

Omkaara Assets Reconstruction Private Limited
Corporate Office: Kohinoor Square, 47th Floor, N. C. Kelkar
Marg, R. G. Gadkari Chowk, Dadar (West), Mumbai – 400028.
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[Appendix - IV-A]

[See proviso to rule 8 (6) alongwith 9(1)]

NOTICE FOR SALE OF IMMOVABLE

E-Auction Sale Notice for Sale of Immovable and Movable Assets under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with proviso of Rule 8 (6) of the Security Interest (Enforcement) Rules, 2002.

Notice is hereby given to the public in general and in particular to the Borrower/Co-borrower/Guarantor/Mortgagor **M/s. Vyva Apparels (India) Private Limited (Under Liquidation) and Mr. Amit Ashok Kanungo, Mrs. Usha Ashok Kanungo** that the below described immovable properties mortgaged/charged to the Secured Creditor, the possession of which has been taken by the Authorised Officer of the Omkaara Assets Reconstruction Private Limited, Secured Creditor, will be sold on "As is where is", "As is what is", and "Whatever there is" and "Without recourse" basis on 03.12.2024 at 11.00 am (last date and time for submission of bids is 02.12.2024 by 4.00 PM), for recovery of Rs.36,83,04,353/- (**Rupees Thirty Six Crores Eighty Three Lakhs Four Thousand Three Hundred Fifty Three Only**) as on **02.12.2016** Plus Interest and Expenses w.e.f. 03.12.2016 due to the Omkaara Assets Reconstruction Private Limited, Secured Creditor from above mentioned Borrower/Co-borrower/Guarantors/ Mortgagor.

The Omkaara Assets Reconstruction Private Limited (acting in its capacity as Trustee of Omkaara PS 09/2019-20 Trust has acquired entire outstanding debts lying against above said Borrower/Co-borrower/Guarantors/Mortgagor vide Assignment Agreement dated 14.08.2019 along with underlying security from Bharat Co-operative Bank (Mumbai) Limited.

The description of the Immovable Properties, reserve price and the earnest money deposit and known encumbrances (if any) are as under:

LOT	DESCRIPTION OF THE PROPERTY	RESERVE PRICE	EMD
1	Industrial Godown/Gala No. 103, 104, 105, 106 and 107 admeasuring 2750 sq. ft built up area each equivalent to 255.57 sq. mt. totally admeasuring 13750 sq. ft. built up area equivalent to 1277.88 sq. mt. on 1 Floor in the building No. E/7 of Krishna Complex with right to construct open to sky in the land beneath the said premises alongwith undivided common interest in the land bearing Survey No 113 Hissa No 2 at Village Dapode. Taluka Bhiwandi, within the limits of Gram Panchay at Dapode, Talathi Saja Purna owned by M/s. Virgin Apparels (India) Pvt. Ltd. now known as M/s. Vyva Apparels (India) Private Ltd. and bounded by: On or towards the East: By 50.0 wide road On or towards the West: By 50.0 wide road On or towards the North: By Godown No 102 On or towards the South: By Godown No 108	Rs.1,82,00,000/-	Rs.18,20,000/-
2	Piece and parcel of Land admeasuring 8140 sq. mt. (Assignment of unexpired lease right period out of 999 years w.e.f. 14.04.1994 on land being open space admeasuring 2298 sq. meters) bearing Survey No.135(part) and Survey No.166A, Hissa No.1(part), in Ganga Industrial Estate, Mumbai-Nashik Road, Asangaon West, Taluka Shahapur, District Thane and building constructed thereon being Gala Nos.1 to 5 i.e. Main factory building consisting Ground & Loft	Rs.8,26,00,000/-	Rs.82,60,000/-

