

OFFICE OF THE RECOVERY OFFICER
DEBTS RECOVERY TRIBUNAL PUNE

Unit no 307 to 310 3rd floor, Kakade Biz Icon Building, Shivaji Nagar, Pune -411005

RC No. 120/2019

Date of Auction Sale: 25/10/2021

PROCLAMATION OF SALE: IMMOVABLE PROPERTY

PROCLAMATION OF SALE UNDER RULES 37, 38 AND 52 (1)(2) OF SECOND SCHEDULE TO THE INCOME TAX ACT, 1961 READ WITH THE RECOVERY OF DEBTS & BANKRUPTCY ACT, 1993

STATE BANK OF INDIA Vs M/S. K.K ASSOCIATES, PROP.MR. KAILAS DATTATRAYA TONDE & OTHER

To,

**(Cd-1) M/S. K K Associates,
Prop. Mr. Kailas Dattatraya Tonde
Gala No.4, Kale Pride, Ward No.5,
Cinema Road, Baramati-413 102.
Pune ,Maharashtra**

**(Cd-2) Mr. Nitin Marutrao Kale
At Post Sansar, 39 Phata, Taluka Indapur,
District-Pune.**

Whereas Recovery Certificate No. **RC/120/2019** in **OA/103/2017** drawn up by the Hon'ble Presiding Officer, **DEBTS RECOVERY TRIBUNAL PUNE** for the recovery of the sum of **Rs. 3,92,85,268.00 [Rupees Three Crore Ninety Two Lakhs Eighty Five Thousands Two Hundred Sixty Eight Only]** along with interest and the costs of **Rs. 1,75,000.00 [Rupees One Lakh Seventy Five Thousands Only]** from the CD(s) jointly and severally, and you, the CD(s), failed to repay the dues of the Certificate Holder Bank(s)/Financial Institution(s).

And whereas the undersigned has ordered the sale of the Mortgaged/Attached properties of the Certificate Debtor as mentioned in the Schedule hereunder towards satisfaction of the said Recovery Certificate.

Notice is hereby given that in absence of any order of postponement, the said property(s) shall be sold on **25/10/2021 between 11:00: AM to 01:00: PM** by auction and bidding shall take place through Online/Offline through the **website: www.drt.auctiontiger.net.(https://drt.auctiontiger.net)**



The details of authorized contact person for auction service provider is, Name: **MS E-PROCUREMENT TECHNOLOGIES LTD Mobile no. - 079-68136802 / 09265562821, 09265562818 Email- Tilak@auctiontiger.net/ support@auctiontiger.net / ravi.m@eptd.in**

The details of authorized bank officer for auction service provider is, **Name: Mr. Jagdish Nakade Mobile no. - 9168883110 Email- sbi.10151@sbi.co.in** officer of **STATE BANK OF INDIA.**

The sale will be of the properties of defendants/ CDs above named, as mentioned in the schedule below & the liabilities and claims attaching to the said properties, so far as they have been ascertained, are those specified in the schedule against each lot.

The property will be put up for sale in the lot specified in the schedule. If the amount to be realized is satisfied by the sale of portion of the property, the sale shall be immediately stopped with respect to the remainder. The sale will also be stopped if, before any lot is knocked down the arrears mentioned in the said certificate+ interest+costs (including cost of sale) are tendered to the officer conducting the sale or proof is given to his satisfaction that the amount of such certificate, interest and costs has been paid to the undersigned.

At the sale, the public generally are invited to bid either personally or by duly authorized agent. No officer or other person, having any duty to perform in connection with this sale shall, however, either directly or indirectly, bid for, acquire or attempt to acquire any interest in the properties sold.

