

TERMS & CONDITIONS:

1. The auction sale will be conducted online on “As is where is”, “As is what is” “whatever there is” and “Without Recourse Basis” on 02/11/2022 at 11.00 am to 12.00 pm.
2. The auction will be conducted online through Omkara ARCs approved the auctioneer portal M/s.C-1 India Pvt Ltd., Gurgaon. E -Auction tender document containing online e-auction bid form, Declaration, General Terms & conditions of online auction sales are available in website <https://www.bankeauctions.com> (Support mail Id support@bankeauctions.com support mobile No. +91-7291981124/25/26).
3. The last date for payment of EMD, and submission of Bid Form & Documents to Authorized Officer at C/515, Kanakia Zillion, Junction of LBS Road and CST Road BKC Annexe Near Equinox, Kurla (West), Mumbai is 01/11/2022 up to 4:00 PM.
4. The immovable property will not be sold below the Reserve Price as mentioned in the auction notice. Society dues mentioned in the published auction notice against particular property will be paid by Omkara ARC on behalf on consortium to the Society upon receipt of the entire sale consideration if any property will be sold under this auction and all other statutory dues/ attendant charges/other dues including registration charges, stamp duty, taxes etc. shall have to be borne by the successful bidder.
5. To the best of knowledge and information available on record, there is no known encumbrance on any property except mentioned in the published auction notice. However, the intending bidders should make their own independent inquiries regarding the encumbrances, title of properties put on auction and claims/ rights/ dues ongoing litigation, effecting the property, prior to submitting their bid. The Public Auction advertisement does not constitute and shall not be deemed to constitute any commitment or any representation of the Omkara ARC. The property is being sold with all the existing and future unknown encumbrances to the Omkara ARC.
6. The Authorised Officer/ Secured Creditor shall not be responsible in any way for any third-party claims/rights/ dues. The Omkara ARC however shall not be responsible for any outstanding statutory dues/encumbrances/tax arrears, if any except mentioned in published notice.
7. All dues / arrears / unpaid taxes including but not limited including sales taxes, dues of Municipal Taxes, Electricity Dues, Industrial Cooperation, labor/ EPFO / workmen dues / compensation if any or any other dues, statutory or otherwise on the secured property shall be borne by the purchaser separately except mentioned in published notice.
8. Properties mentioned at Lot II to IV are amalgamated properties, hence will be sold together to a single bidder keeping in view the cumulative highest bid amount.
9. The highest bidder shall deposit 25% of cumulative bid amount (after adjusting respective EMDs) immediately i.e., on the same day but not later than the next working day, as the case may be and balance 75% amount must be paid within 15 days from confirmation of sale. On failure to pay the sale price as stated all deposits including EMD shall be forfeited without further notice. However, extension of further reasonable time to make the balance 75% payment in exceptional situations shall be at sole discretion of authorized officer and subject to terms & conditions as may be agreed upon in writing between the purchaser and the secured creditor in accordance with applicable provisions of law.
10. The bid once submitted cannot be withdrawn and the bidder must deposit the balance of 25% of the quoted price in case the same is the highest bid, failing which EMD shall be forfeited.
11. The interested bidders shall submit their EMD details and documents through Web Portal: bankeauctions.com through Login ID & Password. EMD amount should be paid by way of **NEFT / RTGS** payable at Mumbai in favor “**Omkara PS 43/2021-22 Trust**” which is refundable without interest to unsuccessful bidders. The bank account details are as under: The EMD shall be payable through **NEFT / RTGS** payable at Mumbai in the following **Account: 055505010656, Name of the Beneficiary: Omkara PS 43/2021-22 Trust, Bank Name: ICICI Bank, Branch: Bandra (East) Mumbai, IFSC Code: ICIC0000555**. Please note that the Cheques shall not be accepted as EMD amount.
12. The EMD of the unsuccessful bidder will be returned within 07 working days from the closure of the e-auction sale proceedings.
13. The intended bidders who have deposited the EMD and require assistance in creating Login ID & Password, uploading data, submitting bid, training on e-bidding process etc., may contact e-Auction Service Provider “M/s. C1 India Pvt. Ltd”, Tel. Helpline: +91-7291981124/25/26, Helpline E-mail ID: support@bankeauctions.com Mr. Hareesh Gowda, Mobile : 95945 97555 E mail – hareesh.gowda@c1india.com.
14. The bidders must hold valid e-mail address and may participate in e-auction for bidding from their place of choice. Internet connectivity shall have to be ensured by bidder himself. Omkara

