



APPENDIX- IV-A

[See proviso to rule 8 (6)]

E Auction Sale notice for sale of immovable property

Terms & conditions for E-Auction:

1. Auction/bidding shall only be through "Online electronic mode" through the website of the Service Provider website <https://bankauctions.in> of our e-auction service provider M/s 4closure.
2. The bidders may participate in e-auction for bidding from their place of choice. Internet connectivity shall have to be ensured by bidder himself. Bank/Service Provider shall not be held responsible for the internet connectivity, network problems, system crash down, power failure, etc. For details, help, procedure, registration, auction bid forms, detailed terms & conditions and online training on e-auction, prospective bidders may contact the Service Provider viz., website <https://bankauctions.in> of our e-auction service provider M/s 4closure, for auction bid form and detailed terms and conditions which are annexed to the bid form. The helpline No. to get assistance during the entire process is M/s.4closure, Hyderabad Help Line No.040-23836405 and +91-814200066/62 and e-mail [info@bankauctions.in](mailto:info@bankauctions.in) and Sri. M. Srinivasulu, Mobile No. +91-8142000809 (Bengaluru) and E-mail: [srinivas@bankauctions.in](mailto:srinivas@bankauctions.in) well in advance and get the User ID and password. Only the password may be changed on receiving it.
3. Bidders are advised to go through the website <https://bankauctions.in> for detailed terms and conditions of auction sale & auction application form before submitting their Bids for taking part in the e-auction sale proceedings.
4. Bids once made shall not be cancelled or withdrawn. All bids made from the user ID given to bidder will be deemed to have been made by him/her only.
5. All bidders shall be deemed to have read and understood the terms and conditions of sale and be bound by them.
6. Only buyers holding valid User ID/ Password and confirmed payment of NEFT/RTGS shall be eligible for participating in the e-Auction process.
7. For other terms and conditions, please visit [E-Auction service provider's website https://bankauctions.in](https://bankauctions.in).

Other Terms and Conditions:

1. To participate in the e-auction, intending bidders must deposit 10% of the reserve price as mentioned above as refundable EMD in the form of DD/RTGS of Bank favouring as shown above, before the time and date specified above. EMD will not carry any interest.
2. The Sale will be on "AS IS-WHERE IS, AS IS WHAT IS AND WHATEVER THERE IS" basis.
3. The property will not be sold below the Reserve Price.
4. In case the bidder is a company/LLP/ firm, a copy of the resolution passed by the Board of Directors/ authority letter, authorising the person to participate in the auction on behalf of the company/ LLP/ firm should be submitted.
5. The incremental bid is fixed at a minimum of ₹ 1,00,000.00 (Rupees one lakh only) and the properties will be sold in favour of the highest bidder.
6. The successful bidder should pay 25% of the bid amount (inclusive of EMD) immediately on the same day by NEFT/RTGS favouring A/C No 884LIABICCUSUJNR, IFSC: DBSS0IN0811, Mumbai branch and balance 75% of the bid amount within 15 days thereafter. If the successful bidder defaults in effecting payment or fails to adhere to the terms of Sale in any manner, the amount already deposited will be forfeited and he / she shall not have any claim on such forfeited amount or to the properties, which shall be sold subsequently.
7. The property owner Mr. P S Vishwanath filed Writ Petition No.21156/2024 before Bengaluru High Court on 05 Aug 2024 and obtained conditional stay. The hon'ble high court directed the bank not



to confirm the sale to be conducted on 06 Aug 2024. The petitioner was directed to deposit Rs.1.00 Cr. by 20 Aug 2024. However, the Petitioner failed to comply with the direction till date. On 26 Sep 2024 the Court extended the interim order until next date of hearing and directed to post the case after Dasara Vacation. The case is yet to be listed.

