

**OFFICE OF THE RECOVERY OFFICER**  
**DEBTS RECOVERY TRIBUNAL, LUCKNOW**  
(Area of Jurisdiction – Part of Uttar Pradesh and Uttarakhand)  
600/1, University Road, Near Hanuman Setu Mandir,  
Lucknow – 226007

**FORM NO. – 13**

[Under rule 37, 38 and rule 52(1) of Second Schedule to the Income-tax Act, 1961]

**Proclamation of Sale**

**DRC NO: 84/2013/LKO**

**SIDBI.....Applicant / C.H. Bank**

**VERSUS**

**Pushpa Food Products & Ors.....Defendants/ J.D.'s**

Whereas the Presiding Officer, Debts Recovery Tribunal of Lucknow has drawn up a decree in **OA No.144 of 2011**, Certificate No. **(DRC No.) 84 of 2013** Dated: 05.06.2012 for the recovery of the sum of **Rs.46, 48,504/-** (Rupees Forty six lakh forty eight thousand five hundred and four only) from the defendants/ Judgment debtors, which sum is recoverable together with interest, cost, and charges as per certificate/decreed.

And Whereas the undersigned has ordered the sale of the attached property of the Certificate Debtor as mentioned in the Schedule hereunder on **“As it is where it is and whatever it is basis”** towards satisfaction of the said Recovery Certificate.

The sale will be of the property of the defendants / J. D.'s No.1 to 7 above named as mentioned in the schedule below and the liabilities and claims attaching to the said property, so far as they have been ascertained are these specified in the schedule.

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 property sold.

Notice is hereby given that in the absence of any order of postponement, the said property shall be sold by the Recovery Inspector/ Advocate Commissioner / Officials by E-Auction and bidding shall take place through “**On line Electronic Bidding**” through the website “**www.drtauction.abcprocure.com**” on **08.10.2014 between 11:00 AM to 12:00 noon** with extensions of 5 minutes duration after 12:00 noon, if required.

Current outstanding including cost, charges and interest up to 25.07.2014 is **Rs 74,02,329/-** (Rupees Seventy Four Lakhs Two Thousand Three Hundred and Twenty Nine only) plus interest and other charges w.e.f. 26.07.2014.

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

1-The particulars specified in the annexed schedule have been stated to the best of the information of the undersigned and provided by the CH Bank and the undersigned shall not be answerable for any error, misstatement or omission in the proclamation.

2-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 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.

3-The reserve price, below which the property shall not be sold, is as mentioned below in the schedule.

4-The amount by which the bidding is to be increased shall be **Rs 30,000/- (Rupees Thirty thousand only)**.

5-The highest bidder shall be declared to be the purchaser of any lot provided, always, that he is legally qualified to bid and provided further, the amount of bid by him 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 so as to make it inadvisable to do so.

6-Each bidder shall deposit earnest money (EMD) @ 10% of the Reserve Price in the form of Bank Draft payable to Recovery Officer., DRT, Lucknow. The said demand draft along with duly filled-in E-Auction EMD form should reach through speed post/ or by hand to **Shri Himanshu Rajendra Asthana, Deputy General Manager, Small Industries Development Bank of India**, Branch Office , Ground Floor, SIDBI Tower, 15 Ashok Marg, Lucknow-226001 on or before 30.09.2014 up to 17:00 hrs positively (**Auction date 08.10.2014**). On receipt of first EMD (10% of the reserve price) from the prospective bidder, the CH Bank will intimate in writing to the Recovery Officer on the next day.

7-The duly filled-in E-Auction EMD form (The form is attached here with this Proclamation of Sale) shall be submitted in a sealed cover to **Shri Himanshu Rajendra Asthana, Deputy General Manager, Small Industries Development Bank of India**, Branch Office , Ground Floor, SIDBI Tower, 15 Ashok Marg, Lucknow-226001 or before 30.09.2014 by 17:00 hrs. Such envelope must be super scribed with details of Recovery Proceeding Number, name of the person who is bidding, last date of submission of bid and the details of the property for which the bid is given.