The sale shall be subject to conditions prescribed in the second schedule to the Income Tax Act, 1961 and the rules made there under and to the following further conditions :-

- I. The particulars specified in the annexed schedule have been stated to the best of the information of the undersigned, but the undersigned shall not be answerable for any error, misstatement or omission in the proclamation.
- II. The Reserve Price below which the property shall not be sold is as mentioned in the schedule.
- III. The amount by which the bidding is to be increased. In the event of any dispute arising as to the amount bid or as to the bidder the lot shall at once be again put up for auction or may be cancelled.
- IV. The highest bidder shall be declared to be the purchaser of any lot provided always that he/she/they are legally qualified to bid and provided further the amount bid by him/her/them is not less than the reserve price. It shall be in the discretion of the undersigned to decline acceptance of the highest bid when the price offered appears so clearly inadequate as to make it inadvisable to do so.
- V. Each intending bidder shall be required to pay Earnest Money Deposit(EMD) by way of DD/Pay order in favor of **RECOVERY OFFICER, DEBTS RECOVERY TRIBUNAL PUNE** to be deposited with R.O./Court Auctioneer, **DEBTS RECOVERY TRIBUNAL PUNE** Or by Online through RTGS/NEFT/directly into the Account No. **11045459336** the name of **STATE BANK OF INDIA** of CH Bank having IFSC Code No. **SBIN0001399** and details of the property along with copy of PAN card, address proof and identity proof, e-mail ID, Mobile No. and in case of

the company or any other document, confirming representation/attorney of the company and the receipt/counter foil of such deposit. EMD deposited thereafter shall not be considered eligible for Participation in the auction.

The Earnest Money Deposit(EMD), Reserve Price and Bid Increase, bifixed as follows:

Sr. No.	Details of property	EMD Amount (In Rs.)	Reserve Price(In Rs.)	Bid Increase in the multiple of (in Rs.)
1	All that piece and parcel bearing Gat No 308/2 admeasuring about 31 Are situated at Village Bhigwan, Taluka Indapur, District Pune and boundaries as under : East : By Solapur Road South : By Gat No. 308/2 remaining land West : By Gat No. 307 North: By Gat No. 319	1282935	12829350.00	100000.00

EMD received after due date & time shall be rejected & the amount paid towards the EMD shall be returned to them by way of option given by them in the E-Auction Form. Any person desirous of participating in the bidding process is required to have a valid digital signature certificate issued by the competent authority. It is the sole responsibility of the bidder to obtain the said digital signature certificate, active e-mail id and a computer terminal/system with internet connection to enable him/her to participate in the bidding. Any issue with regard to digital signature certificate and connectivity during the course of bidding online shall be the sole responsibility of the bidder and no claims in this regard shall be entertained.

If the bid is increased within the last 5 minutes of the given time of auction, the auction time is further extended by additional time of 5 minutes to enable the other bidders to increment their bids & the auction process comes to an end if no further increment(s) is/are made within the extended time of 5 minutes. In case of movable/immovable property the price of each lot shall be paid at the time of sale or as soon after as the officer holding the sale directs, and in default of payment, the property shall forthwith be again put up for auction for resale.

The successful bidder shall have to pay 25% of the sale proceeds after adjustment of EMD on being knocked down by next day in the said account/Demand draft/Banker Cheque/Pay order as per detail mentioned above. If the next day is Holiday or Sunday, then on next first office day.

The purchaser shall deposit the balance 75% of the sale proceeds on or before 15th day from the date of sale of the property, exclusive of such day, or if the 15th day be Sunday or other Holiday, then on the first office day after the 15th day by prescribed mode as stated above. In addition to the above the purchaser shall also deposit Poundage fee with Recovery Officer, DEBTS RECOVERY TRIBUNAL PUNE @2% upto Rs.1,000/- and @1% of the excess of the said amount of Rs.1,000/- through DD in favour of Registrar, DEBTS RECOVERY TRIBUNAL PUNE.

the expenses of the sale, may, if the undersigned thinks fit, shall be forfeited to the Government and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may subsequently be sold. The property shall be resold, after the issue of fresh proclamation of sale.

Highest bidder shall not have any right/title over the property until the sale is confirmed by the Recovery Officer, DEBTS RECOVERY TRIBUNAL PUNE .

