

THE TERMS AND CONDITIONS OF SALE TO BE UPLOADED ON THE WEBSITE OF THE SECURED CREDITOR

Property will be sold on "AS IS WHERE IS, AS IS WHAT IS AND WHATEVER THERE IS"

Basis

01	Name and Address of the Borrower & Guarantor	<p>Borrower:</p> <p>1. M/s Prabhat Agro Industries and Trading Company</p> <p>Prop:- Shri Mahesh Kumar Mistri S/o Shri Ramgopal Ji Near Moti Baba Mandir, Mandi Road, Sehore (M.P.) 466 001</p> <p>Also at : H.No.18, Englishpura, Sehore (M.P.) 466 001</p> <p>And - Ward No. 25, Station Road, Sehore (M.P.) 466 001</p> <p>Guarantor: Shri Ramgopal Mistri S/o Shri Kaluram Mistri</p> <p>H.No.- 18, Englishpura, Sehore (M P) – 466001</p> <p>2. M/s Prabhat Trading</p> <p>Prop:- Smt. Smita Panchal W/o Shri Mahesh Kumar Panchal</p> <p>Industrial Area, Mandi, Sehore (M.P.) 466 001</p> <p>Also At : Ward No. 25, Station Road, Sehore (M.P.) 466 001</p> <p>Guarantor: (i). Shri Ramgopal Mistri S/o Shri Kaluram Mistri</p> <p>H.No.- 18, Englishpura, Sehore (M P) – 466001</p> <p>(ii). Shri Mahesh Kumar Mistri S/o Shri Ramgopal Ji (Guarantor of M/s Prabhat Trading)</p> <p>H.No.18, Englishpura, Sehore (M.P.) 466 001</p> <p>Also at - Ward No. 25, Station Road, Sehore (M.P.) 466 001</p>
02	Name and address of Branch, the secured creditor	State Bank of India, Stressed Assets Recovery Branch, SBI Building, 5, Yashwant Niwas Road, Indore. (M.P.) - 452003
03	Description of the immovable/movable secured assets to be sold	<p>1. All that part and parcel of the open land situated at part of Khasra No. 719/2/2, Patwari Halka No. 37, Ward No. 25, Station Road, Nagar Palika Parishad, Kasba – Sehore, Distt. Sehore, admeasuring 500 Sq.ft. (10 ft. x 50 ft.) belongs to Shri Mahesh Mistri S/o Shri Ramgopal Ji Mistri.</p> <p><u>Boundaries : As per Sale Deed -</u></p> <p>East – Govt Road, Station Road , West – Land of Seller North – Land of Namdev Ji</p>

