

E - AUCTION SALE NOTICE

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

WHEREAS, the Authorised Officer of the Bank had issued Demand Notice dated **28/06/2018** to the (1) **M/s. Positive Spectrum** with office address at 39 1789 C, Kalathiparambil Road, 39 Ernakulam-682 016, (2) **Mr. Sampath Kumar M P**, Son of Mr. Prakasan, Partner- **M/s Postive Spectrum and Proprietor M/s. Positive System** with address at 39, 1568, Madakkappilly Lane, Chittur Road Kadavanthra, Cochin- 682 016, residing at Mukkuttiyil House, Manakkad Village, Thodupuzha - 685 608, 3) **Mr. Sanjath Kumar M P** son of Mr Prakasan, Partner - M/s. Positive Spectrum residing at Mukkuttiyil House, Vengalloor P O Thodupuzha - 685 608 under section 13(2) of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (hereinafter referred to as 'The Act') and has taken possession of the immovable property/ies, more fully described in the schedule hereunder under Section 13(4) of the Act read with Rule 8 of the Security Interest (Enforcement) Rules, 2002.

AND WHEREAS, the Borrower/Guarantor have failed to pay the amount, Notice is hereby given to the Public in General and in particular to the Borrower(s) and Guarantor(s) that the immovable property/ies mortgaged to the Secured Creditor more fully described in the Schedule hereunder will be sold on "as is where is" basis, "as is what is" and "whatever there is" condition, on the date and at the place mentioned herein below for realization of a sum of **Rs. 8,98,60,247.30 (Rupees Eight Crores Ninety Eight lakhs Sixty Thousand Two Hundred and Forty Seven and Paisa Thirty Only)** as on **14/05/2024**, with future interest, costs and expenses etc. thereon in the account/s of M/s. **M/s Postive Spectrum and Proprietor M/s. Positive System** with **Kadavanthara** Branch of the Bank, subject to the following terms and conditions: -

Name of Property Owner	Mr. Sampath Kumar M P
Description of property	All that piece and parcel of land admeasuring 14.34 Ares in Survey No.1237/2/2, along with building and all other improvements, rights etc, situated in Kumaramangalam village, Thodupuzha Taluk, Idukki District, owned by Mr. Sampathkumar M P and more fully described in Sale Deed No. 1478/2017 dated 25/07/2017 and Sale Deed No.1479/2017 dated 25/07/2017 of Thodupuzha SRO comprising the following extents: a) Land admeasuring 5.92 Ares in Survey No.1237/2/2 of Kumaramangalam village, Thodupuzha Taluk, Idukki District and more fully described in Sale Deed No. 1478/2017 dated 25.07.2017 of Thodupuzha SRO

	<p>bounded on North by Property of Pulikkamattom, South by Property of Kaniamkudy Sivan, East by Property of Sampathkumar and West by Property of Laiju Lal Narayanan.</p> <p>b) Land admeasuring 8.42Ares in Survey No. 1237/2/2 of Kumaramangalam village, Thodupuzha Taluk, Idukki District and more fully described in Sale Deed No. 1479/2017 dated 25.07.2017 of Thodupuzha SRO bounded on North by Property of Pulikkamattom, South by Property of Kaniamkudy Sivan and Francis Vattakkunneland 12 ft wide road, East by Property of Valayamkandam Nilam and West by Property of Sampathkumar and Kaniamkudy Sivan.</p>
Nature of possession	Physical Possession
Reserve Price	Rs. 50,19,000.00 (Rupees Fifty Lakhs Nineteen Thousand only)
Earnest Money Deposit (EMD)	Rs. 5,01,900.00 (Rupees Five Lakhs One Thousand Nine Hundred Only)
Mode of submission of EMD/ Sale amount	All amounts payable regarding EMD and sale shall be paid by way of Demand Draft drawn in favour of "The Authorised Officer, The South Indian Bank Ltd" payable at Ernakulam or through RTGS to Account No 0024073000025480 in the name of "Authorised Officer under SARFAESI Act" maintained at Ernakulam Market Road Branch (IFS Code - SIBL0000024)
Last date and time for submission of Bid along with EMD	On or before 07/06/2024 by 11:00 AM
Property Inspection	From 10:00 AM to 05:00 PM on working days with prior appointment from 16/05/2024
Bid incremental amount	Rs 5,000.00
Date and time of E-auction	10/06/2024 from 10:00 AM to 12:00 PM (with 5 minute unlimited auto extensions till sale is concluded)
E-auction service provider	M/s. 4 Closure Office Address : # 605 A, 6th Floor Maitrivanam, Ameerpet, Hyderabad, Telangana – 500038 Office mail Id : info@bankauctions.in Website Name: https://bankauctions.in

