

# THE COSMOS CO-OP. BANK LTD.

(Multistate Scheduled Bank)

## Recovery & Write-Off Department, Region-II

Correspondence Address : Horizon Building, 1<sup>st</sup> Floor, Ranade Road & Gokhale Road Junction, Gokhale Road (North), Dadar (West), Mumbai - 400 028. Phone No. 022- 24476012/57/58

### E-AUCTION SALE NOTICE UNDER SARFAESI ACT, 2002

The Secured Creditors of The Cosmos Co-Operative Bank Ltd., has decided to sale the possessed Immovable property of the defaulter Borrower & Co-Borrowers as mentioned herein below under the Securitisation & Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002 on the basis of "As is where is, As is what is, whatever there is and without recourse" by Inviting Tenders.

In Pursuance to the order passed by Hon'ble Supreme Court dated 06.08.2019, 21.10.2019, 13.12.2019 & 17.02.2020 in I. A. Nos. 87018/2018, 138910/2018, I. A. No. 186738/2019 & I. A. No. 23286/2020 in Civil. Appeal. No. 20971/2017.

Borrower, Co-Borrower & Guarantors	Demand Notice Date & Amount	Reserve Price
<b>Borrower:</b> Mr. Omprakash Basantlal Goenka <b>Registered Office at:-</b> 202, Parvati Industrial Estate, Sun Mill Compound, Lower Parel (West), Mumbai – 400 013. <b>Co- Borrowers:-</b> 1) Mrs. Kiran Goenka, 2) Mr. Gaurav Goenka, 3) Mrs. Girija Goenka, 4) Mrs. Shwetha Mundhra, 5) Ms. Sucheta Goenka <b>Guarantor Company &amp; its Directors</b> 1) M/s. Mirah Hospitality & Food Solutions Pvt. Ltd. A) Mr. Omprakash Basantlal Goenka B) Mr. Gaurav Omprakash Goenka C) Ms. Sucheta Omprakash Goenka 2) M/s. Twinkle Envirotech Pvt Ltd A) Mr. Omprakash Basantlal Goenka	D.N. Date : 16.11.2017 ₹ 11,73,19,128.94 plus further interest & charges thereon	₹ 23,04,00,000/- (Rupees Twenty Three Crores Four Lakhs Only)
	<b>Possession Date</b>	<b>Earnest Money Deposit(E.M.D.)</b>
	05.03.2018 (Symbolic)	₹ 2,31,00,000/- (Rupees Two Crores Thirty One Lakhs Only)
	<b>Date &amp; Time of E-Auction</b>	
24.02.2023 from 1.30 p.m. to 2.30 p.m.		

- Auction Sale/bidding would be conducted only through website <https://cosmosbank.auctiontiger.net> with unlimited extensions of 5 Minutes in each.

#### SCHEDULE OF IMMOVABLE PROPERTY FOR SALE/AUCTION

All that piece and parcel of the commercial premises known as entire 17<sup>th</sup> floor premises adm. about 10500 sq.ft. Carpet Area situate in the Building known as "Trade World" consisting of ground + 30 floors and the said building is constructed on the piece of land bearing its New S. No. A/12081, 1876B, D/118750, 12933D, 1/ 12433E, B12594F, A/12411G, 120794, 12415, 1238, A/12594, 12080-I, 9/12047J, D/12311K, 9/12411-L, 124M, 12414N and C.S. No. 448 of Lower Parel Division total adm. about 38326 sq.mtrs. and out of the said total land part thereof adm. about 10000 sq.mtrs. on which the above said commercial complex under the name "Trade World" has been constructed. And the abovesaid 17<sup>th</sup> floor premises adm. about 10500 sq.ft. Carpet Area in D wing of the Building known as Trade World together with proportionate share in the total land under the building and together with rights and authority to avail and enjoy common areas and facilities appurtenant to those premises and together with 10 car parking spaces and together with right of ways, easements made available those premises.