8-On receipt of EMD, the bidders shall receive their user ID and password through their E Mail ID to enable them to participate in the E-auction from the service provider **M/s E-Procurement Technologies Ltd. A-201/208, Wall Street II, Opp. Orient Club, Near Gujarat College, Ellis Bridge, Ahmedabad, Gujarat-380006** Help Line No. 079-40230806, 079-40230807, Fax- +91-79-40016876 E-mail: **vishal.t@abcprocure.com**.

9-All intimations to bidders will be 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 not be an excuse for default/ non-

payment. The contact no. and e-mail id of the service provider and Nodal Officer of SIDBI is as under –

- A. **Service Provider- E-mail—vishal.t@abcprocure.com, Phone:079-40230806, 079-40230807, Mobile: +91-8140094365 [Mr. Vishal Tiwari]**
- B. **Bank- Shri Himanshu R Asthana, Dy. General Manager [Nodal Officer]  
E mail id: himanshu@sidbi.in, Phone: 0522-2286502, Mobile: 9919001861**

10-The parties interested may inspect the property between 11:00 A.M. to 04:00 P.M. on **22.09.2014** at the site in prior consultation with C.H. Bank Branch Office Lucknow i.e. **Shri Himanshu Rajendra Asthana, Ground Floor, SIDBI Tower 15 Ashok Marg Lucknow-226001 Mobile No. +91-9919001861.**

11-Any bidder can start bidding, in the online auction. The first online bid that comes in the system during the online auction can be equal to the auction's reserve price or higher than the auction's reserve price by one increment i.e. Rs 30,000/- (Rupees Thirty thousand only) or higher than the auction's reserve price by multiples of increment of Rs 30,000/- (Rupees Thirty Thousand only). The subsequent bid that comes in the outbid the H1 rate will have to be higher than H1 rate by one increment value of Rs 30,000/- (Rupees Thirty Thousand only) or in multiples of the increment value of Rs 30,000/- (Rupees Thirty Thousand only).

A time period of (5) minutes shall be allowed to the bidders during the course of bidding process to increment their bid and if the bid is not incremented further within the said five (5) minutes, the auction process comes to an end and the highest bidder shall be declared as successful bidder. If the bid is incremented within the last five minutes of the given time of auction, the auction time is further extended by additional five minutes to enable the other bidders to increment their bids and the auction process comes to an end if no further increments are made within the extended five minutes.

12. The person declared to be the successful bidder shall pay/deposit immediately a deposit of twenty five percent (25%) of the amount of his purchase price (less EMD) by way of demand draft favoring Recovery Officer, DRT, Lucknow on same day to **Shri Himanshu Rajendra Asthana, Deputy General Manager, SIDBI Tower, 15, Ashok Marg, Lucknow-226001.** The full amount of purchase price along with poundage at the rate of 2% up to Rs 1000.00/- and 1% on balance amount of

purchase money shall be paid by the purchaser by the way of demand draft favoring Recovery Officer, DRT, Lucknow to **Shri Himanshu Rajendra Asthana, Deputy General Manager, SIDBI Tower, 15, Ashok Marg, Lucknow-226001** before the 15<sup>th</sup> day from the date of the sale of the property exclusive of such day or if the 15<sup>th</sup> be a Sunday or other holiday then on the first office day after the 15<sup>th</sup> day. In case of default payment within the period mentioned above, the property shall be resold after the issue of fresh proclamation of sale. The deposit defraying the expenses of the sale may, if the undersigned thinks fit, be forfeited to the government and the defaulting purchaser shall forfeit all claims to the property or to any party the sum for which it may subsequently be sold. All deposits received by CH Bank from successful bidder shall be intimated in writing to the Recovery Officer within **seven days** of receipts of deposits along with instruments of such deposits.

13. Highest bidder shall not have any right/title over the property until the sale is confirmed by the Recovery Officer, DRT, Lucknow.

