

THE HONGKONG AND SHANGHAI BANKING CORPORATION LTD.

E-Auction Sale Notice for Sale of Immovable Assets under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 r/w Rule 8(6) of the Security Interest (Enforcement) Rules 2002

Notice is hereby given to the public in general and in particular to the Borrower(s) that the below described immovable property, mortgaged with THE HONGKONG AND SHANGHAI BANKING CORPORATION LTD., the physical possession of which has been taken by the Authorized Officer of THE HONGKONG AND SHANGHAI BANKING CORPORATION LTD, will be sold by way of an E-Auction, on “As is where is”, “As is what is” and “Whatever there is” basis, on **29th May 2024**

The said E-Auction is for the recovery of **1,65,92,752.67 (Rupees One Crore Sixty Five Lakh Ninety Two Thousand Seven Hundred Fifty Two and Sixty Seven Paise Only)** due as on **15th April 2024** to THE HONGKONG AND SHANGHAI BANKING CORPORATION LTD. from Mr. Sanjay Kumar Dutta and Shubha Dutta

Name of the Borrowers.	Description of Property with Sq. Ft.	Reserve Price	EMD (10% of Reserve Price)
Sanjay Kumar Dutta and Shubha Dutta	Flat No. 904, 9 th Floor, Mahagun Maestro, Plot No. 21 A, Block F, Sector-50 Noida Uttar Pradesh, having super Area 2525 Square Feet along with one open parking & one single covered car parking	2,20,93,750/- (Rupees Two Crore Twenty Lac Ninety Three Thousand Seven Hundred Fifty Only)	2209375(Twenty Two Lakh Nine Thousand Three Hundred Seventy Five Only) EMD Date & time: 17 th May 2024 Account Detail: A/C Number 010 909968 042 Beneficiary Name - E-Auction EMD Suspense account number IFSC Code: HSBC0400002
Inspection Date & time	Inspection Date & time: 13 th May 2024 12:30 PM to 4:00 PM		

Notice is hereby given that the said property shall be sold by e-auction and bidding shall take place through “Online Electronic Bidding” through the website [https:// www.bankeauctions.com](https://www.bankeauctions.com) (E Auction house website) on **29th May 2024**. The detailed terms and conditions of sale are available on the E Auction house website (www.bankeauctions.com)/ HSBC website (www.hsbc.co.in)

The property will be sold on an “As is where is” “As is what is” and “Whatever there is” condition. The e-Auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of the Bank. The intending bidders are required to do their own due diligence. The Authorized Officer has the absolute right to accept or reject any bid or adjourn/postpone the sale without assigning any reason thereof.

For any details, support, help regarding the procedure of online bidding by way of the-auction, prospective bidders may contact: Mr. Prabhakaran M, **Mobile No. 7418281709**, **Email Id: tn@clindia.com**

Date: 20th April 2024

Place: Delhi

Authorized Officer

TERMS & CONDITIONS OF ONLINE E –AUCTION SALE

1. The property will be sold on an “As is where is” “As is what is” and “Whatever there is” condition, including and along with unknown encumbrances, if any. The intending bidders should make their own independent enquiries regarding the encumbrances, title of Property put on auction, approved /sanctioned plan from appropriate statutory authority and claims/rights/dues affecting the Property, prior to submitting their bid.

The e-Auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of the Bank. The Property is being sold with all the existing and future encumbrances whether known or unknown to the Bank. The Authorized Officer/ Secured Creditor shall not be responsible in any way for any third-party claims/rights/dues. It shall be the responsibilities of the interested bidders to inspect and satisfy themselves about the Property before submission of the bid(s). It shall be deemed that the intending bidders have done their own due diligence before submitting the tender.

