

THE TERMS AND CONDITIONS OF SALE

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

1	Name and address of the Borrower	M/s. C.B.C. FASHIONS (ASIA) PVT. LTD., a Private Limited Company, having its Registered Office at no.11, C.B.C. Building, M.R.Nagar, Dharapuram Road, Tirupur-641 608.
2	Name and address of Branch, the secured creditor	State Bank of India, Stressed Assets Management Branch, No.1112 Raja Plaza, First Floor, Avinashi Road, Coimbatore – 641 037.
3	Description of the immovable secured assets to be sold.	<p>Property 1:</p> <p>In Tirupur Registration District, Tirupur Joint I Sub Registration District, Tirupur Taluk, Muthanampalayam village in G.S.No.373 lands measuring 3.675 hectare or 9.08 acres @ Rs.7.37 in this lands measuring 2.27 acres @ Rs.1.84 in this lands measuring 0.2875 acres is situated within the following boundaries;</p> <p>North to lands in G.S.No.365,</p> <p>East to lands owned by Muthusamy gounder,</p> <p>West to South-North common pathway,</p> <p>South to lands owned by Kamalam and Dhanaasekar</p> <p>Amidst this lands measuring 0.2875 acres @ Rs.0.23 with regular pathway rights and rights to use the mamool rights to reach the property.</p> <p>North to G.S.No.365,</p> <p>East to Property of Palanisamy</p> <p>West to Property of K.Arumugam Property Ac.0.58 ¼ lands</p> <p>South to Subbaiyan lands</p> <p>Amidst this lands measuring 0.23 ¼ acres @ Rs.0.19 south north cartway 1/3 part in common 0.07 ¼ acres @ Rs.0.06 half rights with regular pathway rights and rights to use the mamool rights to reach the property. (detailed description as per Document No.4482/2002).</p> <p>Belonging to Shri. T R Vijayakumar.</p> <p>Symbolic possession of the property held by bank.</p> <p>Property 2:</p> <p>In Tirupur Registration District, Nallur Sub Registration District, in Tirupur Taluk, in Nallur Village, S.F.No.708 an extent of 5.38 acres assessed at</p>



Rs.3.00 in this on the northern part on the centre eastern side an extent of 0.25 acre(25 cents) (0.10.00 hectares) situated within the following boundaries;-

East of the property belonged to Vijaya kumar,

West of S.F.No.707/B,

North of 30 feet breadth east west cart tract and S.F.No.707/B,

South of the lands in village No.18 of Tirupur

And the right to use the east west south north roads in the same S.F No.708 and the roads in S.F.No.s 503/1 and 505/2 and other mamool rights to reach the property.(detailed description as per Document No.42/2004).

Belonging to Shri. R Dhanaasekar.

Physical possession of the property held by bank.

Property 3:

Item -A;

Item No.(i)

In Tirupur Registration District, Thottipalayam Sub Registration District in Tirupur Taluk, in Thonkottipalayam Village, S.F.No.523/1 acres 0.65-1/4, S.F.No.523/2 Ac. 0.05, S.F.No.523/3 Ac. 0.29-1/2 thus making a total extent of Ac. 0.99-3/4 in this the northern portion measuring Ac. 0.72 situated within following boundaries:-East of Hariharan's property, West of S.F.No.523/1,North of properties of Vijayakumar and Dhanasekar,South of S.F.No.532.

Item No.(ii)

In the same village,S.F.No.531/1 Ac.2.60,S.F.No.531/2 Ac.0.05,S.F.No.531/3 Ac.1.04,S.F.No.531/4 Ac.0.69.Thus making a total extent of Ac.4.38.In this a specific extent of Ac.3.40 situated within following boundaries:-East of S.F.No.523/1 & 3,West of S.F.No.530 & 531/2,North of properties of Vijayakumar and Dhanaasekar,South of S.F.No.532.

Both the items put together cover a total extent of acres 4.12 (0.1.66 hectares) with well and electric motor pump set therein. (detailed description as per document No.49/2006) with mamool pathway rights in SF No.535/3,4, SF No.523/1,2,3 with south north pathway rights.

