

Detailed Terms and conditions for sale of immovable secured assets as per the sale notice

dated 22.03.2024

1	Name and Address of the secured creditor	DHANLAXMI BANK LTD. Alappuzha Branch, 26/1006, Ground Floor, Ramavarma District Club Building, Palace Road, Alappuzha - 688 011 Regional Office: Ernakulam Corporate Office: Thrissur
2	Name and Address of the borrower(s)	Mr. Neju Joseph Nebu Villa, P H Ward, Arattuvazhy P O, Alappuzha, Pin - 688 007
3	Name and Address of the guarantor(s)	Mrs. Lesa Neju Nebu Villa, P H Ward, Arattuvazhy P O, Alappuzha, Pin - 688 007
4	Complete description of the Secured Asset/s to be sold	7.65 Ares of land with residential building under Sy No.401/4, Re Sy. No.8, Block No.40 of Aryad South Village, Ambalapuzha Taluk, Alappuzha District in the name of Mr. Neju Joseph and all improvements therein within the following boundaries. Boundaries as per location sketch no.3410/14 issued by Village Officer (Aryad South Village) dated 20.08.2014 East : Pathway South : Property of Mr. A Nasser West : Properties of Mr. Hakeem North : Road
5	Details of encumbrances, if any known to the secured creditor on the above Secured Asset/s	EC dated 02/12/2021 shows Attachment by Sub Court, Alappuzha having IA No.547/19 in OS 49/19 over 2.02 Ares in Sy No.401/4 in Aryad Thekku village for Rs.21,09,800/- and Attachment by sub-Court, Alappuzha having IA No.1/2020 in OS 5/2020 over 2.02 Ares, Sy No.401/4, in Aryad Thekku Village for Rs.10,01,300/-.
6	Total secured debt for recovery of which the property is to be sold	Rs.1,07,67,619/18 (Rupees One Crore Seven Lakh Sixty Seven Thousand Six Hundred Nineteen and Paise Eighteen Only) as on 29.02.2024 plus interest there on from 01.03.2024 at applicable interest p.a. with monthly rests together with costs and expenses incurred thereon till realization in loan account no.009557100000186.
7	Date and time of auction	19.04.2024, Friday between 10.00 AM & 04.00 PM (with auto extension clause of bid in last 5 minutes before closing)
8	Reserve Price of the immovable secured asset	The reserve price will be ₹1,09,00,000/00 (Rupees One Crore Nine Lakh Only)
9	Earnest Money Deposit (EMD) payable	The earnest money deposit will be ₹10,90,000/00 (Rupees Ten Lakh Ninety Thousand Only)
10	Last date of submission of bids and EMD	18.04.2024, Thursday before 4.00 P M
11	Mode of payment of amounts	Demand Draft in favour of Dhanlaxmi Bank Ltd, Alappuzha, OR through RTGS/NEFT/Fund Transfer to credit of account of Dhanlaxmi Bank Ltd, Alappuzha, A/c No.009517700000010, IFSC Code: DLXB0000095
12	Mode of auction	Online Electronic Bidding (E-auction)
13	Portal of E-auction	https://www.bankauctions.in
14	Details of the auction service provider (with phone no., e- mail id etc.)	M/s.4Closure, Hyderabad. Contact person - Mr. T. Jaya Prakash Reddy Mob No.+91 8142000064 / Email id: prakash@bankauctions.in / info@bankauctions.in

