

THE TERMS AND CONDITIONS OF SALE TO BE UPLOADED ON THE WEBSITE OF THE SECURED CREDITOR IN THE ACCOUNT OF M/s SHRI SHYAM CUSTOMER SATISFACTION PROPERTY WILL BE SOLD ON 'AS IS WHERE IS', 'AS IS WHAT IS', 'WHATEVER THERE IS' AND 'WITHOUT RECOURSE' BASIS

1	Name and address of the Borrower	(1)M/s Shree Shyam Customer Satisfaction Shop No. 208, Second Floor, Wonder Mall, Block –A, Kedalganj, Alwar, Distt, Alwar (Raj.) (2)Sh. Vimal Kumar Pathik S/o Sh. Kishori Lal Pathik (Proprietor) Plot No. 19/135, Atta Mandir Ke Piche, No. 3 School Ke Pass, Alwar, Rajasthan
2	Name and address of Branch, the secured creditor	State Bank of India, Stressed Assets Recovery Branch (SARB), Matrix Mall, 3rd Floor, Sector 4, Jawahar Nagar, Jaipur (Raj.)-302004 Ph. No. 0141-2657811, 2657921, 2657926,2657989 E-mail : <a href="mailto:sbi.18184@sbi.co.in">sbi.18184@sbi.co.in</a>
3	Description of the movable and immovable secured assets to be sold.	All that part and parcel of the Equitable Mortgage of Shop No. 208 (Without roof ownership) situated at Second Floor, Wonder Mall, Block –A, Kedalganj, Alwar, Distt, Alwar (Raj.) having Built-up Area 482 Sq. Ft., standing in the name of Sh. Vimal Kumar Pathik S/o Sh. Kishori Lal Pathik  <b>Bounded:</b> On the East by- Open Gallery, On the West by- Open For Ground floor, On the North by- Shop No. 207, On the South by- Other Shop,
4	Details of the encumbrances known to the secured creditor.	Not known.
5	The secured debt for recovery of which the property is to be sold	<b>Rs. 47,10,516.25 (Rupees Forty Seven Lakhs Ten Thousand Five Hundred Sixteen and Paise Twenty Five Only) as on 02.04.2022 +</b> further interest up-to-date, cost, charges & other expenses etc.
6	Deposit of earnest money	<b>EMD Rs. 2,89,200.00 (Rupees Two Lakh Eighty Nine Thousand Two Hundred Only)</b> being the 10% of Reserve price to be remitted. <b>The intending Bidders/Purchasers have to transfer the EMD amount using online mode in his Global EMD Wallet well in advance.</b>
7	Reserve price of the immovable secured assets :  <b>Bank account</b> in which EMD to be remitted.	<b>Reserve price: Rs.28,92,000</b> (Rupees Twenty Eight Lakh Ninety Two Thousand Only) Bidder Global EMD wallet maintained with MSTC. (Bidder/Purchaser to register on e-auction portal) <a href="https://mstcecommerce.com/auctionhome/ibapi/index.jsp">https://mstcecommerce.com/auctionhome/ibapi/index.jsp</a> Using his mobile number and email id. <b>A/c- 34677123883 IFSC: SBIN0011394</b> <b>SBI Bank: SBI, SARB COLLECTION ACCOUNT</b> <b>Address: Stressed Assets Recovery Branch (SARB), 3<sup>rd</sup> Floor, Matrix Mall, Sector–4, Jawahar Nagar, Jaipur (Rajasthan)-302004</b> Earnest Money Deposit (EMD) amount as mentioned above shall be paid online i.e. through NEFT after generation of Challan from ( <a href="https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</a> ) in bidders Global EMD Wallet. NEFT Challan will be valid for one transaction

	<p><b>Last Date</b> within which EMD to be remitted: <b>EMD</b></p>	<p>only. If multiple transactions are made, only first will be reconciled and other transaction(s) shall not be considered. NEFT transfer can be done from any Scheduled Commercial Bank. Only NEFT mode should be used for fund transfer. Use of any other payment mode would result in non-credit of EMD amount in the bidder's wallet. Payment of EMD by any other mode such as Cheques will not be accepted.</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 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>
8	<p>Time and manner of payment</p>	<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 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 or such extended period as may be agreed upon in writing between the Secured Creditor and the auction purchaser not exceeding three months from the date of auction. In case of failure to deposit the amount as mentioned above within the stipulated time, the amount deposited by successful bidder will be forfeited by the Bank and Authorized Officer shall have the liberty to conduct a fresh auction/ sale of the property &amp; the defaulting bidder shall not have any claim over the forfeited amount and the property.</p>
9	<p>Time and place of public e-Auction or time after which sale by any other mode shall be completed.</p>	<p><b>From 11.00 AM to 03.00 PM on 29.05.2024.</b> (With unlimited extensions of 10 min. each) – <b>On Line e-Auction Platform</b> <a href="https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</a></p>
10	<p>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>	<p>Platform <a href="https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</a> for e-Auction will be provided by Bank's e Auction service provider <b>MSTC Limited</b> having its Registered office at 225-C, A.J.C. Bose Road, Kolkata-700020. The intending Bidders/Purchasers are required to participate in the e-Auction process at e-Auction Service Provider's website <a href="https://www.mstcecommerce.com">https://www.mstcecommerce.com</a>. This Service Provider will also provide online demonstration/ training for the intending bidders/ purchasers on e-Auction on the portal before the e-auction. The Sale Notice containing the Terms and Conditions of Sale is uploaded in the Banks websites/webpage portal. <a href="https://sbi.co.in/web/sbi-in-the-news/auction-notices/sarfaesi-and-others">https://sbi.co.in/web/sbi-in-the-news/auction-notices/sarfaesi-and-others</a> and <a href="https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</a>. The intending participants of e- auction may download free of cost, copies Terms &amp; Conditions of e-auction, Help Manual on operational part of e-</p>