TERMS AND CONDITIONS OF SALE

1. The secured asset will be sold by e-auction through Bank's approved service provider i.e. **M/s. 4 Closure** who are assisting the Authorised Officer in conducting the online auction.

2. The intending purchasers shall submit the EMD amount mentioned hereinabove via Demand Draft in favour of “**The Authorised Officer, The South Indian Bank Ltd**” payable at **Ernakulam** at the address mentioned above or through RTGS/NEFT/IMPS to Account no **0024073000025480** in the name of “**Authorised Officer under SARFAESI Act**” maintained at Ernakulam Market Road Branch (IFS Code - SIBL0000024) latest by **11:00 AM** on or before **07.06.2024**.
3. The intending purchaser shall submit duly filled in Bid Form in original (format available with Authorised officer and in website www.southindianbank.com) along with self-attested copies of Proof of identification/Address proof (KYC) to the Authorised officer and should carry the original for verification. Bids submitted otherwise than in the format prescribed shall not be eligible for consideration and will be liable for rejection.
4. In case of joint bidders, an authorization letter signed by all the bidders authorizing a bidder (one among them who is holding a valid ID) is to be submitted along with bid form. In case the bidder is a corporate/Partnership firm, a copy of the resolution passed by the Board of Directors/Partners authorizing the actual bidder, who is holding a valid ID, needs to be submitted along with the bid form.
5. Bidders should have active mobile number and valid e-mail address for participating in E-Auction and register their names at the e-auction portal and get User ID and Password free of cost from E-auction service provider whereupon they would be allowed to participate in the online-E-auction.
6. Please note that interested purchasers shall be permitted to participate and bid in the e-auction only if EMD amount has been received by the Bank along with the documents and in the manner mentioned in point 3 hereinabove.
7. Eligible Bidders who have duly complied with the above requirements in point no 2, 3 & 4 hereinabove will be provided with User ID and Password through Bank’s approved service provider for participating in e-auction portal.
8. After the submission of EMD, the bidders shall not be allowed to withdraw the Bid forms/EMD. The amount of EMD paid by interested bidders shall not carry any interest.
9. Online bidding will commence from Reserve price or from the highest bid quoted whichever is higher.
10. The Bank / service provider for e-Auction shall not have any liability towards bidders for any interruption or delay in access to the site irrespective of the causes.
11. The bid once submitted by the bidder, cannot be Cancelled/Withdrawn and the bidder shall be bound to buy the property at the final bid price. The failure on the part of bidder to comply with any of the terms and conditions of e-Auction, mentioned herein will result in forfeiture of the amount paid by the defaulting bidder.
12. Decision of the Authorised Officer regarding declaration of successful bidder shall be final and binding on all the bidders.
13. The Authorised Officer shall be at liberty to cancel the e-Auction process at any time, before declaring the successful bidder, without assigning any reason.