14. Other terms and Conditions of sale

- a) The e- auction shall be subject to the conditions prescribed in SARFAESI Act/Rules 2002, terms and conditions mentioned hereunder and also as per the general terms and conditions of e-auction.
- b) The sale shall be on "As is where is", "As is what is", and "Whatever there is" basis.
- c) Auction / bidding shall only through “**Online Electronic Bidding**” through the website <https://www.bankauctions.in> Bidders/Tenderers are advised to go through the website for detailed terms and take part in the E-auction sale proceedings.
- d) The intending bidders/tenderers should register their names at portal <https://www.bankauctions.in> and get their User ID and password free of cost. Also, prospective bidders/tenderers may avail online training on E- auction from M/s.4Closure, Hyderabad (Vendor), Contact person Mr. T. Jaya Prakash Reddy Mob No.+91 8142000064 / Email id: prakash@bankauctions.in / info@bankauctions.in
- e) The intending participants of the e-Auction may download copies of sale notice, terms and conditions of e-auction, help manual on operational part of e-Auction and process compliance form related to this e-auction from the above-mentioned website of service provider, (ie), <https://www.bankauctions.in>
- f) The aforesaid secured assets will not be sold below the Reserve price.
- g) The intending bidders/Tenderers are required to pay earnest money deposit (EMD) of Rs.10,90,000/00 (Rupees Ten Lakh Ninety Thousand Only, equivalent to 10% of the Reserve Price of the property either by way of Demand Draft / a pay order drawn in favour of Dhanlaxmi Bank Ltd, Alappuzha, payable at Ernakulam OR through RTGS/NEFT /Fund Transfer to the credit of the account of Dhanlaxmi Bank Ltd, Alappuzha, A/c No.009517700000010, IFSC Code: DLXB0000095. The intending bidders / Tenderers shall submit /send their Bids /Tenders along with either the Demand Draft / pay order or payment receipt / transaction UTR Number evidencing payment of EMD as above to the Authorized Officer, Dhanlaxmi Bank Ltd, Regional Office, Marine Drive, Ernakulam, so as to reach us on or before 18.04.2024 before 04:00 p.m.
- h) EMD amount shall be adjusted in case of the highest/successful bidder/tenderer. EMD deposited by unsuccessful bidders shall be returned/ refunded to them within 7 working days. The EMD shall not carry any interest. The EMD shall be liable for forfeiture without any prior notice, if successful bidder fails to adhere to the terms of sale or time granted, or commit any default in any manner.
- i) Bidders/tenderers are required to comply with KYC norms and provide self-attested KYC documents online as well as offline on or before 18.04.2024, before 04:00 p.m. Genuineness of the KYC documents (PAN Card, ID Proof and Address proof) is the sole responsibility of the bidder/tenderer. Successful bidder shall submit the original KYC documents to the Bank at the time of making payment of the balance 25% of the bid amount and originals will be returned after verification.
- j) Bids/tenders received that are not duly filled up and or without Earnest Money Deposit or received after date and time specified will summarily be rejected.
- k) After expiry of the last date and time of submission of bids/tenders with EMD, Authorized officer shall examine the bids/tenders received by him and confirm the details of the qualified bidders/tenderers (who have quoted their bids/tenders on and above the reserve price and paid the stipulated EMD with the Bank along with other factors like valid KYC etc.) to the service provider M/s.4Closure, Hyderabad so as to enable them to allow the qualified bidders /tenderers to participate in the online inter-se bidding/auction proceedings at the date and time mentioned in E-Auction Sale notice.

