

BEFORE THE RECOVERY OFFICER
IN DEBTS RECOVERY TRIBUNAL - III AT MUMBAI
6TH FLOOR, SCINDIA HOUSE, NAROTTAM MORARJI MARG,
BALLARD ESTATE, MUMBAI - 400 038

RECOVERY PROCEEDING NO. 61 of 2010

IN O.A NO: **270/2008**

BETWEEN:

The Jammu & Kashmir Bank Ltd.]... Certificate Holders

] (Org. Applicants)

V/s

Mr. Mohd Tanveer Ahmed & Ors.] ... Certificate Debtors

] (Org. Defendants)

PROCLAMATION OF SALE

Whereas Hon'ble Presiding Officer, Debts Recovery Tribunal No. III Mumbai has drawn up the Recovery Certificate in Original Application No. **270/2008** for recovery of Rs 17,35,093.00 with interest and costs from the Certificate Debtors and a sum of Rs. **17,35,093.00** is recoverable together with further interest, costs and charges as per the Recovery Certificate/Decree.

And Whereas the undersigned has ordered the sale of the attached / mortgaged property of the Certificate Debtor as mentioned in the Schedule with the known encumbrance on "As it is, where it is basis" towards satisfaction of the said Recovery Certificate.

Notice is hereby given that the said property shall be sold by the undersigned by Electronic Public Auction on **08.05.2014** in the premises of the Tribunal through **E-Auction Agency M/s. e-procurement Technologies Limited (abc procure)** at their website/portal <https://drtauction.abcprocure.com> between 12 to 1.00 p.m. with auto extension clause, i.e. the end time of E-Auction will be extended by 10 minutes each time if bid is made in the last 5 minutes before close of E-Auction.

The public at large is hereby invited to bid in the said E-Auction. The online offers alongwith EMD Amount is payable by way of RTGS/NEFT in the Account No. **0285070700000003, The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI** of the Certificate Holder Bank at Mumbai. Attested photocopy of TAN/PAN card and Address Proof shall be uploaded with the online offer. The offer for more than one property shall be made separately. The last date for submission of online offers alongwith EMD and the other information/details is **05.05.2014** by 4.30 p.m. The physical inspection of the properties may be taken between 12.00 to 4.00 p.m on date **02.05.2014** at the property site.

The balance 25% of purchase price shall be deposited as soon as sale is knocked down by way of RTGS/NEFT except in the cases covered by Clause 22 of General conditions (in which case mode of payment would be a D.D/P.O) in the Creditor Bank Account No**0285070700000003, The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI** for online money transfer/deposit. The balance of 75% of bid amount shall be deposited by DD/PO/Bankers' Cheque drawn in favour of **Recovery Officer, DRT-III, Mumbai, R.P No. 61/10** within 15 days from the date of sale.

The refund of EMD to the unsuccessful bidders at the close of auction shall be made only in the account number mentioned by such bidder by the concerned bank.

The sale shall be subject to the laws for the time being in force, provisions contained in the Regulations of Practice, 2010 and terms and conditions of sale attached with Bid Application Form.

SCHEDULE

No. of Lots	Description of property with the name of owners.	Tax assessed on the property	Known Encumbrances on the property.	Valuation/Also State Valuation given, if any, by the Certificate Debtors
1	2	3	4	5
1	Flat No. 703,admeasuring 600 Sq.Ft,(Superbuilt up) 7 th Floor, Bldg. no.1, Vasundhara Enclave, B-Wing, Gokuldham, Goregaon-E,400069 of Mohd Tanveer Ahmed	Not Known	Mortgaged to Applicant Bank	Rs 59,40,000/-

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Claims, if any, which have been put forward and any other known particulars its nature and value	Reserve Price below which the property will not be sold	EMD Amt	Incremental Bid Amt (Bidders to increase their bids in the multiples of amount	Remarks
6	7	8	9	10
Not known	Rs 66,00,000/-	Rs 7.00 lacs	Rs 1,00,000/-	

Facilitator Bank Branch : Andheri **Branch**

Official Designated : **Mr Imtiaz Ahmed Khan Branch Manager**

Mobile: 9820032465

Mr. Tariq Ahmed, Mobile – 9619287583

Given under my hand and seal of this Tribunal at Mumbai on this 1 st April , 2014

