

E-Public Auction-cum-Sale Notice for Sale of Immovable Assets under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 read with provision to Rule 8 (6) and Rule 9 (1) of Security Interest (Enforcement) Rules, 2002.

TERMS & CONDITIONS OF ONLINE AUCTION SALE

1.	Name and Address of the Secured Creditors:	Axis Finance Limited (AFL) , having its Regd. Office address at: 'Axis House', Ground Floor, C-2, Wadia International Centre, Pandurang Budhkar Marg, Worli, Mumbai - 400 025; bearing CIN : U65921MH1995PLC212675; Tel : 022-2425 2525; Fax : 022-4325 3000; Email: info@axisfinance.in ; Website: www.axisfinance.in ;	
2.	Contact Person:	Mr. Swapneil Tiwari, mob.: 9820063208; Mr. Aditya Vyas, mob.: 7276787990	
3.	Description of the immovable property to be auctioned:	PROPERTY – 1 All that Piece and Parcel of property bearing Flat No. 2605, area admeasuring 638 sq.ft., 26th Floor, Building No. 2, Vijay Galaxy Building No. 1 & 2 CHSL, also one stilt car parking space No. LS-99 constructed on land bearing Survey No. 208, Hissa No. 2,3,4A, 4B, 4C, 4D, 5, 5/1, 5/2, 7, Vijay Galaxy Complex, Waghbil Naka, Off Ghodbunder Road, lying, being and situate at Village Kavesar, Taluka & District Thane, Thane West-400615. PROPERTY – 2 All that Piece and Parcel of property bearing Flat No. 703, area admeasuring 520 sq.ft. 7th Floor, Sai Shraddha Apartment, constructed on the Final Plot NO. 104, Sub Plot No. 2, T.P.S. No. 1 bearing Survey No. 382 Hissa No.1, corresponding C.T.S. No. 1217, original Plot No. 202, lying behind and situate at Village Panchpakhadi, Taluka & District Thane, Hajuri, Wagle Estate, Thane West, Dist. Thane-400604.	
4.	Name of Borrower & Mortgagor/s:	1. NEMCHAND ALGO SWARNKAR (Borrower/Mortgagor) 703, Sai Shraddha Apartment, Near ShivSena Shakha, Hajuri, Thane, Maharashtra – 400504 Email ID: nemchands@gmail.com 2. PUSHPDEVI NEMCHAND SWARNKAR (Co-Borrower - I) 703, Sai Shraddha Apartment, Near ShivSena Shakha, Hajuri, Thane, Maharashtra – 400504 Email ID: nemchands@gmail.com	
5.	Name of the Partner & Guarantor/s:	NIL	
6.	Date and time of Auction:	Date: 26/06/2024 between 11.00 am to 12.00 noon with unlimited extension of "5" minutes each i.e. the end time of e-auction will be extended by 5 Minutes each time if bid is made within the last 5 minutes before closure of auction.	
7.	Reserve Price (Rs.) PROPERTY – 1:	RP (Rs. in Figures) Rs. 1,05,00,000/-	RP (Rs. In Words) Rupees One Crore Five Lakhs Only
Note: * Price below which the Flat /property/s will not be sold			