- l) Authorized Officer reserves the right to accept / reject all or any of the offers/ bids/ tenders without assigning any reason, vary any of the terms and conditions of sale or postpone or cancel the opening of bids/tenders or sale without prior notice at his sole discretion.
- m) No person other than the intending qualified bidders / tenderers themselves, or their duly authorized agent shall be allowed to participate in the E Auction.
- n) The aforesaid secured asset/s shall be sold to the highest bidder/tenderer, subject to acceptance of the bid by the secured creditor.
- o) Auction would commence at Reserve Price followed by highest offer, as mentioned above. Bidders can enter their bid amount for each lot or single lot published for sale. The intending bidders may be given an opportunity, at the discretion of the Bank, to have inter-se bidding among them to enhance the offer price in multiples of **Rs.50,000/- (Rupees Fifty Thousand Only)**. The bidders / tenderers who submit the highest bid (not below the Reserve Price) on closure of "Online auction" shall be declared as successful bidder / tenderer subject to confirmation/ approval by the Secured Creditor.
- p) E-Auction will close as per the closing time, if no improved bid comes during last 5 minutes of the E-Auction closing time. In case any improved bids are placed in last 5 minutes of the closing of E-Auction, the closing time automatically gets extended to 5 more minutes. This process continues till no improved bid comes for a period of 5 minutes and the E-Auction gets closed. If the bid becomes highest bid (not below the reserve price), then his bid will be highlighted as Rank No.1.
- q) The successful bidder/tenderer should deposit **25% of the bid amount (inclusive of EMD amount)** on the same day of sale or not later than next working day as the case may be and as advised by the Authorised Officer of the Bank, by way of Demand Draft / Pay Order drawn in favour of Dhanlaxmi Bank Ltd, Alappuzha, payable at Ernakulam or through RTGS/NEFT to the credit of Dhanlaxmi Bank Ltd, Alappuzha, A/c No.009517700000010, IFSC Code: DLXB0000095 and the Balance bid amount shall be paid within 15 days from the date of confirmation of the sale by the Authorised Officer in the same way as aforesaid. If the successful bidder fails to pay the sale price, all amounts deposited till then shall be forfeited by the Bank without any notice and the property shall forthwith be put up for sale again and the defaulting purchaser shall have no claims, whatsoever, on the property or the amounts.
- r) The successful bidder/tenderer shall bear all the legal / incidental expenses including stamp duty, registration fees, charges, etc. and statutory dues if any, including GST etc.
- s) In case final bid amount / sale consideration of immovable secured assets proposed for sale under the aforesaid auction is Rs.50.00 lakh or above, the successful bidder/ purchaser has to remit TDS @1% of the sale price, in the name of the owner/s of the respective immovable properties proposed for sale, as per the provisions of Income Tax Act, 1961. PAN of the owner/s of the immovable property as deductee can be obtained from the Branch Manager / Authorized Officer of the Bank after completion of the bidding. The successful bidder/purchaser need to submit Challan-cum-statement in form No.26QB having remitted the TDS. The Bank will issue Sale Certificate for the immovable secured assets as per the provisions of the SARFAESI Act, 2002 and the Rules framed thereunder to the successful bidder/purchaser on receipt of the entire sale consideration as above after deducting TDS and on submission of Challan-cum-statement in form No.26QB having remitted the TDS and on completion of sale formalities. The successful bidder/purchaser shall also submit Certificate for TDS in Form 16B to the Bank.
- t) The intending bidders/tenderers may, at their own interest and costs conduct due diligence, inspect the secured asset/s between 10:00 a.m to 04:00 p.m on working days by contacting the Authorised Officer/Branch Manager, whose details are given below before the date of sale and the Bank shall not entertain any query at any later stage nor be liable for any claims in this regard.

- u) It is the sole responsibility of the bidder/tenderer to obtain the Digital Signature Certificate and computer terminal system with internet connection to enable him/her to participate in the bidding. Any issue with regard to Digital Signature Certificate and connectivity during the course of the bidding online shall be the sole responsibility of the bidder/tenderer and no claim in this regard shall be entertained by the Bank or the e-auction Service Provider
- v) A dummy e-auction or training portal, if required will be made available for trial for the benefit of the prospective bidders
- w) The bidders/ tenderers may participate in the E-Auction by Quoting/Bidding from their own offices/place of their choice. Internet connectivity shall have to be ensured by each bidder/tenderer himself. Bank/Service providers shall not be responsible for the internet connectivity, network problems, system crash down, power failure, etc. The bidders need to login in few minutes before the time scheduled for e-auction. Bidding in the last minute /seconds shall be avoided by the bidders in their own interest. Neither the Bank nor the auction service provider will be responsible for any lapses / failure on the part of the bidder in such cases.
- x) This is also a notice to the Borrowers/Guarantor of the said loan about holding of Auction Sale of the Secured assets.
- y) For further details of Sale, Terms & Conditions and for inspection of the property, intending bidders/tenderers may contact the Authorised Officer, Mr. Arun Nair (Mob:9539004225), or Mr. Jibin Joy, Regional Recovery Officer (Mob:9995103131) or Mr. Rejaneesh V Pillai, Branch Manager (9539003637) on any working day during the Office hours.

Ernakulam
22.03.2024

Authorised Officer
Dhanlaxmi Bank Ltd