Belonging to Shri.T.R.Vijayakumar and Shri.R.Dhanaasekar

Item-B:

Item No.(i)

In Tirupur Registration District, Thottipalayam Sub Registration District in Tirupur Taluk, in Thonguttipalayam Village, G.S.No.523 as per present sub division in G.S.No.523/2, 3 & 4 lands measuring 1.42 acre in this the southern portion measuring a specific extent of Ac.0.70



		<p>situated within following boundaries:-East of lands owned by Hariharan in G.S.No.535/2, 3 & 4, West of lands in G.S.No.531/1, 3 & 524,North of East- west lane,South of Land in G.S.No.532 in this, lands measuring 0.70 acre of land.</p> <p>(Item No.(ii) In the said village, G.S.No.524 lands measuring 4.16 acres or 1.685 hectare @ Rs.5.70 the well and 7-1/2 HP electric motor pumpset therein E.B. service connection No.39</p> <p>(Item No.(iii) In the said village, G.S.No.525 lands measuring 0.71 acre or 0.285 hectare @ Rs.0.97 of vacant land.</p> <p>(Item No.(iv) In the said village, G.S.No.526/1 lands measuring 0.40 acre or 0.160 hectare of vacant land.</p> <p>(Item No.(v) In G.S.No.531 lands measuring 4.38 acre @ Rs.6.00 in this one part of lands measuring 0.98 acre bounded as follows:-East of lands in G.S.No.523/1, 3 & 4,West of north-south lane,North of lands in G.S.No.524,South of Land in G.S.No.531/3&4 With well and motor pumpset therein.The present sub division are G.S.No.531/3 & 4.</p> <p>Thus the total extent of item No.(i) to (v) are 6.95 acre or 0.281 hectare of land along with mamool pathway rights and all easements rights etc., (detailed description as per document No.1813/2005).</p> <p>Belonging to Shri.T.R.Vijayakumar and Shri.R.Dhanaasekar.</p> <p>Total extent of Property No.3 is 11.07 acres.</p> <p>Physical possession of the property held by bank.</p> <p>Item A and B in Property No.3 will be sold as a single lot only.</p>
4	Details of the encumbrances known to the secured creditor.	There is an encumbrance of attachment made by the EPFO Authority, Tiruppur over the properties for an amount of Rs.2,75,10,981/- defaulted by the borrower M/s.CBC Fashions (Asia) Pvt Ltd. The said attachment shall not be binding on the bank on the ground of PRIORITY conferred on the secured creditors under Section 26E of SARFAESI Act, 2002 and Section 31B of the Recovery of Debts and Bankruptcy Act, 1993 over the dues of others.
5	The secured debt for recovery of which the property is to be sold	Rs. 58,54,70,091.00
6	Deposit of earnest money	<p>Property :1 Rs.38,60,000/-</p> <p>Property :2 Rs.21,30,000/-</p> <p>Property 3: Rs.94,90,000/-</p> <p>Being the 10% of the reserve price shall be deposited through NEFT to</p>



		credit of MSTC E-WALLET (Refer Point No.13-b).
7	Reserve price of the immovable secured assets: Bank account in which the payment to be remitted.	Property 1:Rs.3,86,00,000/- (Rupees Three Crores Eighty Six Lakhs Only) Property 2: Rs.2,13,00,000/- (Rupees Two Crores Thirteen Lakhs Only) Property 3: Rs.9,49,00,000/- (Rupees Nine Crores Forty Nine Lakhs Only) In case of successful bid, the remaining part of successful bid amount should be paid through RTGS/NEFT/NET BANKING/ FUND TRANSFER to the A/c No.:33112183302 IFSC: SBIN0030462 Bank : State Bank of India Address: NRI Branch, Avinashi Road, Coimbatore
8	Time and manner of payment	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 Authorised Officer, failing which the earnest money deposited by the bidder shall be forfeited. The Balance 75 % of the sale price is payable on or before the 15 th 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.
9	Time and place of public e-Auction or time after which sale by any other mode shall be completed.	11:00 AM to 04:00 PM Online Date: 30.08.2024
10	The auction will be conducted online only, through the web portal https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp . For detailed terms and conditions of the E-auction sale, steps to be followed by the bidder for registering with e-auction portal and for E-Auction tender document containing online e-auction bid form, Declaration etc, please refer to the link provided in https://ibapi.in & https://bank.sbi	
11	(i) Bid increment amount: (ii) Auto extension: _____ times. (limited / unlimited) (iii) Bid currency & unit of measurement	Property No.1 to 3 - Rs. 5,00,000/- Unlimited INR
12	Date and Time during which inspection of the	Date: 20.08.2024 Time: 11:00 AM to 04:00 PM