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8.	Reserved Price (Rs.) PROPERTY - 2	RP (R. in Figures) Rs. 58,50,000/-	RP (Rs. In Words) Rupees Fifty-Eight Lakhs Fifty Thousand Only
		EMD (10% of RP) (In Figures) Rs. 10,50,000/-	EMD (10% of RP) (In Words) Rupees Ten Lakhs Fifty Thousand Only
9.	Earnest Money Deposit (EMD) PROPERTY - 1 (Rs.):	EMD (10% of RP) (In Figures) Rs. 10,50,000/-	EMD (10% of RP) (In Words) Rupees Ten Lakhs Fifty Thousand Only
		EMD (10% of RP) (In Figures) Rs. 5,85,000/-	EMD (10% of RP) (In Words) Rupees Five Lakhs Eighty Five Thousand Only
10.	Earnest Money Deposit (EMD) PROPERTY - 2 (Rs.)	EMD (10% of RP) (In Figures) Rs. 5,85,000/-	EMD (10% of RP) (In Words) Rupees Five Lakhs Eighty Five Thousand Only
11.	Last date of submission of bids:	Date: 24/06/2024 (i.e. Monday) at 04:00 pm	
12.	Bid Increment Amount by:	Rs. 1,00,000/- (Rupees One Lacs Only).	
13.	Debt Due with interest and cost:	Rs. 1,67,13,744/- (Rupees One Crore Sixty-Seven Lakhs Thirteen Thousand Seven Hundred Forty Four Only) as on 05th May, 2024 with further interest at the contractual rates, along with default/penal interest and other charges etc., till final payment/realization.	
14.	Date & Time of inspection of property for intending purchasers:	With prior appointments between 1:00 pm to 3:30 pm. (Contact Details & Mob. No.: Mr. Aditya Vyas: 7276787990)	
15.	Address at which the bids to be collected & submitted:	Axis Finance Limited , 'Axis House', Ground Floor, C-2, Wadia International Centre, Pandurang Budhkar Marg, Worli, Mumbai - 400 025;	
16.	Details of encumbrances over the properties, as known to the Bank/FIs:	NIL	
17.	Details of pending litigations qua the immovable property as described in point no. 3 are as under:	NIL	
18.	THE FLAT / PROPERTY / SECURED ASSETS IS BEING SOLD ON "AS IS WHERE IS", "AS IS WHAT IS", "WHATEVER THERE IS" AND "WITHOUT RECOURSE BASIS". AS SUCH, SALE IS WITHOUT ANY KIND OF WARRANTIES & INDEMNITIES. SEPARATE BID FOR INDIVIDUAL FLAT / PROPERTY / SECURED ASSET WILL BE ACCEPTED.		
19.	Particulars of the Flat / Property / Asset (viz. extent & measurements specified in the E-Public Auction-cum-Sale Notice), has been stated to the best of information of the Authorised Officer and Authorised Officer shall not be answerable for any error, misstatement or omission. Actual extent & dimensions may differ.		
20.	E-Public Auction-cum-Sale Notice issued by the AFL is an invitation to the public to submit their bids and the same does not constitute and will not be deemed to constitute any commitment or any representation on the part of the AFL. Interested bidders are advised to peruse the copies of title deeds as available with AFL and to conduct own independent enquiries/due-diligence/search/etc., about the title, encumbrances and present condition of the flat /property/secured assets and claims, encumbrances, dues, etc., affecting the flat /property/secured assets before submission of bid/s.		
21.	Public Auction / bidding shall be strictly through "Online Electronic Mode" and only through the website: https://sarfaesi.auctiontiger.net/EPROC/ provided by the service provider M/s. E-Procurement Technologies Limited, B-704-705, Wall Street - 2, Opp. Orient Club, Near Gujarat College, Ellis Bridge, Ahmedabad-380006, Gujarat.: 079-35022125; Contact Persons: Mr. Maulik Shrimali representing Auction Tiger, mob: +91-91735 28727; Email : Maulik.shrimali@auctiontiger.net , who shall arrange and co-ordinate the entire process of auction through the e- auction platform.		