-Sd-

(A.A. Kulkarni)

SEAL OF THE
TRIBUNAL

RECOVERY OFFICER,
MUMBAI DRT III

**BEFORE THE RECOVERY OFFICER
IN DEBTS RECOVERY TRIBUNAL - III AT MUMBAI
6TH FLOOR, SCINDIA HOUSE, NAROTTAM MORARJI MARG,
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PUBLIC NOTICE

RECOVERY PROCEEDING NO. 61 of 2010

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BETWEEN:

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] (Org. Applicants)

V/s

Mr. Mohd Tanveer Ahmed & Ors.] ... Certificate Debtors
] (Org. Defendants)

Whereas the Hon'ble Presiding Officer, Debts Recovery Tribunal No.III Mumbai has drawn up the Recovery Certificate in **O.A. No 270/2008** for recovery of the sum of Rs. **17,35,093.00** with interest and cost from the Certificate Debtors/ Defendant which sum is recoverable together with interest, costs, charges as per the Recovery Certificate/Decree.

And Whereas on the **08th day of May, 2014** (the date fixed for sale) there will be due under the said Recovery Certificate a sum of **Rs.17,35,093.00** inclusive of the costs and interest thereon.

The immovable / movable Property more particularly described under Schedule of Properties in Proclamation of Sale and Terms and Conditions of Sale will be sold by Electronic Public Auction on 08.05.2014 in the premises of the Tribunal through the E-Auction Agency **M/s. e-procurement**

Technologies Limited (abc procure) at their website/portal <https://drtauction.abcprocure.com> between 12.00 p.m. to 1.00 p.m. with auto extension clause, ie the end time of E-Auction will be extended by 10 minutes each time if bid is made in the last 5 minutes before close of E-Auction. The contact details of E-Auction Agency are 97-8672025811/079-40016816, E-Mail ID: support@abcprocure.com.

The public at large is hereby invited to bid in the said E-Auction. The online offers alongwith EMD Amount is payable by way of RTGS/NEFT in the Account No. 0285070700000003, **The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI** of the Certificate Holder Bank at Mumbai. Attested photocopy of TAN/PAN card and Address Proof shall be uploaded with the online offer on the website/portal <https://drtauction.abcprocure.com>. The offer for more than one property shall be made separately. The last date for submission of online offers along with EMD and the other information/details is **05.05.2014** by 4.30 p.m. The physical inspection of the properties may be taken between 12 to 4.00 p.m on date **02.05.14** at the property site.

The balance 25% of purchase price minus EMD Amount shall be deposited as soon as the auction is knocked down by way of RTGS/NEFT except in the cases covered by Clause 22 of General conditions (in which case mode of payment would be a D.D/P.O) in the Creditor Bank Account No. 0285070700000003, **The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI** for online money transfer/deposit. The balance of 75% of bid amount shall be deposited by DD/PO/Bankers' Cheque drawn in favour of **Recovery Officer, DRT-III, Mumbai, R.P No 61/2010** within 15 days from the date of sale.

The refund of EMD to the unsuccessful bidders at the close of auction shall be made only in the account number mentioned by such bidder by the concerned bank.

The proclamation and terms and conditions of sale along with the prescribed tender form are available for inspection in the office of the MDRT-III during the working hours situated at 6th floor, Scindia House, N.M. Road, Ballard Estate, Mumbai-38 and a copy of the same can be obtained from the office of the MDRT-III on nominal charge of Rs.100/- to be paid by Indian Postal Order/Demand Draft favoring **Registrar, DRT-III, Mumbai** The proclamation and terms and conditions of sale are also available on website/portal <https://drtauction.abcprocure.com>. The sale of the above property is strictly on "as is where basis is and what is basis". Offers not received in prescribed tender form and after the prescribed date are liable to be rejected. The property will not be sold below the reserve price mentioned in the Schedule.