2. E Auction Sale Notice issued by the bank is an invitation to the general public to submit their bids. The same does not constitute and will not be deemed to constitute any commitment or representation on the part of the Bank. Interested bidders are advised to inspect the copies of the title deeds/ Property with the bank and conduct their own independent enquiries / due diligence before submission of bids. The Bank has no responsibility or liability to facilitate any loan that the bidder may be desirous of obtaining for the purchase of the property. The Bank shall not entertain any request for any kind of documents after the submission of the bid by the bidders.
3. The bidders must hold a valid e mail address and may participate in the 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, own power failure etc.
4. Notice is hereby given that the said property shall be sold by e-auction and bidding shall take place through "Online Electronic Bidding" through the website [https:// www.bankeauctions.com](https://www.bankeauctions.com) (E Auction house website) on **29th May 2024 between 11:00 am to 12:00 pm with extensions of 5 minutes duration after 12:00 pm**, if required.
5. For any details, support, help regarding the procedure of online bidding by way of the e-auction, prospective bidders may contact the service provider: **Contact Person Mr. Prabhakaran M, Mobile No. 7418281709 Email Id : tn@clindia.com** (contact details of E Auction House with the details of contact person)
6. Interested bidders may inspect the property and / or copy of title documents on **13th May 2024 from 12:30 PM to 4:00 PM**.
7. The reserve price of sale of the property is **Rs.2,20,93,750/- (Rupees Two Crore Twenty Lakh Ninety Three Thousand Seven Hundred Fifty Only)**. The intending bidder shall be required to pay an Earnest Money Deposit (EMD) of Rs. **2209375/- (Rupees Twenty Two Lakh Nine Thousand Three Hundred Seventy Five Only)**. No interest will be paid on the EMD deposited with the Bank.
8. Interested bidder(s) have to get themselves registered on the Web Portal and upload a copy of all the requisite documents i.e. Bidder form, KYC documents etc. At the same time, the intending bidder shall have to make the payment of the EMD amount and upload the EMD Amount Receipt on the portal. The interested bidder(s) are also required to mandatorily submit the physical copy of the said documents uploaded on the portal (inclusive of the EMD receipt) to the HSBC Branch.
9. No conditional bid will be accepted. The conditional bids may be treated as invalid. Please note that after submission of the bid/s, no correspondence regarding any change in the bid shall be entertained.
10. The e-Auction/bidding of the above Property would be conducted on the scheduled Date & Time by way of inter-se bidding amongst the bidders. No request for change of date will be entertained under any circumstances.
11. The bidder who submits the highest bid amount (not below the Reserve Price) on closure of E-Auction process shall be declared as a Successful Bidder and a communication to that effect will be issued subject to approval by the Authorised Officer/ Secured Creditor.
12. The EMD shall be paid by the bidder by payment to the following account of the Bank: A/C Number – 010 909968 042 Beneficiary Name: - E-Auction EMD Suspense account number, IFSC Code: HSBC0400002

13. Only those bidders who have submitted their bids, not below the reserve price, along with other required documents including PAN Card, identity proof, address proof etc., and made the payment of the EMD on or before **17th May 2024 before 4 pm shall be eligible to participate in the E-auction to be held on 29th May 2024 11Am to 12 Pm.**
14. The bidder(s) shall be entitled to improve their offer/ bid by increasing their bid amount, in multiples of **Rs. 220938/- (Two Lakh Twenty Thousand Nine Hundred Thirty Eight Only). The said revised bid can be submitted up to FIVE MINUTES of the e-auction.** In case any bidder enhances his bid during the LAST FIVE MINUTES, it is automatically extended for FIVE MINUTES from the closing time and so forth until no further bids/enhancements are received.
15. The intending bidder shall be entitled to withdraw from the e-auction up to 24 hours prior to the date of e-auction i.e., on or before **28th May 2024, 11 Am** (“prescribed time of withdrawal”). In such event, the EMD paid by the intending bidder shall be refunded to him.
16. In the event the intending bidder does not withdraw his bid before the said prescribed time of withdrawal and does not participate in the e-auction for any reason whatsoever, after the expiry of the prescribed time of withdrawal mentioned hereinabove, the EMD paid by the bidder shall be forfeited and he shall not be entitled to the refund of the EMD.
17. In case the intending bidders offer / bid is not successful, the said amount paid / deposited by the bidder towards EMD shall be refunded by the Bank, without any interest.
18. The successful bidder shall deposit a total of 25 % of bid amount (which shall include the EMD amount paid) within 24 Hours of Acceptance of his/her bid. The balance 75% of the bid amount shall be paid by the successful bidder on or before the 15th day of the date of auction of the property. In the event the 15th Day is a Sunday or any other bank holiday, then the said balance amount shall be paid on the first business day of the bank immediately following the said bank holiday.
19. In the event of default of payment within the prescribed period as mentioned above, the Bank shall be at liberty to forfeit the Earnest Money Deposit and/or any other deposit made by the purchaser and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may subsequently be re-sold after issuing the fresh sale notice. The Bank shall be entitled to proceed with re-auction of the property without assigning any reasons.
20. The property shall be sold to the successful highest bidder subject to acceptance of the bid by the Bank. The successful bidder shall in addition to the Bid Amount bear the charges/fees payable for conveyance such as Stamp Duty, Registration Fees, Transfer Fee, Taxes, TDS, etc. as applicable/mandated under the local Laws. The successful bidder shall not be entitled to annul the sale on any ground of whatsoever nature. The Authorized Officer or the Bank shall not be liable and/or responsible for any charge / lien / encumbrance, tax or any other dues payable to the Govt. or any other Authority or person, in respect of the property under Sale.
21. In case the sale consideration /purchase price is more than an amount of Rs.50 lacs, the same shall attract a TDS of 1% or such rate as may be prescribed by the competent authority. Bank will provide the PAN Card number of the borrower to such bidder for making the payment of TDS. The bank shall only after receipt of the TDS challan execute the final sale certificate and register the same thereafter.
22. All Society or land charges, pending dues or any outstanding with the Society, Municipal Corporation, Electricity Charges or any other authorities would be paid and settled solely by the successful bidder. The Bank will not in any way be responsible for the same.
23. Offers not accompanied by the Earnest Money Deposit or received subsequent to the above-mentioned stipulated date and time will not be considered and will be returned.

