parcel of Industrial Shed/ Structures along with Land bearing Gut No. 265, Paiki 126/2, 127/1,2 admeasuring 1.20 Hectares i.e. 12000 sq. mtr. At Village Kalamgaon, Taluka Shahpur, Near Hotel Hill Top, Opposite Bharat Spring Limited, Mumbai- Agra National Highway, Dist Thane- 421 301	Rs. 2,88,37,000/-	Rs. 28,90,000/-
			Bid Increment	Rs. 50,000/-
			Physical Possession	
			Date of E- Auction	26/12/2019
			Time of e-auction:12.30pm to 1.30 pm with unlimited extension of 5 minutes each	



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Name of Bidder	Signature of Bidder	Date

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	Outstanding Amount: Rs. 3,20,84,374.89 plus unapplied interest from 01.01.2015 minus recovery if any plus all costs, charges and expenses or other incidental charges thereof.			
	Date & Time for submission of request letter of participation/KYC Documents/Proof of EMD etc. up to 24/12/2019			
	Date & Time of inspection on 16/12/2019 at 12.00 noon to 3.00 p.m. (Prior Appointment)			
3	Borrowers/Guarantors/Name & Address:	Description of Property.	Reserve Price	Earnest Money Deposit
	Borrower: M/s Axis Inc. prop. Mr. Rajendra Dhondu Manjarekar - at 47 A Todi Industrial Estate, Sun Mill Compound, Lower Parel, Mumbai 400013. R/also at 'A' Wing, in Building known as 'Shiv Govind' CHSL, constructed on Plot No. 224, Sector 13, Near Shilp Chowk, Kharghar, Navi Mumbai, lying and situated at Village: Kharghar, Tal: Panvel, Dist: Raigad. Guarantor: Smt. Revati Rajendra Manjerakar R/at above address of borrower.	All that piece and parcel of Flat No. 502, admeasuring 898 sq. ft. (Super Built up) on Fifth Floor, 'A' Wing, in Building known as 'Shiv Govind' CHSL, constructed on Plot No.224, Sector 13, Near Shilp Chowk, Kharghar, Navi Mumbai, lying and situated at Village: Kharghar, Tal: Panvel, Dist: Raigad.	Rs. 52,57,230/-	Rs. 5,26,000/-
			Bid Increment	Rs.50,000/-
			Physical Possession	
			Date of E- Auction	26/12/2019
			Time of e-auction:12.30pm to 1.30 pm with unlimited extension of 5 minutes each	
	Out Standing Amount: Rs.41,68,474/- (Rupees Forty One Lakhs Sixty Eight Thousand Four Hundred Seventy Four Only) plus unapplied interest @ 12.75 % p.a with monthly rest w.e.f. 04.07.2015 minus recovery if any plus all costs, charges and expenses or other incidental charges thereof.			
	Date & Time for submission of request letter of participation/KYC Documents/Proof of EMD etc. up to 24/12/2019			
	Date & Time of inspection on 07/12/2019 at 11.00 am to 3.00pm.			
	4	Borrowers/Guarantors/Name & Address:	Description of Property.	Reserve Price
Borrower: M/s Kuldeep Infrastructure Pvt. Ltd. at- 281-282 Sunder Transport Lane, Kolsa Bunder, Darukhana, Mumbai 400 010 Guarantors: i. Mr. Jayshankar R Mishra ii. Mr. Gyanshankar R Mishra iii. Mr. Shekhar A Jadhav iv. Mr. Amit Bipin Shah		All that piece and parcel of Row House No. 4, Ganesh Villa, Plot No. 27, Sector No. 26, Parsik Hill, Near Mayor's Bunglow, C.B.D. Belapur, Navi Mumbai-400 614 admeasuring 2405 sq. ft. (Built up)	Rs. 1,43,09,750/-	Rs. 14,31,000/-
			Bid Increment	Rs.50,000/-
		Physical Possession		
		Date of E- Auction	26/12/2019	
		Time of e-auction:12.30pm to 1.30 pm with unlimited extension of 5 minutes each		
Out Standing Amount: Rs. 1,48,36,173.00 plus unapplied interest from 15.05.2014 minus recovery if any plus all costs, charges and expenses or other incidental charges thereof.				
Date & Time for submission of request letter of participation/KYC Documents/Proof of EMD etc. up to 24/12/2019				
Date & Time of inspection on 13/12/2019 at 11.00 am to 3.00pm.				
		Borrowers/Guarantors/Name & Address:	Description of Property.	Reserve Price
	Borrower: M/s Kuldeep Enterprises, (Prop: Shri.	All that piece and parcel of Flat No. 496, 4th Floor, Building No. C 03, Raj	Rs. 6,70,000/-	Rs. 67,000/-
			Bid Increment	Rs.20,000/-
			Physical Possession	