The amount of EMD deposited by the unsuccessful bidders shall be refunded through online mode in case of EMD deposited through online. In case EMD is deposited in the form of DD/BC/Pay order the same will be returned by hand. Original ID proof of the photocopy sent with the E-Auction EMD Form has to be brought. No interest shall be paid on EMD amount.

No request for inclusion/substitution in the sale certificate of names of any person(s) other than those mentioned in the E-Auction EMD Form shall be entertained.

In case of more than one items of property brought for sale, the sale of such properties will be as per the convenience and it is not obligatory to go serially as mentioned in the sale notice.

NRI Bidders must necessarily enclose a copy of photo page of their passport & route their bid duly endorsed by Indian Mission (Embassy). The movable/immovable property is being sold on "As is where and as is what basis" and is subject to Publication charges, revenue and other Encumbrances as per rules. The undersigned reserves the right to accept or reject any or all bids, if found unreasonable or may postpone the auction at any time without assigning any reason.

Details of this Proclamation of sale can be viewed at the website [www.drt.gov.in. \(https://drt.auctiontiger.net\)](https://drt.auctiontiger.net)

Schedule of Property:	Description of the property to be sold	Revenue assessed upon the property or part thereof	Details of any encumbrance to which the property is liable	Claims, if any, which have been put forward to the property and any other known bearing on its nature and value
1	All that piece and parcel bearing Gat No 308/2 admeasuring about 31 Are situated at Village Bhigwan, Taluka Indapur, District Pune and boundaries as under: East : By Solapur Road South : By Gat No. 308/2 remaining land West : By Gat No. 307 North : By Gat No. 319	NOT KNOWN	NOT KNOWN	NOT KNOWN

TERMS & CONDITIONS

1. For assistance and details contact M/s E-Procurement Technologies Ltd- Auction Tiger, Address- A-201, Wall street-II, Opp. Orient Club, Nr. Gujarat College, Ellis Bridge, Ahmadabad – 380006 Gujarat (India), Email.ID: Maharashtra@auctiontiger.net, Tilak@auctiontiger.net, support@auctiontiger.net / ravi.m@eptl.in 079-68136802 / 09265562821, 09265562818
2. Bidders are advised to go through the website: [www.drt.auctiontiger.net/](https://drt.auctiontiger.net/) (https://drt.auctiontiger.net) for detailed terms and conditions of auction sale before submitting their bids and taking part in the E-auction sale proceedings. Other terms and conditions are also available with Recovery Officer, DRT, Pune and Branch Manager of CH bank
3. The above conditions are in addition to the Terms & Conditions contained in the auction bid format and web site.
4. Prospective bidders are advised to peruse the copies of title deeds, if any, available with the bank and also carry out their own inquiries to satisfy themselves regarding encumbrances, if any, over the property.
5. The Property/ies can be inspected on 04-10-2021 & 12-10-2021 between 11:00 AM to 01:00 P.M. for inspection please contact Mr. Jagdish Nakade, Chief Manager, State Bank Of India SARB Branch, 2nd floor, Vardhman Building ‘ 321/a/3, Mahatma Phule Peth, Seven Loves chowk, Shankarsheth Road, Pune, Phone No. 020-26446043, Mob No.9168883110.
6. Recovery Officer has the absolute right to accept or reject any bid or bids or to postpone or cancel the sale without assigning any reason.
7. The sale shall be subject to confirmation by Recovery Officer.

Note:

Given under my hand and seal on this date 16/09/2021.

SEAL




Signature

RECOVERY OFFICER – II
DEBTS RECOVERY TRIBUNAL PUNE



Handwritten signature or initials



DEBTS RECOVERY TRIBUNAL
Government of India, Ministry of Finance (DFS)
Unit Nos.307 to 310, 3rd Floor, Kakade Bizz Icon Building
Shivaji Nagar, Pune - 411005

R.P. No. 120/2019

Date: 16th Sept, 2021.