ARC/service provider shall not be held responsible for the internet connectivity, network problems, system crash own, power failure etc.

15. On the day and time of e-auction, all the intended purchasers/bidders must log-in the system for submitting their bids. If for any reason what-so-ever, any intended bidder fails to log-in into the system and do not submit its bid offer amount, authorized officer reserves its right to forfeit the amount of EMD as deposited by the respective bidders.
16. Bids below reserve price or without EMD amount shall not be accepted. The bid shall be subject to approval & confirmation of Omkara Assets Reconstruction Pvt. Ltd (the secured creditor). The Authorized Officer reserves the right to postpone/cancel or vary the terms and conditions of auction and accept/reject all or any of the offers/ bids so received without assigning any reasons whatsoever. His decision shall be final & binding.
17. The Authorized Officer has the absolute power and right to accept or reject any tender/bid or adjourn/ postpone the sale or to cancel the complete auction process at any time, before confirmation of sale, without assigning any reason whatsoever thereof.
18. Interested parties are advised to independently verify the title, area of land, building and other details. Secured Creditor do not take any responsibility for any errors / omissions / discrepancy / shortfall etc. in the Secured Asset or for procuring any permission, etc. or for the dues of any authority established by law.
19. For any property related query or inspection of property schedule, the interested person may contact the concerned Authorized Officer **Mr. Abhishek Shelar**, Mobile: **+91-8097998596**, E-Mail: **abhishek.shelar@omkaraarc.com** or at address as mentioned above in office hours during the working days.
20. The Bank/ARC reserves its right to sell the property through private treaty as per law, in the event of failure of e-auction.
21. The Authorized officer/secured creditor shall not be responsible for any error, inaccuracy or omission in the said proclamation of sale.
22. Any fees, charges, taxes including but not limited to transfer/conveyance charges, unpaid electricity charges, Municipal/local taxes, Stamp duty & registration charges shall have to be borne by the purchaser only.
23. KYC compliance: - self attested photocopies of Proof of identification viz. Voter ID Card/PAN Card/Driving License etc. along with admissible residence proof should be attached by all the bidders along with the letter of offer/bid and in case of company, firm etc. proper resolution and authority letter must be submitted.
24. At the time submission of the bid, bidder should submit affidavit/undertaking in the spirit of the Section 29 A of IBC.
25. 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.

**STATUTORY NOTICE FOR SALE UNDER Rule 8(6) READ ALONGWITH 9(1) OF
STATUTORY INTEREST (ENFORCEMENT) RULES ,2002.**

This notice is also a Thirty days' notice to the aforementioned borrowers/co-borrower under Rule 8(6) of Security Interest (Enforcement) Rule, 2002 and provisions of Securitization & Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, informing them about holding of auction/sale through e-auction on the above referred date and time with the advice to redeem the assets if so desired by them, by paying the outstanding dues as mentioned herein above along with cost & expenses. In case of default in payment, the property shall at the discretion of the Authorized Officer/Secured Creditor be sold through any of the modes as prescribed under Rule 8 (5) of Security Interest (Enforcement) Rule, 2002.

Date: 27.09.2022

Place: Mumbai

Sd/-

Authorized Officer

Omkara Assets Reconstruction Pvt Ltd.

(Acting in its capacity as a Trustee of Omkara PS 43/2021-22 Trust)