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Jayshankar Rajmani Mishra) - 281-282 Sunder Transport Lane, Khosla Bunder, Darukhana, Mumbai 400010 Guarantor: Mr. Gyanshankar R. Mishra- 281-282 Sunder Transport Lane, Khosla Bunder, Darukhana,Mumbai 400010	Abhishek City Home, Plot No. 14, Sachin Palsana Road registered in Surat, District, Choryasi Sub District, Mouje Pardi Kande, admeasuring carpet area 390.00 sq. ft. and super built up area 660 sq. ft. i.e. 61.34 sq. mtrs. and 40.43 sq. mtrs. (BUA)	Date of E- Auction	26/12/2019
		Time of e-auction:12.30pm to 1.30 pm with unlimited extension of 5 minutes each	
Outstanding Amount: Rs. 85,22,093.50 plus unapplied interest @ 13.65 % p.a w.e.f. 14/08/2014 plus all costs, charges and expenses or other incidental charges thereof.			
Date & Time for submission of request letter of participation/KYC Documents/Proof of EMD etc. up to 24/12/2019 (Between 10:00 a.m. to 5:00 p.m.)			
Date & Time of inspection on 30/11/2019 at 11.00 am to 3.00pm.			

1. Nature and Object of Online Sale:

- a. The online e-auction sale is with the object of Free and Fair Sale, Transparency and for achieving best-possible recovery of public money.
 - b. The sale is governed by the Provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 and Security Interest (Enforcement) Rules, 2002 and the following specific terms and conditions.
2. (a) The auction sale will be On-line E-Auction / Bidding through website <http://www.bankofmaharashtra.in/propsale.asp> and <https://www.bankeauctions.com> on **26/12/2019** between 12.30pm and 1.30 pm., with **unlimited extension of 5 minutes time in case of receipt of bid in last 5 minutes**. Bidders shall improve their offers in multiple of **Rs. 50,000/- (Fifty Thousand Only) for Lot No. 1, 2, 3, 4 and 20,000/- (Twenty Thousand only) for Lot No.5.**

(b) Inspection Date & Time:

- For Lot No. 1: 30/11/2019 between 11:00 a.m. and 3:00 p.m.
- For Lot No. 2: 16/12/2019 between 12:00 noon and 3:00 p.m. (Prior Appointment)
- For Lot No. 3: 07/12/2019 between 11:00 a.m. and 3:00 p.m.
- For Lot No. 4: 13/12/2019 between 11:00 a.m. and 3:00 p.m.
- For Lot No. 5: 30/11/2019 between 11:00 a.m. and 3:00 p.m.

(c) Registration of Bidders with M/s C1 India Pvt. Ltd. for bidding in e- auction as per the requirement of the Auctioneer Company is essential. For details in this regard, kindly visit website <https://www.bankeauctions.com> or contact Mr Hareesh Gowda, M/s C1 India Pvt Ltd, Mobile number 9594597555.

3. Caution to bidders:

- a. Property is being sold on **“AS IS WHERE IS”, “AS IS WHAT IS” AND “WHATEVER THERE IS BASIS”** after taking Physical possession of the properties.
- b. To the best of knowledge and information of the Authorised Officers, there are no encumbrances on the properties. However, the intending bidders should make their own independent inquiries regarding the encumbrances, title of property put on auction, physical area of property, and claims / rights / dues / affecting the property, prior to submitting their bid. Further the bidder/purchaser should make their own inquiries regarding any statutory liabilities, arrears of tax, claims etc. by themselves before making the bid. The e-Auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation on the part of the bank. The property is being sold with all the existing and future encumbrances whether known or unknown to the bank. The Authorised Officer / Secured Creditor shall not be responsible in any way for any third party claims / rights / dues.
- c. The Bank does not undertake any responsibility to procure any permission/license, NOC, etc. in respect of the property offered for sale or for any dues like outstanding water/service charges, transfer fees, electricity dues, dues to the Municipal Corporation/local authority/Co-operative Housing Society or any other dues, taxes, levies, fees, transfer fees if any in respect of and/or