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22.	The bidders may participate in e-auction for bidding from their place of choice. Internet connectivity shall have to be ensured by bidder himself. AFL /service provider shall not be held responsible for the internet connectivity, network problems, system crash, power failure etc.
23.	For participating in the e-auction sale, the intending bidders should register their details with the service provider M/s E-Procurement Technologies Ltd. , B-704-705, Wall Street - 2, Opp. Orient Club, Near Gujarat College, Ellis Bridge, Ahmedabad-380006, Gujarat.: 079-35022125; Contact Persons: Mr. Maulik Shrimali representing Auction Tiger, mob: +91-91735 28727; Email : Maulik.shrimali@auctiontiger.net , well in advance and shall get the user id and password. Intending bidders are advised to change only the password immediately upon receiving it from the service provider.
24.	For participating in e-auction, intending bidders have to deposit a refundable EMD of 10% of reserve price only by Demand Draft (DD) / Pay Order (PO) favouring "Axis Finance Limited" , payable at Mumbai.
25.	The intending bidders should submit the duly filled in Bid Form (formats available at https://sarfaesi.auctiontiger.net/EPROC/ along with the DD/ PO towards EMD in a sealed cover addressed to "the Authorized Officer, Axis Finance Limited" , at the Regd. Office address at: 'Axis House', Ground Floor, C-2, Wadia International Centre, Pandurang Budhkar Marg, Worli, Mumbai - 400 025; latest by 24.06.2024 (Monday) before 4:00 pm. The sealed cover should be superscribed with "Bid for participating in E-Auction Sale - in the A/c – Nemchand Swarnkar & Ors.
26.	After expiry of the last date of submission of bids along with EMD DD / PO, the Authorised Officer shall examine the bids received by him and confirm the details of the qualified bidders (who have quoted their bids over and above the reserve price and paid the specified EMD with AFL) to the service provider M/s E-Procurement Technologies Ltd. , to enable them to allow only those bidders to participate in the online <i>inter se</i> bidding /auction proceedings on the date and time mentioned in E-Auction Sale Notice.
27.	Inter-se bidding among the qualified bidders shall start from the highest bid quoted by the qualified bidders. During the process of inter-se bidding, there will be unlimited extension of "5" minutes each, i.e. the end time of e- auction shall be automatically extended by 5 Minutes each time if bid is made within 5 minutes from the last extension.
28.	Bids once made shall not be cancelled or withdrawn. All bids made from the user id given to bidder will be deemed to have been made by him alone.
29.	The EMD received late for any reason whatsoever will not be entertained.
30.	Immediately upon closure of E-Auction proceedings, the highest bidder shall confirm the final amount of bid quoted by him BY EMAIL , both to the Authorised Officer, Axis Finance Limited and to the Service Provider for getting declared as successful bidder in the E-Auction Sale proceedings.
31.	The interested bidders, who have submitted their EMD along with necessary documents on or before 24.06.2024 till 4:00 p.m., shall be eligible for participating in e-bidding process. The e-Auction of above properties would be conducted exactly on the scheduled Date & Time as mentioned above by way of inter-se bidding amongst the bidders. The bidders shall improve their offer in multiple of the amount mentioned under the column "Bid increase amount" against properties. In case bid is placed in the last 5 minutes of the closing time of the e-Auction, the closing time will automatically get extended for 5 minutes (subject to maximum of unlimited extensions of 5 minutes each). The bidder who submits the highest bid amount (not below the Reserve Price) on closure of e-Auction process shall be declared as Successful Bidder and a communication to that effect will be issued which shall be subject to approval by the Authorized Officer/Secured Creditor.
32.	The successful bidder shall deposit 25% of the bid amount (including EMD) immediately being knocked down in his /her favour and balance 75% of bid amount within 15 days from the date of e-auction to the credit of Axis Finance Limited , payable at Mumbai. Any further extension in the payment timelines will be at the sole discretion of Axis Finance Limited
33.	In case of default in payment of above stipulated amounts by the successful bidder /auction purchaser within the stipulated time, the sale will be cancelled and the amount already paid (including EMD) will be forfeited and the properties will be again put to sale. The defaulting bidder shall have no claim / right in respect of properties / amount. As the sale is subject to confirmation by AFL, the offers would be treated as open. Further, in such a scenario AFL will have the liberty of approaching the subsequent bidder for purchase of the secured assets which shall not be lower than the reserve price quoted for the secured assets.