BETWEEN

STATE BANK OF INDIA

----- Certificate Holder

V/s.

M/S. K K ASSOCIATES, PROP.MR. KAILAS DATTATRAYA TONDE & OTHER
..... Certificate Debtors

General and Technical Terms & Conditions of E-Auction Sale

1. Auction/bidding will be through “On Line E-Bidding”
2. Registration with Auctioneer Company for bidding in e-auctioning as per the requirement of the Auctioneer Company is essential.
3. Bids shall be submitted online only.
4. Interested bidders should have their own arrangements for internet service. Internet connectivity and other paraphernalia requirements shall have to be ensured by the bidders themselves.
5. The purchaser may, within 30 days, of the sale, apply to set-aside the sale on the ground that the defaulter had no saleable interest in the properly sold.
6. Where the Certificate Debtor or any person, whose interests are affected by the sale, deposits the entire amount as specified in the proclamation of sale and compensation to be paid to the successful bidder before the sale is confirmed, the sale shall be cancelled and the successful bidder will be refunded the amounts deposited by him along with compensation as per rules.
7. Bidders staying abroad/NRIs/PIOs/Bidders holding dual citizenship must submit photo page of his/her valid Indian Passport.
8. Bidders mentioned above and residing out of India at the time of submission of bid should route his/her copy of bid to Recovery Officer, DRT, Pune through the Indian Mission.
9. If any market-leading bid (bid higher than the heights at the point in time) is received within the last five minutes of closing time, the bidding time will be extended automatically by 5 minutes at maximum 3 occasions (i.e. three extensions of 5 minutes each)

10. Highest bid will be provisionally accepted on "subject to approval" basis and the highest bidder shall not have any right/title over the property until the sale is confirmed by the Recovery Officer, DRT, Pune.
11. All intimations to bidders/auction purchaser will be primarily through e-mail by the service provider. Date of sending e-mail will be considered as date of intimation. If no intimation reaches, bidders are expected to take efforts to find out status from the e-auctioning company. Non-receipt of intimation should & cannot be an excuse for default/non-payment.
12. Bidders are advised to go through the service provider's portal/website also before participating in the e-auction. Complaints, if any, against the e-auctioning company/service provider must be taken up with the Certificate Holding Bank only. The CH bank has engaged the services of e-auction service provider.
13. Highest bidder will be declared as the successful bidder subject to other Terms & Conditions and intimation to this effect will be given through e-mail by service provider.
14. In case of default of payment at any stage by the successful bidder/auction purchaser within the stipulated time, the sale will be cancelled and the entire amount deposited will be forfeited.
Sale Confirmation/Sale Certificate shall be collected in person or through an authorized person. For dispatch by post, a request in writing must be sent to Recovery Officer, DRT, Pune along with a self-addressed adequately stamped envelope.
16. NRI Bidders must necessarily enclose a copy of Photo page of his/her passport and route their bid duly endorsed by Indian Mission.
17. EMD amounts of unsuccessful bidders will be returned to them in their given account. In the event of postponement and cancellation of auction also, EMD amounts will be returned. Bidders are required to contact the Bank in this connection after the close of the auction. No complaints in this regard shall be entertained.
18. Original Identity Document, copy of which is submitted along with the bid form, must be produced on demand.
19. Employees of the E-Auctioning company are barred from participating in the auction in terms of Rule-17 of Schedule-II of Income Tax unless specifically approved.
20. All bidders shall be deemed to have read and understood the terms and conditions of sale and shall be bound by the said terms and conditions.
21. The bidders are advised to refer to the corresponding sale notice(s) published in the newspaper(s) / placed on the Notice Board of DRT to take note of other terms and conditions of sale, viz. Earrest Money Deposit, Submission of tenders, Bid Multipliers, date and time of inspection of property, production of solvency certificate etc.before submitting their bids.
22. The property is sold on "as is where is & on what it is" basis. The bidder(s) are advised to make their own inquiries regarding Encumbrances, search results and other revenue records relating to the property and shall satisfy themselves regarding the nature and description of property, condition, any encumbrances, lien, charge, statutory dues, etc. before submitting the bid.