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in relation to the sale of the said property. Successful Bidder has to comply with the provisions of Income Tax regarding purchase of property & to pay the tax to the authorities as per applicable rates.

- d. Bidders are advised / cautioned to verify the concerned Revenue Records/ other Statutory authorities such as Sales Tax/Excise/Income Tax etc. and shall satisfy themselves regarding the nature, description, condition, encumbrance, lien, charge, statutory dues, etc over the property before submitting their bids.
- e. Bidders are advised to go through all the terms and conditions of sale and also in the corresponding public sale notice in the details before submitting the bid and participating in the online bidding/auction.
- f. Statutory dues/liabilities etc., due to the Government/Local Body, if any, shown in the sale notice/tender document shall be borne by the purchaser(s).
- g. This notice is also being published in vernacular. The English version shall be final if any question of interpretation arises.

4. Inspection of Property/Immovable Assets:

- a. Property/Assets can be inspected on the date(s) given in the public sale notice, and on any other date at the discretion of Authorised Officer with prior appointment. For prior appointment please contact Ms. Kanchanlata Pandey, Ph: 9766340338, Mr. Pasas Sonare, Ph: 8055212118, Mr. Vinayak Sahasrabudhe, Ph: 9819580229, Mr. Aditya Kumar Talukdar, Ph: 9435382970
- b. Bidders shall inspect the property/Assets and satisfy themselves regarding the physical nature, condition, extent, etc of the property/Assets.
- c. Bidders are bound by the principle of caveat emptor (Buyer Beware).

5. Inspection of Title Deeds:

- a. Bidders may inspect and verify the title deeds and other documents relating to the property available with the Bank.

6. Submission of bid forms:

- a. Bids shall be submitted online only before the last date and time given in the sale notice.
- b. Bidders may give offers either for one or for all the properties. In case of offers for more than one property bidders will have to deposit the EMD for each property.
- c. Intending bidder should hold a valid e-mail id. All the correspondences will be done through E-mail. Interested bidders should have their own arrangements for internet service. Internet connectivity and other paraphernalia requirements shall have to be ensured by the bidders themselves.
- d. Bids form shall be duly filled in with all the relevant details. The bidders should upload scanned copies of PAN card and proof of residential address, while submitting e- tender/bid form. The bidders other than individuals should also upload proper mandate for e bidding.
- e. Bidders staying abroad/NRIs/PIOs/Bidders holding dual citizenship must submit photo page of his/her valid Indian Passport.
- f. Incomplete/unsigned bids without EMD remittance details will be summarily rejected. NRI Bidders must necessarily enclose a copy of Photo page of his/her Passport.
- g. Only copy of PAN Card, Passport, Voter's ID, Valid Driving License or Photo Identity Card issued by Govt. and PSU will be accepted as the identity document and should be submitted along with the bid form.
- h. Original Identity Document copy of which is submitted along with the bid form must be produced on demand.

7. Earnest Money Deposit (EMD):

- a. The bid shall be accompanied by the EMD as specified in the public sale notice/tender document. Earnest Money Deposit (EMD) shall be deposited through RTGS/NEFT in the Account No.60116604449, Account Name: ARB e-Auction A/c (Name of Borrower), IFSC Code MAHB0001450 or by way of demand draft drawn in favour of Bank of Maharashtra- A/c (Name of Borrower), of the Nationalized Bank, payable at Mumbai. Earnest Money Deposit (EMD) shall be adjusted in case of highest bidder, otherwise refunded within 7 working days of finalization of sale. The EMD shall not carry any interest. Further, in case possession of property is delayed by any reason whatsoever, the auction purchaser will neither be entitled for any interest nor damages.



