

(Annexure-15 A)

**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	Bharat Caarriers Limited NH-5, Pahal Bhubaneswar-752101
02	Name and address of Branch, the secured creditor	State Bank of India, Stressed Assets Recovery Branch (Code-05174), Plot No.778, Saheed Nagar, Bhubaneswar-751007
03	Description of the immovable secured assets to be sold	All that part and parcel of the commercial property standing in the name of Bharat Motors Limited bearing Khata No-58/111, Plot No-228, Area-Ac 0.920 dec, Plot No-225/457, Area-Ac 0.220 dec, Plot No-226/458, Area-Ac 0.070 dec. Total Area-Ac 1.210 dec (Total 3 plots) Kissam- Gharabari, situated at Mouza-Serenda, Tehsil-Barbil, Dist.- Keonjhar, Odisha.
04	Details of the encumbrances know to the secured creditor	To the best of knowledge and information of the Authorised Officer, there are no encumbrances on the properties. However, the intending bidders should make their own independent enquiries regarding the encumbrances, asset put on auction, title of the property prior to submitting their bid. The property is under the Symbolic Possession of Bank.
05	The secured debt for recovery of which the property is to be sold	Rs. 8,61,95,595.83 (Rupees Eight Crore Sixty One Lacs Ninety Five Thousand Five Hundred Ninety Five and Paise Eighty Three Only) as on 23.08.2023 with further interest and incidental expenses, costs etc. thereon and interest from 24.08.2023.
06	Deposit of earnest money	EMD: Rs.52,20,000.00 (Rupees Fifty Two Lacs Twenty Thousand Only) being the 10% of Reserve price to be submitted to EBKRAY wallet in EBKRAY portal (https://ebkray.in) by intending bidders through their bank account.
07	Reserve price of the immovable secured assets: Bank account/ Wallet in which EMD to be remitted. Last Date and Time within which EMD to be remitted	Reserve Price of Rs. 5,22,00,000.00 (Rupees Five Crores Twenty Two Lacs Only) The intending bidder should submit the EMD deposit to EBKRAY wallet in EBKRAY portal (https://ebkray.in) through their Bank account. The Intending bidder should take care that the EMD is transferred at least one day before the date of auction i.e. 28.10.2024.
08	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 15th day of confirmation of sale of the secured asset

	<p>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>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>(h) Decision of the Authorised Officer regarding declaration of successful bidder shall be final and binding on all the bidders.</p> <p>(i) 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>(j) The bid submitted without the EMD shall be summarily rejected. The property shall not be sold below the reserve price.</p> <p>(k) 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>(l) 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>(m) 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>(n) 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.</p> <p>(o) 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>(p) 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>
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		<p>(q) 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 independtly 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>(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 of 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 auction will be entertained.</p>
14	Details of pending litigation, if any, in respect of property proposed to be sold.	<p>Two Writ Petitions were filed by one of the personal guarantors in Hon'ble High Court of Orissa challenging the auction process. However, both were dismissed by the High Court.</p> <p>SA filed by one of the Personal Guarantors of the borrower in DRT Cuttack. The same is pending before DRT. However, no stay order is there as on date.</p>

Date: **07-10-2024**
Place: Bhubaneswar

AUTHORISED OFFICER
STATE BANK OF INDIA
SARB, BHUBANESWAR