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34.	At the request of the successful bidder in writing, the Authorised Officer in his absolute discretion may grant further time in writing, for depositing the balance 75% of the bid amount subject to the provision of applicable law.
35.	Municipal/ Revenue /Panchayat /Local Body Taxes, Society dues (as and when due upon formation), Electricity dues, Water dues, etc., (if any) has to be paid / borne by the successful bidder only.
36.	Sale Certificate will be issued by the Authorised Officer in favour of the successful bidder only upon deposit of the entire purchase price/ bid amount.
37.	Applicable legal charges for conveyance, stamp duty, registration charges and other incidental charges shall be borne by the auction purchaser.
38.	AFL's Authorised officer will be at liberty to amend / modify / delete any of the above conditions as may be deemed necessary in the light of the facts and circumstances of the case. In case the offer for purchase of assets on deferred payment basis from a purchaser is accepted, AFL's Authorised officer reserves its right to annul/amend the offer if it receives unsatisfactory report from the banker/s of the purchaser or for any other valid reasons.
39.	AFL's Authorized officer may postpone/ cancel the E-Auction Sale proceedings without assigning any reason whatsoever. In case the E-Auction Sale scheduled is postponed to a later date before 30 days from the scheduled date of sale, it will be displayed on the website of the service provider or AFL or on the notice board at AFL office, Mumbai.
40.	The decision of the Authorised Officer will be final, binding and unquestionable.
41.	All bidders who submitted the bids, shall be deemed to have read and understood the terms and conditions of the E-Auction Sale and be bound by them.
42.	This sale is without prejudice to AFL's right to proceed against the Borrower /Mortgagors / Guarantors etc. before Debts Recovery Tribunal and / or as per the recovery certificate that may be obtained by AFL.
43.	The Authorised Officer / Secured Creditors shall not be responsible for any changes, lien, encumbrance, property tax, society charges, water tax, municipal tax or any other dues payable to the government or anybody in respect of the flat /property /secured assets under sale.
44.	The successful bidder/s shall bear exclusively all the charges / taxes / rates payable for conveyance including stamp duty, registration charges, other surcharge, if any, any other known / unknown liability, expenses, taxes, any other dues to the Government or anybody in respect of properties sold.
45.	The intending bidders should make discreet enquires as regards to the properties / area / extent of the same /amenities / facilities /etc., from any authorities besides the AFL's charges and go through the title documents and satisfy themselves about the title extent of the properties, any statutory liabilities, arrears of property tax before submitting the bid. No claim of whatsoever nature regarding the properties put for sale, encumbrance over the properties, or any other matter pertaining to sale of assets will be entertained after submission of the online bids.
46.	AFL's Authorised Officer reserve the right to accept or reject any or all tenders/bids before confirmation of sale and cancel the e-auction sale without assigning any reason whatsoever.
47.	AFL's Authorized Officer does not undertake any responsibility to procure any permission/ license /approval /certificate / order / etc., in respect of the properties/assets offered for sale or for settlement of any dues whatsoever in respect of the said properties/assets. The successful bidder / purchaser will have to obtain necessary approval / license / permissions from any concerned authorities pertaining to the properties on its own and on its own cost.
48.	The sale is subject to confirmation by the secured creditors i.e. AFL.
49.	No bids will be acceptable below Reserve price. Bids with conditional offer will be treated as invalid.
50.	Correspondence about any change / modification in the offer after submission of tender / bid will not be entertained. Bids once made shall not be cancelled or withdrawn. All bids made from the User ID given to bidder will be deemed to have been made by him / them / it only.
51.	The purchaser will not carry any industrial / manufacturing activities at the premises after acquisition / purchase of properties or store any hazardous or prohibited items as specified by the Government from time to time. Any act except for the purpose stated hereinabove, will be solely on the purchaser and the purchaser will be solely liable / responsible for the consequences.
52.	EMD amount shall be adjusted in case of the highest / successful bidders. For unsuccessful bidders it will be refunded within 7 days from the date of e-auction and bidders will not be entitled to claim any interest, cost, expenses and any other charges (if any).

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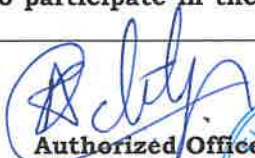


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53.	The sale certificate shall be issued in the same name in which the tender / bid/ is submitted. Any request for change of name of bidder(s) / substitution shall be at the sole discretion of AFL.
54.	All bidders shall be deemed to have read and understood the terms and conditions of sale and be bound by them.
55.	The Authorized Officer reserves its right to negotiate with the highest bidders for further improvement in the offer in order to maximize the recovery of public money.
56.	The e-auction will be conducted under the supervision of the Authorised officer of AFL and an auction agency engaged by AFL for the purpose. Disputes, if any, shall be within the jurisdiction of Mumbai Court only.
57.	In case the E-auction schedule is cancelled before the scheduled date of sale, it will only be displayed on the notice board /website of AFL.
58.	This publication is also 30 days' notice to the borrower/mortgagor/guarantors.
59.	Words and expression used herein above shall have the same meaning assigned to them in SARFAESI Act, 2002, and rules framed there under.
60.	For details and assistance on the bidding / e-auction procedure, the prospective bidders may contact: Mr. Swapneil Tiwari, (mob.: 9820063208; Email: swapneil.tiwari@axisfinance.in ;) or Mr. Aditya Vyas, (mob.: 7276787990; Email: aditya2.vyas@axisfinance.in) both representing AFL or Mr. Maulik Shrimali, representing Auction Tiger, (Mob.: 9173528727; Email : maulik.shrimali@auctiontiger.net ;).

Special Instructions / Caution:

Bidding in the last minutes/seconds should be avoided by the bidders in their own interest. Neither the Authorised Officer of Secured Creditor nor the Service Provider will be responsible for any lapses/failure (Internet failure, Power failure, etc.) on the part of the bidder in such cases. In order to ward off such contingent situation, bidders are requested to make all the necessary arrangements / alternatives such as back-up power supply and whatever else required so that they are able to circumvent such situation and are able to participate in the auction successfully


Authorized Officer


Place: Mumbai
Date: 16/05/2023

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