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- b. A copy of bid form along with the enclosures submitted online (also mentioning the UTR No. and the account no. through which EMD is remitted) shall be forwarded to the Authorized Officer, Bank of Maharashtra, Asset Recovery Branch, Mumbai Zone so as to reach on or before the last date of submission of bid i.e. 24.12.2019.
- c. Bidders not to disclose remittance details of EMD, UTR Code, etc. to any one and to safeguard its secrecy.
- d. Bidders shall preserve the remittance challan and shall produce the same as and when demanded.
- e. Bid form without EMD shall be summarily rejected.
- f. All details regarding remittance of EMD shall be entered in the bid form.
- g. EMD, either in part or in full, is liable for forfeiture in case of default.

8. Bid Multiplier:

- a. The bidders shall increase their bids in multiplies of the amount specified in the public sale notice/Terms and condition of Sale.

9. Duration of Auction sale:

- a. Online auction sale will start automatically on and at the time given in the public sale notice/Tender Document.
- b. Auction/Bidding time will initially be for specified period and if bidding continues, the bidding process will get automatically extended five minutes duration of each and kept open till the auction-sale concludes.
- c. If any market-leading bid (bid higher than the highest at the point in time) is received within the last five minutes of closing time, the bidding time will be extended automatically by five minutes and if no bid higher than last quoted highest bid is received within the said extended five minutes, the auction sale will automatically get closed at the expiry of the extended five minute. There will thus be an extension of bidding-time, each of five minutes duration, till auction is concluded.
- d. Bidders are advised to enter their bid accordingly keeping in mind the five minutes duration.
- e. No complaint on time-factor or paucity of time for bidding will be entertained.

10. Online Bidding:

- a. Auction/ bidding will be only online bidding through the portal provided by the service provider.
- b. In case of sole bidder, the sale may be accepted or deferred and property be brought for resale or otherwise sale will be deferred or cancelled.
- c. Bidders are cautioned to be careful while entering their bid amount and to check for alteration, if any, before confirming the same.
- d. No request/complaint of wrong bidding will be entertained for canceling the sale and in such case, the EMD in full will be forfeited.
- e. Bidders may, subject to conditions of online service provider, may avail pre-auction training and/or for demo/mock auction-sale. The prospective qualified bidders may contact M/s. C1 India Pvt Ltd, Gulf Petro Chem Building, Building No. – 301, 1st Floor, Udyog, Vihar Phase – 2, Gurgaon, Help Line No. +91-0124-4302020/2021/2022/2023/2024/2025, +91- 9821690968, Help Line e-mail ID: support@bankeauctions.com, prior to the date of e-Auction.

11. Declaration of successful bidder:

- a. Highest bidder will be declared the successful bidder and sale will be confirmed in his favour in consultation of Secured Creditor. Intimation to this effect will be given through e-mail by service provider/Bank.
- b. Highest bid will be provisionally accepted on “subject to approval” basis and the highest bidder shall not have any right/title over the property until the sale is confirmed by the Authorized Officer.
- c. All intimations to bidders/auction purchaser will be primarily through e-mail by the service provider/Bank. Date of sending e-mail will be considered as date of intimation. If no intimation reaches, bidders are expected to take efforts to find out status from the Bank. Non-receipt of intimation should not be an excuse for default/non-payment.

12. Deposit of purchase price:

- a. The bidder declared successful, shall pay, immediately on the same day after such declaration, a deposit of 25% (less EMD already paid) on the amount of his purchase money.



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- b. In case of the auction-sale proceeding and concluding beyond the banking transaction hours, the deposit of 25% of purchase price (less EMD already paid) shall be remitted before 5.00 p.m. of the next working day.
- c. The balance amount of purchase money shall be paid on or before the 15th (Fifteenth) day from the date of the sale or within such period as may be extended, for the reason to be recorded, by the Authorised Officer.
- d. It shall be the responsibility of the successful bidder to remit the TDS @ 1% as applicable u/s 194 1-A if the aggregate of the sums credited or paid for such consideration is Rs. 50 lakhs or more. TDS should be filed online by filling form 26QB & TDS certificate to be issued in form 16 B. The purchaser has to produce the proof of having deposited the income tax into the government account.