#### TERMS & CONDITIONS

- 1) The above secured assets shall be sold on "As is where is basis & as is what is basis, whatever there is & without recourse" and not to be sold below the Reserve Price mentioned as above.
- 2) Before submitting quotation, for the information of said Sale/Auction, its Terms & Conditions, Bid form and procedure of submission of Bid/Offer, please contact on above address or number.
- 3) Before Submitting the Bids Bidders should satisfy themselves from the undersigned about the rights, title, interest in respect of the property in question and later on no objection of any kind shall be entertained in this regard.
- 4) To the best of knowledge and information of the Authorised officer, there is no encumbrance in the property/ies. However the intending bidders should make their own independent inquiries regarding the encumbrance, title of property put on E-Auction and claims/right/dues/affecting the property prior to submitting their bid. The E-Auction advertisement does not constitute any commitment or any representation of The Cosmos Co-op. Bank Ltd. The property is being sold with all the existing and future encumbrances whether known or unknown to The Cosmos Co-op. Bank Ltd. The Authorised officer/Secured Creditors shall not be responsible in any way for any third party claims/rights/dues.
- 5) Applicable Stamp Duty/ Additional Stamp Duty/ Outstanding Maintenance Charges/Transfer Charges of Society and Registration Charges, Fees etc. have to be borne by the purchaser only.
- 6) All statutory/non statutory dues, taxes, rates, assessments, charges, fees, claim etc. pertaining to above property will be the responsibility of the purchaser only.
- 7) Intending Bidders may avail training for online bidding from M/s. E-Procurement Technologies Ltd./Auction Tiger, B-704, Wall Street - II, Opp. Orient Club, Nr. Gujarat College, Ellis Bridge, Ahmedabad - 380006 Gujarat (India). Contact Nos.: Mr. Praveenkumar Thevar - 9722778828-079-35022145/149/182, [praveen.thevar@auctiontiger.net](mailto:praveen.thevar@auctiontiger.net) or [soni@auctiontiger.net](mailto:soni@auctiontiger.net) AND Email Id's- [support@auctiontiger.net](mailto:support@auctiontiger.net) & [maharashtra@auctiontiger.net](mailto:maharashtra@auctiontiger.net), Contact No.- 9265562818/19.
- 8) EMD and KYC should reach the undersigned on or before 23.02.2023 before 4.30 P.M. The Bidder has right to increase his "Bid incremental value of said property will be ₹ 10,00,000/-" during the time of auction.
- 9) The successful Bidder shall deposit 25% of the Bid amount (Including EMD before Bid) immediately within next working day after sale, if the successful bidder fails to pay 25% amount within the time prescribed herein above, the EMD shall be forfeited without any Notice. After deposit of 25% and thereafter confirming the sale by the Authorised Officer, the Bidder shall have to pay remaining amount i.e. 75% of the bid amount on or before 15 days from the receipt of the acceptance/confirmation letter or within such extended period allowed by the Authorised Officer. If the remaining amount not paid within the time prescribed in the confirmation/acceptance letter, the total amount deposited would be forfeited without any notice and property shall be resold.

- 10) Earnest Money Deposit (EMD) shall be deposited through RTGS/NEFT fund transfer to credit of The Cosmos Co.Op. Bank Ltd "Auction EMD Account" No. COS370219, IFSC Code: COSB0000012, for inspection of the property OR any information please contact to Mobile No.9960974848/8975758517/7709571679, Recovery & Write-Off Department-Region-II, Dadar(W), Mumbai - 400028.
- 11) The EMD amount of unsuccessful bidder will be returned on closure of the E-Auction/Sale Proceeding. The EMD amount shall not carry any Interest.
- 12) The sale certificate will be issued in the name of the purchaser(s)/applicant (s) only and will not be issued in any other name (s).
- 13) The sale shall be subject to rules/conditions prescribed under the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.
- 14) In case of stay of sale or Recovery Proceedings by any superior court of Competent Jurisdiction, the auction/sale may either be postponed/cancelled in compliance of such order, without any further notice and persons participating in the auction/sales shall have no right to claim damages, compensation and cost of such postponement/cancellation etc.
- 15) No person other than intending Bidder/offerer themselves, or their duly Authorised Representative shall be allowed to participate in E-Auction/Sale proceeding. Such Authorisation Letter is required to submit along with Bid Amount.
- 16) The Borrower, Co-Borrowers, Guarantor Companies and its Directors are also given liberty to participate in the sale so as to fetch maximum value of the property.
- 17) The sale is subject to confirmation by the Authorised Officer.
- 18) 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.
- 19) It shall be responsibility of the successful bidder to pay 1% T.D.S of the sale amount under Section 194(1A) of the Income Tax Act & shall submit the proof thereof to Authorised officer.

**STATUTORY NOTICE:-As per rule 8(6) of SARFAESI Act, 2002.**

This notice also be considered as a 15 days' notice to the Borrower, Co- Borrowers and Guarantor Companies & its Directors of the said loans about holding of public auction sale on the above mentioned date if the dues are not repaid in full before the date of public auction.

**SPECIAL INSTRUCTION & CAUTION:**

Bidding in the last minutes/seconds should be avoided by the bidders in their own interest. Neither Cosmos bank nor the service provider will be responsible for any lapses/failure (internet failure, power failure etc.) on the part of the vendor in such cases. In order to ward off such contingent situation, the bidders are requested to make all the necessary arrangements/alternatives such as back – up power supply and whatever else required so that they are able to circumvent such situation and are able to participate in the auction successfully.

Date: 07.02.2023  
Place: Mumbai

Sd/-  
Authorised Officer  
Under SARFAESI Act, 2002.  
The Cosmos Co-operative Bank Ltd.