SCHEDULE

No. of Lots	Description of property with the name of owners.	Tax assessed on the property	Known Encumbrances on the property.	Valuation/Also State Valuation given, if any, by the Certificate Debtors

1	2	3	4	5
1	Flat No. 703, measuring 600 Sq.Ft, (Superbuilt up) 7 th Floor, Bldg. no.1, Vasundhara Enclave, B-Wing, Gokuldham, Goregaon-E, 400069 of Mohd Tanveer Ahmed	Not Known	Mortgaged to Applicant Bank	Rs 59,40,000/-

Claims, if any, which have been put forward and any other known particulars its nature and value	Reserve Price below which the property will not be sold	EMD Amt	Incremental Bid Amt (Bidders to increase their bids in the multiples of amount	Remarks
6	7	8	9	10
Not known	Rs 66,00,000/-	Rs 7.00 lacs	Rs 1,00,000/-	

The sale shall be subject to the laws for the time being in force, provisions contained in the regulations of Practice, 2010 and terms and conditions of sale attached with Bid Application Form

Facilitator Bank Branch : Andheri **Branch**

Official Designated : **Mr Imtiaz Ahmed Khan Branch Manager**

Mobile: 9820032465

Mr. Tariq Ahmed, Mobile – 9619287583

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RECOVERY PROCEEDING NO. 61 of 2010

IN O.A NO: 270/2008

BETWEEN:

The Jammu & Kashmir Bank Ltd.]... Certificate Holders

V/s

Mr. Mohd Tanveer Ahmed & Ors.] ... Certificate Debtors

TERMS & CONDITIONS OF E-AUCTION SALE

GENERAL

1. The Auction shall be through Online Electronic mode through the website of E-Auction Portal of the service provider agency of the Certificate Holder who shall arrange the platform for the E-Auction.

2. The bidder should hold a valid digital signature certificate. For details contact service provider agency of Certificate Holder, viz. e-Procurement Technologies Limited (abc procure) on contact nos. **97-8672025811 / 079-40016816** and E-Mail ID: **support@abcprocure.com**. Bidders are advised to go through the website of the service provider agency of Certificate Holder.

3. For details/help/procedure/online training about the E-Auction, the prospective bidders may contact the E-Auction service provider agency as mentioned in the notice of Proclamation of Sale.

4. The bidders may participate in the E-Auction from their own offices/place of their choice. DRT/Certificate Holder/Service Provider shall not be held responsible for the problems of internet connectivity, network problems, system crash down, power failure and any such reasons.
5. The Certificate Holder shall notify one of its branches as Facilitator Branch for providing assistance to the bidders not having internet access and Official designated for the purpose in the advertisement.
6. The bidders should register their participation with the service provider well in advance and should get User Id and Password.
7. Bid should be submitted on line only in prescribed format duly filled in with all the details. Copy of the bid form along with enclosures submitted "on line" shall be forwarded to the Recovery Officer before the date of auction.
8. EMD shall be deposited by RTGS/NEFT to the credit of applicant bank in account no. **0285070700000003, The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI..**
9. Balance 25% of purchase price minus EMD Amount shall be deposited by RTGS/NEFT to the credit of applicant bank in account no. **0285070700000003, The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI** as soon as the auction is knocked down in his favour.
10. In case of sole bidder, the bid amount quoted in the bid form must be improved by at least one bid incremental value (as specified in the sale notice) if the bid is either of reserve price or is of amount less than one incremental value, lest the sale may be cancelled/deferred.
11. Duration of auction is one hour. If any bid (bid higher than the highest at the point in time) is received within the last five minutes of closing time, the bidding time will be extended by ten minutes.
12. Highest bidder will be declared as the H-1 bidder and intimation to this effect will be given through e-mail by service provider. Successful Bidder shall be declared by the Recovery Officer DRT III, Mumbai

13. The EMD amount in the case of the successful bidder shall be adjusted towards the purchase amount. EMD amounts of unsuccessful bidders will be soon returned to them by the Banks. In the event of postponement and cancellation auction also, EMD amounts will be soon returned by the bank. Bidders are required to contact the Bank in this connection after the close of the auction

14. Original Identity Document copy of which is submitted along with the bid form must be produced on demand.

15. All bidders shall be deemed to have read and understood the conditions of sale and are bound by the conditions.

16. The property shall be sold on '**AS IS WHERE IS BASIS AND WHAT IT IS BASIS**'

17. The particulars of property given in the sale proclamation have been stated to the best of the information of the Recovery Officer but the Recovery Officer shall not be answerable for any error or omission.