13. Default of Payment:

- a. Default of payment of 25% of bid amount (less EMD) on the same day or the next working day as stated in para 13(b) above and 75% of balance bid amount within the stipulated time shall render automatic cancellation of sale without any notice.
- b. The EMD and any other monies paid by the successful bidder shall be forfeited by the Authorised Officer of the Bank.

14. Sale Certificate / Payment of Stamp Duty:

- a. On confirmation of the sale by the Bank and compliance of the terms of payment, the Authorized Officer shall issue a certificate of sale of the said property in favour of the successful bidder/purchaser in the form given in Appendix V to Enforcement of Security Interest Rules. The sale certificate shall be issued only in the same name in which the tender /bid is submitted.
- b. No request for inclusion/substitution of names, other than those mentioned in the bid, in the sale certificate will be entertained.
- c. Sale Confirmation/Sale Certificate shall be collected in person or through an authorized person.
- d. The successful bidder would bear all the charges/fees payable for conveyance such as stamp duty, registration fee or any other cost as applicable as per law. All statutory/non stator dues, taxes, rates, assessments, charges fees etc. will be responsibility of the successful bidder only.
- e. The Sale Certificate will not be issued pending operation of any stay/ injunction/ restraint order passed by the DRT/DRAT/High Court or any other court against the issue of Sale Certificate. Further no interest will be paid on the amount deposited during this period.
- f. The deposit made by the successful-bidder, pending execution of Sale Certificate, will be kept in non-interest bearing deposit account.
- g. No request for return of deposit either in part or full/cancellation of sale will be entertained.

15. Return of EMD:

- a. EMD of unsuccessful bidders will be returned through NEFT/RTGS transfer to the bank account details provided by them in the bid form and intimated via their email id.
- b. Unsuccessful bidders shall ensure return of their EMD and if not, immediately to contact the Authorised Officer of the Bank.

16. Stay/Cancellation of Sale:

- a. In case of stay of further proceedings by DRT/DRAT/High Court or any other Court, the auction may either be deferred or cancelled and persons participating in the sale shall have no right to claim damages, compensation or cost for such postponement or cancellation.
- b. Default in payment of 25% of the purchase price or the balance purchase price within the stipulated/extended time shall result in forfeiture and cancellation of sale and Bank will be entitled to re-auction the same.



17. Delivery of Title Deeds:

- a. The title deeds and other documents related to the property and deposited with the Bank for creation of Equitable Mortgage shall be delivered to the Successful bidder/Auction Purchaser, on execution of the Sale Certificate

18. Delivery of possession:

- a. All expenses and incidental charges there to shall be borne by the auction purchaser.

19. Other Conditions:

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- a. The Authorised Officer will be at liberty to amend/ modify/ delete any of the conditions as may be deemed necessary in the light of facts and circumstances of each case.
- b. The Bank has the absolute right and discretion to accept or reject any bid or adjourn/postpone/cancel the sale/modify any terms and conditions of the sale without any prior notice and assigning any reason.
- c. The Authorised Officer reserves the right to accept or reject all or any bid or bids without assigning any reason and to postpone or cancel the sale without assigning any reason.
- d. Bidders shall be deemed to have read and understood all the conditions of sale and are bound by the same.
- e. No counter-offer/conditional offer/conditions by the bidder and/or successful-bidder will be entertained.
- f. The Borrowers attention is invited to the provisions of sub-section 8 of section 13 of the Act in respect of time available, to redeem the secured asset.
- g. Particulars specified in respect of the property in the public notice have been stated to the best of the information of the Authorized Officer/Bank and Bank would not entertain any claim or representation in that regard from the bidders.
- h. This publication notice of 30/15 days is as required by Act/ Rules of Securitisation Act to Borrower/s and guarantor/s.
- i. Disputes, if any, shall be within the jurisdiction of Mumbai Courts only.
- j. Words and expressions used herein above shall have the same meanings respectively assigned to them in SARFAESI Act, 2002, and the Rules framed thereunder.

Date : 18.11.2019
Place : Mumbai



Kanchanlata Pandey

Kanchanlata Pandey
Authorised Officer
Bank of Maharashtra
Asset Recovery branch
Mumbai Zone

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