8. The e-auction sale fixed on 06 Aug 2024 was not conducted due to non-availability of bidders.
9. The bidder being an individual/ firm/ LLP/ Company/ Director must ensure that he/ she shall not be a financial defaulter/ bankrupt/ insolvent or representing a firm/ LLP/ a Company in CIRP proceeding / liquidation while submitting the bid/ participating in the e-auction sale and must also ensure legal capacity to participate in the bid, failing which the bid amount deposited will be forfeited and he / she shall not have any claim on such forfeited amount or to the property, which shall be sold subsequently.
10. A financial defaulter/ Willful defaulter to any financial institution would not be eligible to participate in the auction process. If the defaulter fails to disclose the fact while submitting the bid and Authorized Official comes to know the fact during the verification process, the defaulter will be disqualified from the auction process and his Bid amount deposited will be forfeited”.
11. On confirmation of sale by the Authorised Officer and if the terms of the payment have been complied with, the Authorised Officer exercising the Power of Sale shall issue a ‘Sale Certificate’ of immovable property in favour of the successful purchaser in the form given in appendix V of Securitization Act 2002.
12. Sale Certificate will be issued / registered in the name of successful bidder only who should produce copy of PAN card / ID proof before issue of Sale Certificate.
13. The EMD of the unsuccessful bidder will be returned immediately on conclusion of the e-auction sale.
14. At any stage of the e-auction, the Authorised Officer shall have the power to accept or reject bids or postpone / cancel the e-auction sale without assigning any reason thereof including addition or deletion of other terms and conditions.
15. If the Sale Price is more than ₹ 50,00,000/- (Rupees fifty Lakh only) then the e-auction purchaser/successful bidder has to deduct 1 % applicable TDS of Sale Price in the name of the owner of the property & remit it to Income Tax Department as per section 194 IA of Income Tax Act and only balance amount of Sale Price has to be remitted to the Bank. The Sale Certificate will be issued only on receipt of Form 26QB & Challan for having remitted the TDS.
16. The purchaser shall bear the applicable stamp duties/ additional stamp duty/ transfer charges, fee etc., and also all the statutory/ non-statutory dues, taxes, rates, assessment charges, fees etc. owing to anybody.
17. All other charges, expenses like conveyance, electricity, WSSB, legal, stamp duty, registration fee, arrears of tax charged, etc., if any, shall be borne by the purchaser/bidder. Bidders shall produce copy of Proof of Identity, Proof of Address and Pan Card.
18. The property under e-auction is free of all encumbrances. Encumbrances if any created without the notice of the Secured Creditor by the property owner, will be the sole lookout of the successful bidder.
19. The intending purchaser before participating in the e-auction must take independent title search report from an Advocate/law firm and must have complete knowledge about the title flow and must be also aware about the list of the documents deposited by the borrower/mortgager with the bank. The intending purchaser must make necessary arrangements to obtain the remaining title documents if any required for his satisfaction or for availing Credit facility to pay the bid amount from the SRO and/ or from other government departments.
20. The bank shall not be responsible for any error, misstatement for omission in this proclamation. The other terms and conditions if any will be notified at the place of e-auction.



21. For further details, please contact the Regional Recovery Head, SAM – Bengaluru, #460/2, PTK Complex, 8<sup>th</sup> B Main, Jayanagar 4<sup>th</sup> Block, Bengaluru-560011, Ph no. 8106566658/7975771178.
22. It shall be the sole responsibility of the bidders to inspect the subject property and satisfy himself about the asset and specification before submitting the EMD/bid. The inspection of property put on auction will be permitted to interested bidders at sites as mentioned against the property description. For inspection of the property and other particulars, the intending bidder/s may fix a date for visiting the secured asset between 10:00 AM and 05:00 PM on the date subsequently fixed by the bank, which must be before submitting the EMD.
23. This is also a notice to the borrower/guarantor for information and necessary action. The borrower/guarantor's attention is invited to provisions of sub-section (8) of section 13 of the Act, in respect of time available, to redeem the secured asset. If the dues of the secured creditor together with interest, costs, charges and expenses incurred are tendered to the secured creditor at any time before the date fixed for e-auction sale, the secured asset shall not be sold or transferred by the secured creditor, and no further step shall be taken by him for transfer or sale of that secured assets.
24. In case Holiday is declared on the day of last date for EMD or the date of e-auction by statutory authorities, the last date for EMD and date of e-auction will be postponed to the next working day respectively with no change in timings.

Date: 30 Oct 2024  
Place: Bengaluru

FOR DBS BANK INDIA LIMITED

Authorised Officer and Chief Manager