		<p>South – Property of Suresh Vashisth <u>Boundaries : As per actual</u> - East – Govt Road, Station Road , West – Land of Mahesh Mistri North – Land of Namdev Ji South – Property of Suresh Vashisth</p> <p>2. All that part and parcel of the Commercial Building, situated at part of Khasra No. 719/2/2, Patwari Halka No. 37, Ward No.25, Station Road, Nagar Palika Parishad, Kasba – Sehore, Distt. Sehore, admeasuring 2000 Sq.ft. (50 ft. x 40 ft.) belongs to Shri Mahesh Mistri S/o Shri Ramgopal Ji Mistri. <u>Boundaries : As per Sale Deed</u> - East – Land of Buyer, West – 10 ft. Wide Road North – Land of Namdev Ji South – Property of Suresh Chandra <u>Boundaries : As per Actual</u> - East – Land of Mahesh Mistri West – Land of Mahesh Mistri North – Land of Namdev Ji South – Property of Suresh Vashisth</p>
04	Details of the encumbrances known to the secured creditor	<p>The intending bidders should make their own independent inquiries regarding the encumbrances, title of property/ies put on auction and claims/rights/dues/affecting the property, prior to submitting their bid. The e-Auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of the Bank. The property is under Symbolic Possession and being sold with all the existing and future encumbrances whether known or unknown to the Bank. The Authorized Officer / Secured Creditor shall not be responsible in any way for any third party claims/rights/dues.</p>
05	The secured debt for recovery of which the property is to be sold	<p>Rs. 82,35,926.00 (i.e. Rs. 51,24,679.00 due in respect of M/s Prabhat Agro Industries and Trading Company and Rs. 31,11,247.00 due in respect of M/s Prabhat Trading) as on 16.05.2023 and further interest, other expenses w.e.f.17.05.2023, less credit, (if any thereafter) for both the accounts.</p>
06	Deposit of earnest money	<p>EMD: Rs. 13.20 Lacs being the 10% of Reserve price to be transferred/ deposited by bidders in his/ her/ their own Wallet provided by M/s MSTC Ltd on its e-auction site https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp by means of RTGS/ NEFT.</p>
07	<p>Reserve price of the immovable secured assets</p> <p>Account/ Wallet in which EMD to be remitted</p> <p>Last Date and Time within which EMD to be remitted.</p>	<p>Rs. 132.00 Lacs (Property-1 : Rs. 18.00 Lacs & Property-2: Rs. 114.00 Lacs)</p> <p>Bidders own wallet Registered with M/s MSTC Ltd on its e-auction site https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp by means of RTGS/NEFT.</p> <p>Interested bidder may deposit Pre-Bid EMD with MSTC before the close of e-Auction. Credit of pre-Bid EMD shall be given to the bidder only after of receipt of payment in MSTC's Bank account and updation of such information in the e-auction website. This may take some time as per banking process and hence bidders, in their own interest, are advised to submit the Pre-Bid EMD amount well in advance to avoid any last minute problem.</p>
08	Time and manner of payment	<p>The successful bidder shall deposit 25% of sale price, after adjusting the EMD already paid, immediately, i.e. on the same day or not later than next working day, as the case may be, after the acceptance of the offer by the Authorized Officer, failing which the earnest money deposited by the bidder shall be forfeited. The balance 75% of the</p>

		<p>sale price is payable on or before the 15th day of confirmation of sale of the secured asset or such extended period as may be agreed upon in writing between the Secured Creditor and the e-Auction purchaser not exceeding three months from the date of e-Auction.</p> <p>In default of payment of sale / bid price or any part thereof within the periods mentioned herein above, the deposit (s) shall be forfeited and the property shall be resold and the defaulting bidder shall forfeit all claims to the property or any part of the sum for which it may be subsequently sold.</p>
09	Time and place of public e-Auction or time after which sale by any other mode shall be completed	Date: 30.01.2024, Time: 11.00 a.m. to 4.00 p.m.
10	The e-Auction will be conducted through the Bank's approved service provider. E-Auction tender documents containing e-Auction bid form, declaration etc. are available in the website of the service provider as mentioned above.	<p>M/s MSTC Ltd. at the web portal https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</p>
11	<p>(i) Bid increment amount:</p> <p>(ii) Auto extension:</p> <p>(iii) Bid currency & unit of measurement</p>	<p>Rs 0.20 Lacs each</p> <p>With unlimited extension of 10 minutes each</p> <p>INR</p>
12	Date and Time during which inspection of the immovable secured assets to be sold and intending bidders should satisfy themselves about the assets and their specification. Contact person with mobile number	<p>Date: 24.01.2024 and 25.01.2024, Time with prior appointment. However, as the property is under symbolic possession, inspection can be done only from outside of the property.</p> <p>Name: V. K. Sharma Mobile No. 97520 94868 Jay P Verma Mobile No. 9893909382</p>
13	Other conditions	<p>(a) The Bidders should get themselves registered on https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp by providing requisite KYC documents and registration fee as per the practice followed by M/s MSTC Ltd well before the auction date. The registration process takes minimum of two working days. (Registration process is detailed on the above website).</p> <p>(b) The Intending bidder should transfer his EMD amount by means of challan generated on his bidder account maintained with MSTC Ltd at https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp by means of NEFT/ RTGS transfer from his bank account.</p>