14. The amount of EMD deposited by the unsuccessful bidders shall be refunded the bid amount by Speed Post/Registered Post on their given address in the E-Auction EMD Form as per the option given by them in their E- Auction EMD Form.

Or in case the demand draft is taken by hand, then the original ID proof of the photocopy sent with the E- Auction EMD Form has to be brought and the EMD Demand Draft be collected from **Shri Himanshu Rajendra Asthana, Deputy General Manager, SIDBI Tower, 15, Ashok Marg, Lucknow-226001**. No interest shall be paid on EMD amount.

15. EMD received after fixed date and time shall be rejected and the amount paid towards the EMD shall be returned to them by way of the option given by them in their E-Auction Form.

16. 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.

17. NRI Bidders must necessarily enclose a copy of photo page of his/her passport and route their bid duly endorsed by Indian Mission.

18. Details of this Proclamation of sale can be also viewed at the website <http://www.tenders.gov.in> and [www.sidbi.in](http://www.sidbi.in)

**SCHEDULE OF MORTGAGED PROPERTY:**

<b>No. of Lots</b>	<b>Description of property to be sold with the name of the owner/s Co-owners. The property belongs to the defaulters and any other person as Co- owner.</b>	<b>Revenue assessed upon the property or any part thereof</b>	<b>Detail of any encumbrances to which the property is liable</b>
ONE	<p style="text-align: center;"><b><u>Property</u></b></p> <p>All those piece and parcel of land admeasuring 1 Bigha 8 Biswa (38090 Sq.ft), bearing Khasra No. 289, situated at Village - Kakrahiya (Garha), Pargana - Jagdishpur, Tehsil – Musafirkhana, District – Sultanpur), U.P., butted and bounded as under:</p> <p>North: House of Ram Chandar.</p> <p>South: 10 Feet Wide Road</p> <p>East: Mango Orchard of Sahab Baksh Singh</p> <p>West: 14 Feet Wide Road.</p> <p>Together with proportionate interest in land and plant and machinery attached to earth or permanently fastened to anything attached to earth.</p> <p><b>Owned by—</b>Shri Ram Dular Dubey s/o Late Shri Ram Dhari Dubey <b>(J.D. No. 2)</b></p> <p><b>Reserve Price: Rs 58 lakhs/-(Rupees Fifty Eight lakhs only)</b></p>	NOT KNOWN	NOT KNOWN

**N.B.:** The Immovable Property is being sold on “As is where is & whatever is there is” basis and is subjected to Publication Charges, revenue and other Encumbrances as per Rules.

## E – AUCTION EMD FORM

### DRC No.84/2013—SIDBI Vs. Pushpa Food Products & others.

1. Name(s) of Bidder (in Capital)\* :
2. Father's/Husband's Name\* :
- 3: Postal Address of Bidder\* :
4. Phone/Cell No. and :
  - email ID :
  - PAN No.\* :
5. Date of Submission of Bid :
6. DRC/Item No. :
7. Property Detail in Brief :
8. EMD Remittance Detail :
  - Date of Remittance :
  - Name of Bank :
  - Branch :
  - A/C No. :
9. EMD Amount will be returned.

(i) By speed post on the given address in the auction form at serial 3.

Or

(ii) By registered post on the given address in the auction form at serial 3.

Or

(iii) By hand after submitting the original ID proof of the photocopy sent with the auction form.

For the return of EMD the bidder will write below one of the three option given at 9 (i) to (iii) as mentioned above.

I declare that I have read and understood all the general and technical terms and condition of auction sale and shall abide by them.

(Signature of the Bidder)

Encl\*:

1. Copy of Photo ID & PAN Card.
2. Copy of address proof.

\* In case of multiple bidders, the details may be given in tabular form in a separate sheet.

**Given under my hand and Seal at Lucknow on this 22nd day of August 2014.**

**SEAL**

**-sd-**  
**(Dr. A Sharma)**  
Recovery Officer  
Debts Recovery Tribunal  
Lucknow