		Auction related to this e-Auction from e-बक़य-IBAPI portal ( <a href="https://www.mstcecommerce.com/auctionshome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionshome/ibapi/index.jsp</a> )
11	<p>a) Bid increment amount:</p> <p>b) Autoextension: unlimited times.</p> <p>c) Bid currency &amp; unit of measurement</p>	<p>(i) <b>Rs. 20,000.00</b></p> <p>(ii) 10 Minutes</p> <p>(iii) Indian Rupees (INR)</p>
12	<b>Date and Time</b> 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 : <b>22.05.2024</b> Time : <b>11.00 AM to 04.00 PM</b></p> <p>(1) Devender Singh (Mob. No.8930678218)</p> <p>(2) Alok Ranjan (Mob. No.8003994907)</p> <p>(3) Ravi Soni-(Advocate) (M. No.8003873888)</p> <p>Email : <a href="mailto:sbi.18184@sbi.co.in">sbi.18184@sbi.co.in</a></p> <p><a href="mailto:ravi.icss@gmail.com">Email:ravi.icss@gmail.com</a></p>
13	Other conditions	<p>(a) Bidders shall hold a valid email ID (e-mail ID is absolutely necessary for the intending bidder as all the relevant information and allotment of ID and Password by <b>M/s MSTC Limited</b> (vendor name) may be conveyed through e mail.</p> <p>(b) The intending purchaser(s) / bidder(s) is / are required to login in the link provided in <b>website:</b> <a href="https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</a> &gt; Bidder Registration</p> <p>(c) The Sale will be conducted by the undersigned through e-auction platform provided by the e-Auction service provider MSTC Limited at the Website <a href="https://www.mstcecommerce.com">https://www.mstcecommerce.com</a> on the date and time mentioned above. The intending Bidders/ Purchasers are requested to register on portal <a href="https://www.mstcecommerce.com">https://www.mstcecommerce.com</a> (direct link <a href="https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp">https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp</a>) using their mobile number and email-id. Further, they are requested to upload requisite KYC documents. Once the KYC documents are verified by e-auction service provider (may take 2 working days), the intending Bidders/ Purchasers have to transfer the EMD amount using online mode in his Global EMD Wallet well in advance before the auction time. Bidder registration, submission &amp; verification of KYC documents and transfer of EMD in wallet must be completed well in advance at least two days before auction date. In case auction purchaser submits the KYC documents within two days preceding the Auction date, Authorized officer / Bank / e-Auction service provider is having liberty to accept and complete the KYC verification &amp; EMD amount. However in such event the Authorized officer / Bank / e-Auction service provider will not be held liable for any delay/failure for verification of KYC documents and failure to transfer EMD in wallet. The interested bidder will be able to bid on the date of e-auction only if the Bidder's Global Wallet have</p>

sufficient balance ( $\geq$ EMD amount) as on the date and time of Auction. Bidders may give offers either for one or more properties. In case of offers for more than one properties bidders will have to deposit EMD for each properties.