	<p>area admeasuring 57,778 sq. ft. (built-up area), Labour Room & Toilet Block on Terrace admeasuring 4,826 sq. ft. (built-up area), Canteen Block, Storage area, Toilet Block & Watchman Cabin on the Ground Floor admeasuring 3,241 sq. ft. (built-up area) owned by M/s. Virgin Apparels (India) Pvt. Ltd. now known as M/s. Vyva Apparels (India) Private Ltd. and bounded by:</p> <p>On or towards the East: By Property bearing Survey No 166-A/2</p> <p>On or towards the West: By Internal Road</p> <p>On or towards the North: By Open space admeasuring 2298 sq meters nd beyond by and old Bombay Agra Road</p> <p>On or towards the North: By Property bearing Survey No.166-A/2</p>		
3	Plant and Machinery in Factory situated at Ganga Industrial Estate, Mumbai-Nashik Road, Asangaon West, Taluka Shahapur, District Thane	Rs.15,00,000/-	Rs.1,50,000/-

Last date and time for submission of bid letter of participation/KYC Document/Proof of EMD:	02.12.2024 by 4:00 pm	
Date of E- Auction	03.12.2024 at 11.00 am	
Minimum Bid Increment Amount	Lot 1	Rs.1,00,000/-
	Lot 2	Rs.4,00,000/-
	Lot 3	Rs.15,000/-
Inspection	Lot 1	22.11.2024 between 1.00 pm to 1.45 pm
	Lot 2	22.11.2024 between 2.00 pm to 2.45 pm
	Lot 3	22.11.2024 between 2.00 pm to 2.45 pm
Known Liabilities/Encumbrances	Not Known	

This Publication is also a Thirty Days' notice to the Borrower/Co-borrower/Guarantor/Mortgagor under Rule 8(6) of the Security Interest (Enforcement) Rules, 2002.

For detailed terms and conditions of the sale please refer to the link provided in secured creditor website i.e. <http://omkaraarc.com/auction.php>. Bidder may also visit the website <http://www.bankeauction.com> or contact service provider M/s. C1 India Pvt. Ltd", Tel. Helpline: +91-7291981124/25/26, Helpline E-mail ID: support@bankeauctions.com, or Mr. Bhavik Pandya, Mobile : 8866682937 E mail – maharashtra@c1india.com.

**For Omkara Assets Reconstruction Pvt Ltd.
(Acting in its capacity as a Trustee of Omkara PS 09/2019-20 Trust)**

**Sd/-
Authorized Officer**

**Date: 29.10.2024
Place: Rajkot**

Terms and Conditions

1. The auction sale will be conducted online on “As is where is”, “As is what is” and “whatever there is” and “Without Recourse Basis” of the subject secured assets 03.12.2024 at 11.00 am.
2. Omkara ARC shall reserve the right to cancel the said auction at any time before registration of the Sale Certificate at own discretion and amount paid towards sale shall be refunded without any interest.
3. Omkara ARC will hand over the possession “As is where is”, “As is what is” and “whatever there is” and “Without Recourse Basis”
4. In case of any variation in the area mentioned in the sale notice, title documents, mortgaged documents, and area at actual, then Omkara ARC will not be responsible for the same, However, the intending bidders should make their own independent inquiries regarding the same prior to submitting their bid.
5. 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).
6. The secured assets will not be sold below the Reserve Price. All statutory dues/ attendant charges/other dues including registration charges, stamp duty, taxes etc. shall have to be borne by the successful bidder.
7. The last date for payment of EMD, and submission of Bid Form & Documents to Authorized Officer at Kohinoor Square, 47th Floor, N. C. Kelkar Marg, R. G. Gadkari Chowk, Dadar (West), Mumbai – 400028 as well as Online at auction portal is 02.12.2024 up to 4:00 PM.
8. The immovable property will be sold for a Reserve Price mentioned in the published auction notice. All statutory dues/ attendant charges/other dues including registration charges, stamp duty, taxes etc. shall have to be borne by the successful bidder.
9. To the best of knowledge and information available on record, there is no known encumbrance on any property. 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, affecting 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 encumbrances whether known or unknown to the OMKARA ARC.
10. The Authorized Officer/ Secured Creditor shall not be responsible in any way for any third-party claims/rights/ dues. To the best of knowledge and information of the Authorized Officer, there is no encumbrance on the property statutory dues like property taxes, society dues etc. The OMKARA ARC, however, shall not be responsible for any outstanding statutory dues/encumbrances/tax arrears, if any. The intending bidders should make their own independent inquiries regarding the encumbrances, title of property/ies & to inspect the property and office of government, revenue and court and their records to satisfy themselves Properties can be inspected strictly on the above-mentioned dates and time.
11. All dues / arrears / unpaid taxes including but not limited including sales taxes, dues of Municipal Taxes, Electricity Dues, Industrial Cooperation etc, 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.
12. The successful bidder shall deposit 25% of the bid amount (after adjusting EMD) 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.
13. The bid once submitted cannot be withdrawn and the bidder must purchase the property for the quoted price in case the same is the highest bid, failing which EMD shall be forfeited.