		<p>(c) The Intending bidder should take care that the EMD is transferred at least one day before the date of auction and confirm that his wallet maintained with M/s MSTC Ltd. is reflecting the EMD amount without which the system will not allow the bidder to participate in the e-auction.</p> <p>(d) The EMD of the successful bidder will be automatically transferred to the bank once the sale is confirmed by the respective Authorized Officer of the bank and the remaining amount i.e. 25 % of sale price to be paid immediately i.e. on the same day or not later than next working day, as the case may be.</p> <p>(e) During e-Auction, if no bid is received within the specified time, State Bank of India at its discretion may decide to revised opening price/ scrap the e-Auction process/ proceed with conventional mode of tendering.</p> <p>(f) 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.</p> <p>(g) The bidders are required to submit acceptance of the terms & conditions and modalities of e-Auction adopted by the service provider, before participating in the e-Auction.</p> <p>(h) 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.</p> <p>(i) Decision of the Authorized Officer regarding declaration of successful bidder shall be final and binding on all the bidders.</p> <p>(j) The Authorized Officer shall be at liberty to cancel the e-Auction process/ tender at any time, before declaring the successful bidder, without assigning any reason.</p> <p>(k) The bid submitted without the EMD shall be summarily rejected. The property shall not be sold below the reserve price.</p> <p>(l) 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.</p> <p>(m) The EMD of the unsuccessful bidder will be refunded to their respective wallet maintained with M/s MSTC Ltd. The Bidder has to place a request with MSTC Ltd for refund of the same back to his bank account. The bidders will not be entitled to claim any interest, costs, expenses and any other charges (if any).</p> <p>(n) 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 auction without assigning any reason thereof. The sale is subject to confirmation by the secured creditor.</p> <p>(o) In case of forfeiture of the amount deposited by the defaulting</p>
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		<p>bidder, he shall neither have claim on the property nor on any part of the sum for which may it be subsequently sold.</p> <p>(p) The successful bidder shall 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.</p> <p>(q) The payment of all statutory /non- statutory dues, taxes, rates, assessments, charges, fees etc., owing to anybody shall be the sole responsibility of successful bidder only and the secured creditor / Authorised officer will not be responsible for any charge, lien, encumbrance, Tax, property tax dues, electricity dues etc or any other dues to the Government, local authority or anybody in respect of the property under sale.</p> <p>(r) It shall be the responsibility of the successful bidder to deduct /deposit/pay the applicable GST or TDS, if any, as per prevailing provisions of the applicable laws.</p> <p>(s) The bidders are advised to in their own interest to satisfy themselves with the title and correctness of other details pertaining to the immoveable secured assets including the size/area of the immovable secured assets in question. They shall independently ascertain any other dues/ liabilities/ encumbrances in respect of the property from the concerned authorities to their satisfaction before submitting the bids. It would not be open for the Bidder(s) whose bid is accepted by Authorised Officer to withdraw his bid, either on the ground of discrepancy in size/area, defect in title, encumbrances or any other ground whatsoever.</p> <p>(t) In case of 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. For any kind of dispute, bidders are required to contact the concerned authorised officer of the concerned bank branch only.</p> <p>(u) The sale certificate shall be issued after receipt of entire sale consideration and confirmation of sale by secured creditor. 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 auction will be entertained.</p>
14	Details of pending litigation, if any, in respect of property proposed to be sold	SA 935/2023 has been filed by M/s Prabhat Agro Industries and Trading Company & SA 936/2023 has been filed by M/s Prabhat Trading with DRT Jabalpur. Thus the auction shall be subject to outcome of said both SA.

Place: INDORE
Date: 16.12.2023

AUTHORISED OFFICER
STATE BANK OF INDIA
SARB, INDORE