



Phoenix ARC Private Limited

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CIN: U67190MH2007PTC168303; Email: info@phoenixarc.co.in
Website: www.phoenixarc.co.in

ONLINE E- AUCTION SALE OF ASSETS

In exercise of the powers under the **Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (in short referred to as SARFAESI Act) and Security Interest (Enforcement) Rules, 2002 (in short referred to as RULES)** and pursuant to the possession of the secured asset of the borrower mentioned hereunder vested with the Authorised Officer under the said SARFAESI Act and RULES for recovery of the secured debts, the Authorised Officer has decided to sell the secured asset by auction sale.

Notice is hereby given to the public in general and to the borrower and guarantors in particular, that the under mentioned property mortgaged to Phoenix ARC Private Limited acting in capacity as Trustee of Phoenix Trust FY 14-13 Scheme A (Phoenix) (pursuant to assignment of debt by The Saraswat Co-operative Bank Limited (SCBL) in favour of Phoenix vide Assignment Agreement dated 28.03.2014) will be sold on **"AS IS WHERE IS" basis & "AS IS WHAT IS" condition**, by way of **"online e-auction"** for recovery of dues and further interest, charges and costs etc. as detailed below in terms of the provisions of SARFAESI Act read with **Rules 6, 7, 8 & 9 of Security Interest (Enforcement) Rules, 2002** through website <https://www.bankeauctions.com>

Name of the Borrower	Elder Health Care Limited (In Liquidation)
Name of the Guarantor	1. Dr. Anuj Saxena 2. Dr. Jagdish Saxena 3. Dr. Alok Saxena
Amount due	Rs.35,38,81,553.34/- (Rupees Thirty-Five Crores Thirty-Eight-Lakhs Eighty-One Thousand Five Hundred Fifty-Three and Paise Thirty-Four Only) as on 31.07.2013 with further interest from 01.08.2013 till the date of repayment of dues in full together with incidental expenses, costs and charges as per the Demand Notice dated 29th August 2013 issued under section 13(2) of the SARFAESI Act, 2002.
Possession taken under SARFAESI Act, 2002	Physical Possession taken on 06.05.2017
Date of Inspection and Time	10.08.2018 (Friday) between 11 a.m. to 1.00 p.m.
Date of submission of Bid (E- Auction)	20.08.2018 (Monday) before 4.30 p.m.
Earnest Money Deposit	EMD Amount to be deposited by way of RTGS Favouring "PHOENIX TRUST FY14-13" Scheme A, Current Account: 6111411728; CRN No. 74416123; Kotak Mahindra Bank Limited, Branch: Kalina, Mumbai, IFSC Code: KKBK0000631 EMD amount: Rs.57,51,000/- (Rupees Fifty-Seven Lakhs Fifty-One Thousand Only)
Reserve Price	Rs.5,75,10,000/- (Rupees Five Crores Seventy-Five Lakhs Ten Thousand Only)
Bid Increment	Rs.50,000/- (Rupees Fifty Lakhs Only) & in such multiples
Date of E- Auction	21.08.2018 (Tuesday) between 11.00 a.m. to 12.00 noon

Mode of E- Auction	Online – e auction
Description of the Secured Asset being auctioned.	Elder Health Care Limited (In Liquidation): Leasehold rights of Elder Healthcare Limited in all that piece or parcel of land known as Plot No.R-28 in the Trans Thane Creek Industrial Area within the village limits of Tetavali and within the Municipal limits of Navi Mumbai Municipal Corporation in rural Area, Taluka and Registration Sub-District Thane, District and Registration District Thane containing by admeasurement 1920 Square Metres or thereabout along with all those buildings and structures constructed thereon such as factory building etc. having a total built up area of 1013.225 sq. mtrs or thereabouts with all the current and fixed assets both present and future (including the plant and machineries).