- (d) Earnest Money Deposit (EMD) amount as mentioned above shall be paid online i.e. through NEFT after generation of Challan from (<https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp>) in bidders Global EMD Wallet NEFT Challan will be valid for one transaction only. If multiple transactions are made, only first will be reconciled and other transaction(s) shall not be considered. NEFT transfer can be done from any Scheduled Commercial Bank. Only NEFT mode should be used for fund transfer. Use of any other payment mode would result in non-credit of EMD amount in the bidder's wallet. Payment of EMD by any other mode such as Cheques will not be accepted. The Earnest Money Deposited shall not bear any interest. For refund of EMD of the unsuccessful bidders, Bidder has to seek the refund online from e-Auction service provider by logging in <https://www.mstcecommerce.com> and by following procedure for refund given therein and only after seeking refund online, the refund will be made by the e-Auction service provider. **EMD amount of the unsuccessful bidders will be returned without interest.**
- (e) The bid price to be submitted shall be equivalent or above the reserve price and during the e-auction bidders will be allowed to offer higher bid in inter-se bidding over and above the last bid quoted and by minimum increase in the bid amount given in the table to the last higher bid of the bidders. The properties will not be sold below the reserve price set by the Authorized Officer. The bid quoted below the reserve price shall be rejected. The bidders shall increase their bids in multiples of the amount specified in the public sale notice/Terms and condition of Sale. Unlimited extension of 10 Minutes time will be given in case of receipt of bid in last ten minutes. Ten minutes time will be allowed to bidders to quote successive higher bid and if no higher bid is offered by any bidder after the expiry of ten minutes to the last highest bid, the e-auction shall be closed.
- (f) Intending Bidders are advised to properly read the Sale Notice, Terms & conditions of e-auction, Help Manual on operational part of e-Auction and follow them strictly. The details shown above are as per the record available with the bank, the auction bidder should satisfy himself about the actual measuring and position of the properties. The actual measuring and position of the properties may differ and the Bank/authorized officer will not be held responsible for that.
- (g) In case of any difficulty or assistance is required before or during e-Auction process they may contact authorized representative of our e-Auction Service Provider <https://www.mstcecommerce.com>, (direct link

<https://www.mstcecommerce.com/auctionhome/ibapi/index.jsp>)

contact details of which are available on the e-Auction portal.

- (h) 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 auction, duly signed and stamped as token of acceptance without any new condition other than those already agreed to before start of auction.
- (i) 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.
- (j) 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.
- (k) 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.
- (l) The bid once submitted by the bidder, cannot be cancelled/withdrawn and the bidder shall be bound to buy the properties 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.
- (m) Decision of the Authorised Officer regarding declaration of successful bidder shall be final and binding on all the bidders.
- (n) 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.
- (o) The bid submitted without the EMD shall be summarily rejected. The properties shall not be sold below the reserve price.
- (p) The conditional bids may be treated as invalid. Please note that after submission of the bid/s, no correspondences regarding any change in the bid shall be entertained.
- (q) 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).
- (r) 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

		<p>by the secured creditor.</p> <p>(s) In case of forfeiture of the amount deposited by the defaulting bidder, he shall neither have claim on the properties nor on any part of the sum for which may it be subsequently sold.</p> <p>(t) Payment of sale consideration by the successful bidder to the Bank will be subject to TDS under Section 194-1A of Income Tax Act 1961 and TDS is to be made by the successful bidder only at the time of deposit of remaining 75% of the bid amount. The successful Auction Purchaser / Bidder shall have to pay applicable GST to Bank on the bid amount.</p> <p>(u) 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 properties in his/her name.</p> <p>(v) 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>(w) 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>(x) 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 properties 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>(y) 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> <p>(z) The successful bidder also liable to pay GST, Tax Deducted at Source (TDS) and Properties Tax (if applicable) as per prevailing provisions.</p> <p>(aa) The details shown above are as per the record available with the bank, the auction bidder should satisfy himself about the actual measuring and position of the properties. The actual measuring and position of the properties may differ and the authorized officer will not be held responsible for that.</p> <p>(bb) The intending bidders should make their own independent</p>
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		<p>inquiries regarding the encumbrance, demarcation, boundaries, actual area of the properties, title of properties &amp; to inspect &amp; satisfy themselves. Bank will not be responsible for any encumbrances and dues on the properties which comes to knowledge of bank after the auction date.</p> <p>(cc) The properties is being sold on "<b>As is where is</b>", "<b>As is what is</b>", "<b>Whatever there is</b>" and "<b>Without Recourse</b>" basis and the intending bidders should make their own discreet independent inquiries &amp; verify the concerned Registrar/SRO/Revenue Records/ other Statutory authorities regarding the encumbrances and claims/ rights/dues/ charges of any authority such as Sales Tax, Excise/GST/ Income Tax besides the Bank's charge and shall satisfy themselves regarding the, title nature, description, extent, quality, quantity, condition, encumbrance, lien, charge, statutory dues, etc. over the properties before submitting their bids. The e-auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of the bank. The Authorised Officer/ Secured Creditor shall not be responsible in any way for any third party encumbrances/claims/rights/dues. No claim of whatsoever nature regarding the properties put for sale charges/encumbrances over the properties or on any other matter etc., will be entertained after submission of the online bid.</p> <p>(dd) The sale is subject to conditions/Rules/Provisions prescribed in the SARFAESI Act 2002 and Security Interest (Enforcement) Rules, 2002 Rules framed there under and the conditions mentioned above. For more details if any prospective bidders may contact the authorized officer on <b>Tel.: 0141-2657811, 2657921, 2657926, 2657989.</b></p>
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Date:26.04.2024  
Place: JAIPUR

(AUTHORISED OFFICER)  
STATE BANK OF INDIA