18. The Recovery Officer knows no arrears of Municipal Tax or other Taxes or any other encumbrance except those specifically given in the Schedule. Any statutory claim made in respect of the property up to the date of sale may be paid from and out of the sale proceeds to the extent the sale proceeds are in excess of the amount certified in the Recovery Certificate.

19. Payments other than EMD and 25% of the purchase price (except in the cases covered by Clause 22) shall be made by Demand Draft/Pay Order/Banker's Cheque drawn in favour of the Recovery Officer, DRT-III, Mumbai, R.P. No.61/10.

20. The bidder shall give his full name and complete address & PAN and TAN card and state clearly whether he is submitting bid for himself or on behalf of another and in the later case furnish proper Power of Attorney in that regard and the full name and complete address of such party with his PAN/TAN Number and photocopy thereof.

21. Two or more persons may join together in submitting the bid but they may declare in writing in advance their specific shares at the time of auction. In the absence of such declaration, it shall be deemed that they have equal shares. One sale certificate shall be issued in their joint names.

22. Any one interested to purchase the property but who has not timely submitted tender/bid may, on showing bonafides to the satisfaction of the Recovery Officer and upon an undertaking to be bound by all the terms and conditions of sale, be permitted to offer bid with earnest money by demand draft/ pay order provided that his offer is at least 10% more than the highest offer.

However, the Recovery Officer reserves right to refuse to accept any such offer for reasons to be recorded in writing.

23. The properties shall ordinarily be sold in the same order in which they appear in the proclamation of sale.

24. The property shall not be sold below the reserve price/revised reserve price. The Recovery Officer may, however, decline to accept the highest bid for reasons to be recorded in writing.

25. The purchaser shall be liable to pay poundage @ 2% of the purchase price up to Rs.1,000 and 1% of the purchase price for the amount exceeding Rs.1,000 by D.D./P.O. in the name of the Registrar, DRT – III, Mumbai.

26. No sale shall be confirmed by the Recovery Officer if the Certificate Debtor and Certificate Holder satisfies the Recovery Officer within thirty days of the sale that the Recovery Certificate has been fully satisfied provided that the Certificate Debtor immediately pays compensation to the successful bidder as provided by Rule 60(1) (b) of Second Schedule to the Income Tax Act.

27. In case of stay of sale or Recovery Proceedings by a Court or Tribunal of competent jurisdiction, the auction may either be postponed or cancelled without any further notice and the persons participating in the sale shall have no right to claim damages, compensation or cost for such postponement or cancellation.

28. There shall be no fresh proclamation of sale if the sale is postponed for a period less than thirty days or in case sale is postponed beyond thirty days at the instance of the Certificate Debtor

TERMS AND CONDITIONS OF SALE BY PUBLIC E-AUCTION OF IMMOVABLE PROPERTY

Terms & Conditions of E-Auction Sale

1. The purchaser shall deposit 25% of the purchase price less the amount of EMD by RTGS/NEFT, except in the cases covered by clause 22 of General Conditions (in which case mode of payment would be demand draft/pay orders), to the credit of Account No 0285070700000003, **The Jammu & Kashmir Bank Ltd, Andheri Branch, IFSC Code No: JAKA0ANDERI** of the applicant bank as soon as the auction is knocked down in his favour and in default of such payment the property shall be resold. The balance of 75% of the bid amount shall be paid by Demand Draft/Pay Order/Bankers Cheque drawn in favour of **Recovery Officer DRT–III, Mumbai, RP No. 61/10** and poundage fee shall be deposited in the name of **Registrar, DRT – III,**

Mumbai on or before the 15th day from the date of the sale. If the payments are not so made, the costs/expenses of the auction may be deducted and the balance amount shall be liable to be forfeited and credited to the Applicant Bank/Financial Institution for adjustment against the certified dues.

2. If for any reason the sale is not confirmed or is set aside, or stayed, the purchase money paid may be refunded to the purchaser with accrued interest, if any.

3. After the confirmation of the sale, a Sale Certificate shall be issued. The Sale Certificate is liable for stamp duty, registration and incidental charges to be paid by the Auction Purchaser.