14. The bid submitted without the EMD shall be summarily rejected. The property shall not be sold below the reserve price.
15. The conditional bids may be treated as invalid. Please note that after submission of the bid/s, no correspondence regarding any change in the bid shall be entertained.
16. The Authorised Officer is not bound to accept the highest offer and the Authorised officer has absolute right to accept or reject any or all offer(s) or adjourn / postpone/ cancel the e-Auction without assigning any reason thereof. The sale is subject to confirmation by the secured creditor.
17. In case of forfeiture of the amount deposited by the defaulting bidder, he shall neither have claim on the property nor on any part of the sum for which may it be subsequently sold.
18. In case any dispute arises as to the validity of the bid(s), amount of bid, EMD or as to the eligibility of the bidder, authority of the person representing the bidder, the interpretation and decision of the Authorised Officer shall be final. In such an eventuality, the Bank shall in its sole discretion be entitled to call off the sale and put the property to sale once again on any date and at such time as may be decided by the Bank.
19. The property will be sold on “**as is where**” basis, “**as is what is**” and “**whatever there is**” condition and the Bank is not responsible for title, condition or any other fact affecting the property.
20. It is the responsibility of the Bidders to inspect and satisfy themselves about the Secured Asset, including its specifications, the legality of the title deeds and other documents pertaining to the said Secured Asset before participating in the” E-auction” and The South Indian Bank Ltd will not liable for any issues pertaining to the Secured Asset after the completion of the E-auction.
21. The Successful bidder shall pay 25.00 % (including EMD of 10.00%) of the bid amount immediately on the same day or not later than next working day, as the case may be, on confirmation of Sale in his/her favour. Balance 75.00 % of bid amount shall be paid to the Authorised Officer within 15 days of the sale, failing which the entire deposit made by the Bidder towards Earnest Money Deposit and/or other such amounts shall be forfeited without any notice by the Authorized officer and the sale will be cancelled and the property will be brought to sale again. However, in desirable cases the time may be extended at the sole discretion of the Authorised Officer.
22. On the sale being confirmed and on receipt of the entire sale proceeds by the Authorised Officer, the successful bidder will be issued with a Sale Certificate as per the terms and conditions of the Bank and the SARFAESI Act. The sale certificate shall be issued in the name of the successful bidder. No request for change of name in the sale certificate other than the person who submitted the bid /participated in the e-Auction will be entertained.
23. The successful bidder should pay all the existing dues etc., to the Government/ Local Authorities and bear all the necessary expenses like applicable stamp duties / additional stamp duty / transfer charges, Registration expenses, fees etc. for transfer of the property in his/her name.

**THE SOUTH INDIAN BANK LTD
REGIONAL OFFICE, ERNAKULAM**



24. The South Indian Bank Ltd is not liable to pay any interest/ refund EMD or any such amounts in case of any delay in issue of confirmation of sale/ Sale Certificate by virtue of any Court Order received after e-auction is complete or any other reasons whatsoever.
25. The Authorised Officer or Bank will not be held responsible for any charge, lien, encumbrance, property tax or any dues to the Government or anybody in respect of the properties under sale.
26. The successful bidder shall pay all Taxes/ Electricity/ Water/ Sewerage Charges or any other charges demanded by any authority after the acceptance of the bid, even if it pertains to previous periods.
27. Bidder shall ensure payment of TDS on sale in compliance with provision of Income Tax Act as applicable and necessary proof of the same to be submitted to Authorised Officer before issuance of Sale Certificate.
28. The Successful bidder shall, at his/her cost, get the Electricity/ Water/ Sewerage connection etc. and any other common services transferred in his name.
29. The Authorised Officer has obtained Encumbrance Report regarding the property from 01/08/2018 to 31/03/2023 and it contains no encumbrance.
30. For any further information and for inspection of property, the intended Tenderers may contact the **Authorised Officer at Ernakulam** at SIB Building, Infopark Road, Rajagiri Valley.P.O, Kakkanad, Kochi-682 039 or Branch Manager, **Mr. Arun Mathew** (9037615417) of Kadavanthara Branch at Muscut Towers, S.A.Road, Kadavanthara Kochi, Ernakulam, Kerala-682020 during normal working hours.

For detailed terms and conditions of the sale, please refer to the link provided in www.southindianbank.com and <https://bankauctions.in/>

Place : Ernakulam
Date : 15.05.2024

**AUTHORISED OFFICER
(CHIEF MANAGER)**