24. HSBC Staff/ its Vendors or their family members are not entitled to participate in the Auction under any circumstances whatsoever. If the Authorized Officer or the Bank identifies any such application by the said persons, the entire Auction shall be cancelled. Bank shall conduct a fresh auction as per its discretion.
25. The Authorized Officer has the absolute right to accept or reject any bid or adjourn/postpone the sale without assigning any reason thereof. In the event the highest bidder is disqualified for any reason, then the Authorized Officer shall be entitled to consider the next highest bid and proceed accordingly as the per provisions of law.
26. The sale is subject to the discretion and confirmation by the Bank. Decision of the Authorized Officer regarding declaration of successful bidder shall be final and binding on all the bidders.
27. On receipt of the sale price in full, the Bank will issue a Sale Certificate in favour of the Purchaser and hand over the possession of the property to the purchaser on an "AS IS WHERE IS", "AS IS WHAT IS" and "WHATEVER THERE IS" BASIS. The Sale Certificate will be issued in the form given in Appendix V (for immovable Property) of the Security Interest (Enforcement) (Amendment) Rules, 2002 in the name of the auction purchaser(s) / applicant (s) only and will not be issued in any other name(s).
28. The sale shall be subject to the provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 read with Security Interest (Enforcement) Rules, 2002.
29. If no bid is received within the specified time, the Bank, at its sole discretion, may decide to revise the reserved price, or scrap the e-Auction process or proceed with conventional mode of tendering.
30. The Bank / service provider for e-Auction shall not have any liability towards bidders for any interruption or delay in access to the web site irrespective of the causes.
31. The bidders are required to submit acceptance of the terms, conditions, and modalities of e-Auction before participating in the e- Auction.
32. The bid once submitted by the successful bidder, cannot be cancelled/withdrawn and the bidder shall be bound to buy the Property at the final bid price. The failure on the part of the bidder to comply with any of the terms and conditions of e-Auction, mentioned herein will result in forfeiture of the Earnest Money Amount paid by the said bidder.
33. The successful Auction Purchaser / bidder shall not be entitled to appoint any nominee or assignee nor waive any obligations under the terms of this Auction. No persons other than the intending bidders, themselves, or their duly Authorized Representatives, shall be allowed to participate in the auction/sale proceedings. The Authorized Representatives must carry with themselves letters of authority from the principal bidder with necessary documents for identification. Such representative shall be entitled to bid or represent the bidder at the sole discretion of the Bank.
34. In case, all the dues together with all cost, charges and expenses incurred by the Bank are tendered by the above-named Borrower one working day prior to the date of Auction, then the property will not be sold vide the said Auction and all the bids received from the prospective bidders shall be returned to them without any liability / claim against the Bank.

For any further details, you may kindly contact: Rohit Dutt Tyagi -Rohit.tyagi@hsbc.co.in

Place: Delhi

Dated: 20th April 2024

Authorized Officer