Terms and Conditions of E- Auction:-

1. The auction sale is being conducted by the Authorised Officer under the provisions of SARFAESI Act with the aid and through e-auction mode. Auction/Bidding shall be only through "Online Electronic Mode" through the website <https://www.bankeauctions.com>. M/s C1 India Private Limited is the service provider to arrange platform for e-auction.
2. The Auction is conducted as per the **further Terms and Conditions of the Bid document** and as per the procedure set out therein. Bidders may go through the website of Phoenix, www.phoenixarc.co.in and website of the service provider, www.bankeauctions.com for bid documents, the details of the secured asset put up for auction / obtaining the bid form.
3. The bidders may participate in the e-auction quoting/bidding from their own offices/place of their choice. Internet connectivity shall have to be arranged by each bidder himself/itself. The Authorised Officer/Phoenix/service provider shall not be held responsible for the internet connectivity, network problems, system crash down, power failure etc.
4. For details, help, procedure and online training on e-auction, prospective bidders may contact **Mr. Ganesh Patil of M/s C 1 India Private Limited, Contact Number: 91-124-4302020, 91-9821690968, email id: support@bankeauctions.com**
5. The e-auction will be conducted on the date and time mentioned herein above, when the secured assets mentioned above will be sold on **"as is where is" basis & "as is what it is" condition**.
6. All the intending purchasers/bidders are required to register their name in the portal mentioned above as <https://www.bankeauctions.com> and get user ID and password free of cost to participate in the e-auction on the date and time aforesaid.
7. For participating in the e-auction, intending purchasers/bidders will have to submit the details of payment of refundable Earnest Money Deposit of 10% of the reserve price of the secured asset along with copies of the PANCARD, Board Resolutions in case of company and Address Proof on or before 16.30 p.m. on **20.08.2018 (Monday). Intending purchasers / bidders are required to submit separate EMDs for each of the Items detailed herein above.**
8. The successful purchaser/bidder shall deposit the 25% (inclusive of EMD) of his/her/its offer by way of RTGS to the account mentioned herein above on or before 18:30 hours on **21.08.2018 (Tuesday)** i.e. day of auction, which deposit will have to be confirmed by Phoenix, failing which the sale will be deemed to have been failed and the EMD of the said successful bidder shall be forfeited. **Intending purchasers / bidders are required to submit separate Bids for each of the Items detailed herein above.**
9. The EMD of all other bidders who did not succeed in the e- auction will be refunded by Phoenix within 48 hours of the closure of the e-auction. The EMD will not carry any interest.
10. The balance amount of purchase consideration shall be payable by the successful purchaser/bidder **on or before the fifteenth day** from the date of confirmation of sale of the said secured asset by the Authorised Officer/Secured Creditor or such extended period as may be agreed upon in writing by the Authorised Officer at his/her discretion. In case of default, all amounts deposited till then shall be liable to be forfeited.
11. For inspection of property or more information, the prospective bidders may contact Mr. Amit Masekar / Mr. Ajit Kewin, at abovementioned address or at amit.masekar@phoenixarc.co.in / ajit.kewin@phoenixarc.co.in (email) or on 09769497286 / 09619866780 (Mob).
12. At any stage of the auction, the Authorised Officer may accept/reject/modify/cancel the bid/offer or post-pone the auction without assigning any reason thereof and without any prior notice.
13. The successful purchaser/bidder shall bear any statutory dues, taxes, fees payable, stamp duty, registration fees, etc. that is required to be paid in order to get the property conveyed/delivered in his/her/its favour as per the applicable law.
14. The payment of all statutory/non-statutory dues, taxes, rates, assessments, charges, fees etc. owing to anybody shall be the sole responsibility of the successful bidder only.
15. The successful purchaser/bidder shall be solely responsible for any cost / expenses / fees / charges etc. payable to the Maharashtra Industrial Development Corporation (MIDC) towards the transfer of the leasehold rights in its / his / her favour.
16. To the best knowledge and information to the Authorised officer, the known encumbrance exists on the secured asset are MIDC dues and Maharashtra Electricity Board charges. However, the intending bidders should make their own independent enquiries regarding the other encumbrances, title of property/ies put on auction and claims/rights/dues affecting the secured assets, including the statutory dues, etc. prior to submitting their bid. The auction advertisement does not constitute and will not be deemed to constitute any commitment or any representation of Phoenix. The secured

assets are being sold with all the existing and future encumbrances whether known or unknown to Phoenix. The Authorised Officer of Phoenix shall not be responsible in any way for any third-party claims/rights/dues.

17. The Borrower/Guarantors, who are liable for the said outstanding dues, shall treat this Sale Notice as a notice under Rule 8 (6) of the Security Interest (Enforcement) Rules, about the holding of above mentioned auction sale.

Place : Navi Mumbai
Date : 30.07.2018

Sd/-
Authorised Officer
**Phoenix ARC Private Limited,
Phoenix Trust FY 14-13 Scheme A**