23. The property will not be sold below the reserve price specified in the Sale Proclamation/Sale Notice.
24. Any one of the following documents alone will be accepted as ID proof, viz. (a) Voters ID card issued by the Election Commission of India or (b) PAN Card; or (c) Ration Card carrying Photo and the name of the bidder(s); or (d) Valid Driving License with photo, (e) Passport or (f) any other Government ID carrying the photograph of the bidder(s).
25. The duly filled-in bid form along with the relevant enclosure be submitted to the Recovery Officer-I&II, DRT, Pune along with copy of Counterfoil of NEFT / RTGS (having transaction number), copy of ID proof and other enclosures so as to reach on or before the last date prescribed for submission as specified in the sale notice published in the newspaper.
26. Incomplete bids without proper EMD, bids not in conformity with the terms and conditions above and bids submitted after the stipulated date and time are liable to be summarily rejected.
27. No bidder shall be permitted to withdraw the bid from the auction proceedings after submission of the bid form, till completion of auction.
28. In the event of postponement/cancellation of auction-sale after submission of the bids, the EMD demand draft(s) submitted by the bidders will be returned.
- The successful bidder shall have to pay 25% of the purchaser price, after adjustment of EMD on being knocked down by next date i.e by 5.00 pm in the said account as per detail mentioned in para 5 of the Proclamation of Sale Notice. If the next day is holiday or Sunday, then on next first office day.
- The balance purchase- price should be deposited through RTGS/NEFT/Fund Transfer of Credit of Bank A/c 11045459336 IFC Code SBIN0001399 of Recovery Officer DRT Pune, with State Bank of India, Tikal Road Branch Pune, within Fifteen (15) days from the date of Auction Sale.
- The purchaser shall deposit the balance 75% of the Bid Amount/Purchaser Price on or before 15th day from the date of sale of the property, exclusive of such day, or if the 15th day be Sunday or other holiday, then on the first office day after the 15th day by prescribed mode as stated in Para 30 above. In addition to the above the purchaser shall also deposit Poundage fee with Recovery Officer, DRT Pune @ 2% upto Rs 1000/- and @ 1% of the excess of the said amount of Rs. 1000/- though DD in favor of Registrar, DRT Pune at Pune.
- If the payment is not made within the time as above stated, the sale shall stand automatically cancelled and the deposit made till then shall be forfeited.
- The Particulars of property given in the sale proclamation have been stated to the best of the information of the Recovery Officer and the Recovery Officer shall not be answerable for any error or omission.
- 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 upto the date of sale are to be paid by the successful bidder. However, in case of excess recovery same 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.

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

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.

37. 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 under the relevant Provisions of the Laws touching the matter, if any, shall be obtained by him from the concerned authorities.
38. The sale, in normal circumstances, will be confirmed after expiry of 30 days from the date of auction sale, provided full bid amount and poundage fee is deposited as stipulated.
39. The E-Auction - Sale Certificate attracts the stamp duty and other registration charges as applicable from time to time in the State of Maharashtra and that the sale certificate shall be executed and issued only upon the auction-purchaser producing the proper adjudication certificate from the Registering authority concerned of having paid the requisition stamp duty as per government norms.
40. No request for inclusion/substitution, in the sale certificate, of names of any person(s) other than those mentioned in the bid form shall be entertained.
41. Request for delivery of vacant possession of the property sold shall be entertained in accordance with rules 39 to 47 of the Income Tax (Certificate) Proceeding (ITCP) Rules. All expenses incidental thereto shall be borne by the auction purchaser.
42. The Recovery Officer has the absolute right to accept or reject a bid or to postpone/cancel the notified auction-sale without assigning any reason.

Place :- Pune.

Date :- 16th Sept, 2021.




(S.J.SATBHAI)
Recovery Officer-II
DEBTS RECOVERY TRIBUNAL PUNE