4. As far as possible, a plan of the property shall be annexed to the Sale Certificate.

5. The purchaser shall be deemed to have purchased the property with full knowledge and subject to all the reservations, if any, in the Master Plan and/or Development Plan or Draft Development Plan or Town Planning Scheme affecting the property and consent, including permission of the Competent Authority and/or under the relevant provisions of the laws touching the matter, if any, shall be obtained by him from the concerned authorities.

**TERMS AND CONDITIONS OF SALE BY PUBLIC E-AUCTION OF MOVABLE
PROPERTY**

Terms & Conditions of E-Auction Sale

1. The EMD amount shall be deposited by RTGS/NEFT except in the cases covered by clause 22 of General Conditions (in which case mode of payment would be demand draft/pay orders), in the Bank account mentioned in the sale notice and remaining amount of purchase price shall be deposited by D.D./Pay Order/Bankers Cheque drawn in favour of **Recovery Officer, DRT – III, Mumbai, RP No. 61/10 Mumbai** and the poundage fee shall be deposited in the name of **Registrar, DRT – III, Mumbai** at the time of the sale or immediately thereafter as the Tribunal/Recovery Officer conducting the auction directs and in default of payment, the property shall forthwith be put up for auction again.

2. The property shall be handed over to the Purchaser and a Certificate of Sale shall be issued after the sale

3. The buyer shall forthwith remove the property from the place of storage. The Recovery Officer may allow reasonable time to remove the property from the place of storage.

4. The property shall remain at the risk of the buyer from the time of acceptance of his bid and the Recovery Officer shall not be under any liability for the safe custody or preservation thereof from that date.

-sd-

(A.A. Kulkarni)

RECOVERY OFFICER,
MUMBAI DRT III

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DEBTS RECOVERY TRIBUNAL-III AT MUMBAI
5TH FLOOR, SCINDIA HOUSE, NAROTTAM MORARJI MARG,
BALLARD ESTATE, MUMBAI - 400 038**

**AUCTION SALE OF IMMOVABLE PROPERTIES UNDER THE RECOVERY OF DEBTS DUE TO
BANKS AND FINANCIAL INSTITUTIONS ACT, 1993**

RECOVERY PROCEEDING NO. 61/2010

IN O.A NO: **270/2008**

BETWEEN:

The Jammu & Kashmir Bank Ltd.]... Certificate Holders

V/s

Mr. Mohd Tanveer Ahmed & Ors.] ... Certificate Debtors

1 Name of Bidder (s) (in :
capitals)

2 Father's/Husband's Name :

3 Postal Address of Bidders :

- 4 Phone & Cell No :
- 5 E-Mail ID of Bidder :
- 6 PAN No. of Bidder
- 7 Date of Proclamation :
- 8 Date of Inspection : 02.05.2014
- 9 Date of Submission of Bid : 05.05.2014
- 10 Date of Auction : 08.05.2014
- 11 Time of Auction : 12 to 1.00 p.m
- 12 Description of the Property : 600 Sq.Ft, Flat No. 703, 7th Floor, Bldg. no.1, Vasundhara Enclave, B-Wing, Gokuldham, Goregaon-E,400069 of Mohd Tanveer Ahmed
- 13 Bank Account Details to which EMD amount is to be credited
- I Bank A/c No : **0285070700000003**

II IFSC Code No : JAKA0ANDERI

III Bank & Branch Name : THE JAMMU & KASHMIR BANK LTD, ANDHERI

14 EMD Remittance Details

I EMD Amount : Rs 7.00 lacs

II Date of remittance :

III Name of Bidder's Bank & Branch :

IV Bidder's A/c No :

V IFSC Code No :

15 Amount offered (in Rs) :

16 Copy of PAN Card enclosed : Yes/No

17 Address Proof enclosed : Yes/No

I declare that I have read, understood and agree to all the terms and conditions of e-auction sale being conducted by DRT Mumbai and shall abide by them. In the event of my not being declared as successful bidder in the e-auction, the EMD amount paid by me, may be credited to my account at Sr No: 14 above.

Signature of the Bidder (s)

Date:

NOTE

1. This tender shall be accepted if the same is in the name of the person/firm/company in whose name the tender is issued.
2. The EMD will be forfeited if the Offer is below the Reserve Price
3. No offer shall be accepted after the declared closing time of the tender.