	immovable secured assets to be sold and intending bidders should satisfy themselves about the assets and their specification.	
	Contact person with mobile number	Name: N. Ulaganathan Mobile No. 87789 54002, 86106 17504
13	Other conditions	
	<p>(a) Intending bidders shall hold a valid e-mail address and mobile number. Intending bidders shall register with the e-auction portal to create their user ids and passwords. Registration is one time activity and a bidder can participate in any number of e-auctions with one registration only. Registration involves a process of the bidder filling up an online form and then submitting KYC Documents.</p> <p>(b) Steps to be followed by the bidder for registering with e-auction portal.</p> <p>STEP 1 – Bidder/purchaser registration: Bidder to register on e-auction portal www.mstcecommerce.com (→ Click “eAuction” → Click “Property” → Click “eBkray auctions”) using mobile number and email ID.</p> <p>STEP 2 –KYC Verification: Bidder to upload requisite KYC Documents. KYC Documents shall be verified by e-auction service provider (may take 2 working days).</p> <p>STEP 3 – Transfer of EMD amount to bidder’s global EMD wallet: Online/Off-line transfer of fund using NEFT/Transfer, using challan generated on e-auction portal.</p> <p>NOTE: Step 1 to 3 should be completed by bidder well in advance.Contact details of MSTC - Shri.Ritesh Nath rnath@mstcindia.co.in 9668551395 & Shri Rakesh Ranjan rranjan@mstcindia.co.in 9911700233.</p> <p>(c) The successful bidder shall be required to submit the final prices, quoted during the e-Auction as per the annexure after the completion of the e-Auction, duly signed and stamped as token of acceptance without any new condition other than those already agreed to before start of e-Auction.</p> <p>(d) In case of unsuccessful/failed bid, the bidder has to give request for refund of EMD in the MSTC website between 7 am to 1pm and it will be refunded in next two working days. Please note that the bidders will not be entitled to claim any interest, cost, expenses and any other charges.</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 revise 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 the 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 Authorised Officer regarding declaration of successful bidder shall be final</p>	



	<p>and binding on all the bidders.</p> <p>(j) The Authorised 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 A/c numbers shared with the Bank. 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 e-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 bidder, he shall neither have claim on the property nor on any part of the sum for which it may be subsequently sold.</p> <p>(p) The successful bidder shall bear the applicable GST, and all the necessary expenses like applicable stamp duty/additional stamp duty, charges/ fees payable for conveyance such as ownership transfer, registration fee etc., as applicable under the relevant law for transfer of 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.</p> <p>(r) 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>(s) 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 e-Auction will be entertained.</p> <p>(t) The sale will attract the provision of Sec 194-IA of the Income Tax Act.</p>
14	<p>Details of pending litigation, if any, in respect of property proposed to be sold</p> <p>SA No.992/2022 pending with Hon'ble DRT, Coimbatore. WP No.1694/2024 pending with Hon'ble Madras High Court.</p>

फूटे भारतीय स्टेट बैंक For State Bank of India

आधिकारित अधिकारी & सहायक महा प्रबंधक
 Authorised Officer & Asst. General Manager
 सहायक महा प्रबंधक शाखा, कोयंबटूर-४३
 ASSISTANT GENERAL MANAGER &
 AUTHORISED OFFICER

Date: 06.08.2024
 Place: Coimbatore