14. 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 "**Omkaara PS 09/2019-20 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:001312100017981, Name of the Beneficiary: Omkaara PS 09/2019-20 Trust, Bank Name: Bharat Co-operative Bank (Mumbai) Limited, Branch: Bandra Mumbai, IFSC Code: BCM0000014**. Please note that the Cheques shall not be accepted as EMD amount.
15. The EMD of the unsuccessful bidder will be returned within 07 working days from the closure of the e-auction sale proceedings.
16. 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 or Mr. Bhavik Pandya, Mobile : 8866682937E mail - maharashtra@c1india.com.
17. The bidders must hold a valid e-mail address and may participate in e-auction for inter-se-bidding from their place of choice. Internet connectivity shall have to be ensured by the bidder himself. Omkaara ARC/service provider shall not be held responsible for internet connectivity, network problems, system crash own, power failure etc.
18. Bids below reserve price or without EMD amount shall not be accepted. The highest bid shall be subject to approval & confirmation of Omkaara 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.
19. Property will be sold to the bidder quoting the highest bid amount. Inter-se bidding will be at the sole discretion of the Authorized Officer. However, the Authorized Officer has the absolute power and right to accept or reject any tender/bid or adjourn/ postpone the sale without assigning any reason whatsoever thereof.
20. Interested parties are advised to independently verify the title, area of land, building and other details. Secured Creditor does not take any responsibility for any errors / omissions / discrepancy / shortfall etc. in the title/area of Secured Asset or for procuring any permission, etc. or for the dues of any authority established by law.
21. 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@omkaaraarc.com** or at address as mentioned above in office hours during the working days.
22. The Bank/ARC reserves its right to sell the property through private treaty as per law, in the event of failure of e-auction.
23. The Authorized officer/secured creditor shall not be responsible for any error, inaccuracy, or omission in the said proclamation of sale.
24. 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.
25. 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.
26. At the time of submission of the bid, the bidder should submit an affidavit in the spirit of Section 29(A) of Insolvency and Bankruptcy code. 2016.
27. Secured Creditor/Authorized Officer reserves its right to adopt any method to select the highest bidder, if the bid amount of two or more bidders are identical/same and they do not opt for increase their respective Bid Amount through inter-se bidding through on-line e-auction portal.
28. If any person submits its Bid through Tender Form for the Reserve Price or above the Reserve Price but subsequently doesn't login to participate in e-auction process, then also, if its Bid found to be highest, then, it may be declared as Highest Bidder at the sole discretion of the Secured Creditor/Authorised Officer.

29. 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 WITH RULE 9(1) OF STATUTORY INTEREST (ENFORCEMENT) RULES ,2002.

This notice is also a mandatory Notice of not less than Fifteen Days to the Borrower(s) of the above loan account under Rule 8(6) read with Rule 9(1) of Security Interest (Enforcement) Rule, 2002 and provisions of The 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.

**For Omkara Assets Reconstruction Pvt Ltd.
(Acting in its capacity as a Trustee of Omkara PS 09/2019-20 Trust)**

**Sd/-
Authorized Officer**

**Date: 29.10.2024
Place: Rajkot**