

DEBTS RECOVERY TRIBUNAL, ALLAHABAD
9/2-A , Panna Lal Road, Allahabad-211002

FORM NO. 13

(Proclamation of Sale Under Rule 37, 38, 52 (1) & (2) of Second Schedule to the Income Tax Act, 1961 read with The Recovery of Debts and Bankruptcy Act, 1993.)

(DRC No. 250 of 2015)

Pegasus Assets Reconstruction Pvt. Ltd., having its Head Office at 55-56, 5th Floor, Free Press House, Nariman Point, Mumbai-400021 and a branch amongst others at 606 Ratan Jyoti Building, Rajendra Place, New Delhi

Versus

1. M/s Orikassi Agro-Tech & Resort Pvt. Ltd., having its office at 127/132, Juhi Shakti Bhawan, Juhi Kalan, Shakti Nagar, Kanpur through its Managing Director Mr. Rituparna Trivedi
2. Mr. Rituparna Trivedi S/o Late Om Prakash Trivedi, R/o 127/132, Juhi Shakti Bhawan, Juhi Kalan, Shakti Nagar, Kanpur
3. Mrs. Seeta Trivedi W/o Late Om Prakash Trivedi, R/o 127/132, Juhi Shakti Bhawan, Juhi Kalan, Shakti Nagar, Kanpur.
4. Mrs. Kamna Pandey W/o Mr. Ashish Pandey, R/o Village Mohisinpur, P.O. Akbarpur, Dist: Ambedkar Nagar

PROCLAMATION OF SALE
(Issued in terms of the order dated 12.01.2024)

1. Date of Proclamation: 30.01.2024

2. Date and Time of Auction Sale: 04.03.2024, between 11 A.M. and 12 Noon with extension of 5 minutes duration after 12 Noon, if required

Whereas Recovery Certificate No. 250 of 2015 in O.A. No. 345 of 2014 dated 03.03.2015 has been drawn up by the Presiding Officer, Debts Recovery Tribunal, Allahabad for recovery of the sum of Rs. 12,90,61,475/- (Rupees Twelve Crore Ninety Lac Sixty One Thousand Four Hundred Seventy Five only) along with interest @ 13.70% per annum on simple basis w.e.f. 29.09.2014 till full recovery is made from the defendant nos. 1 to 4 jointly and severally with costs.

And whereas, the undersigned has ordered the sale of the attached property of the certificate debtors as mentioned in the annexed schedule hereunder on "AS IS WHERE IS BASIS" towards satisfaction of the said Recovery Certificate.

The Sale will be of the property of the certificate debtors 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 those specified in the schedule against each lot.

At the Sale, the public generally are invited to bid either personally or by duly authorized agent. 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(ies) shall be sold by the Advocate Commissioner(s)/Nodal Officer of Certificate Holder by e-auction and

bidding shall take place through "On line Electronic bidding" through the website 'https://drt.auctiontiger.net on 04.03.2024 between 11:00 AM to 12:00 Noon with extension of 5 minutes duration after 12 Noon, if required.

The Sale shall be subject to the conditions prescribed in the Second Schedule to the Income Tax Act, 1961 and the rules made there under and to the following further conditions:

The property will be put up for sale in the lots specified in the schedule. If the amount to be realized is satisfied by the sale of a portion of the property, the sale shall be immediately stopped with respect to the remainder.

The Sale also be stopped if, before any lot is knocked down, the arrears mentioned in the said certificate, interest and costs (including cost of sale) are tendered to the officer conducting the Sale or proof is given to this satisfaction that the amount of such certificate, interest and costs has been paid to the undersigned.

1. The particulars specified in the annexed schedule, provided by Certificate Holder, have been stated to the best of the information of the undersigned but the undersigned shall not be answerable for any error, mis-statement or omission in this 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/them to participate in the bidding. Any issue with regard to Digital Signature Certificate and connectivity during the course of online bidding shall be the sole responsibility of the bidder and no claims in this regard shall be entertained.
3. The Reserve Price below which the properties shall not be sold is as mentioned below in the schedule.
4. The amount by which the biddings are to be increased shall be Rs 1,00,000/- (or in multiple). In the event of any dispute arising as to the amount bid or as to the bidder, the lot shall at once be again put up for auction.
5. The highest bidder shall be declared to be the purchaser of any lot/unit provided always that he/she/they are legally qualified to bid and provided further that the amount bid by him/her/them 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 as to make it inadvisable to do so.
6. Each intending bidder shall be required to deposit 10% amount of reserve price as earnest money (EMD) as detailed against each property through electronic transfer in the Account **Debt Recovery Tribunal Allahabad U.P., Account No. 199104000000019 with IDBI Bank, Branch M.G. Marg, Allahabad, IFSC IBKL0000199** latest by 5:00 PM on 23.02.2024 and the E.M.D. received thereafter shall not be considered. The said deposit be adjusted in case of successful bidders. The E.M.D. amount of unsuccessful bidders shall be remitted back in their account directly through EFT/NEFT/RTGS on closure of the e-auction sale proceeding, after due identification. It will be responsibility of the Certificate Holder to file on affidavit, transaction and account (from which E.M.D. was transferred/paid) details of each unsuccessful bidder within Seven days (excluding holidays) from the date of e-auction sale, so that the order for remitting back the said E.M.D. amount of unsuccessful bidders can be passed and amount can be remitted to respective originating accounts.
7. The dully filled-in e-auction EMD Form (the EMD Form is attached herewith this



Proclamation of sale) along with copy of Aadhar Card, Pan Card, address proof and EMD deposit receipt (all copies self-attested), shall be submitted in a sealed cover either by hand or through speed post to the **Nodal Officer Mr. Ramakant Pandey, M/s Pegasus Assets Reconstruction Pvt Ltd , Unit No-106, Best Business Park, Plot No-P-2, Opposite: Fun cinema Pitampura, New Delhi-110034, Mobile No. 9087788888** on or before 23.02.2024 by 17:00 hrs. Such envelop must be superscripted with name, e-mail ID, contact number and postal address of the bidder.

8. On receipt of EMD, the bidder shall receive their user I.D. and password through their e-mail ID to enable him/her/them to participate in the E-auction process from the service provider i.e. e-Procurement Technologies Ltd.(Auction Tiger).
9. All intimation to bidders will be given through the e-mail by the service provider/Nodal Officer. The date of sending e-mail will be considered as the date of intimation. If no intimation reaches then bidders are expected to make individual efforts to find out the status from the service provider/nodal officer. Non-receipt of intimation should not be an excuse for default/non-payment. The contact details of the service provider and nodal officer is as under:

Service Provider: e-Procurement Technologies Ltd.(Auction Tiger)

Ram Sharma -8000023297, Contact no. 079-68136880/68136837

Mo.: +91 9265562821/18

E Mail : support@auctiontiger.net | ramprasad@auctiontiger.net, <https://drt.auctiontiger.net/>

Nodal Officer: Sri Ramakant Pandey, M/s Pegasus Assets Reconstruction Pvt Ltd , Unit No-106, Best Business Park, Plot No-P-2, Opposite: Fun cinema Pitampura, New Delhi-110034, Mobile No. 9087788888

10. The parties interested may inspect the property between 11.00 A.M. to 4.00 P.M. on any working day at the site in consultation with authorized officer of the Certificate Holder i.e. Nodal Officer Sri Ramakant Pandey, M/s Pegasus Assets Reconstruction Pvt Ltd , Unit No-106, Best Business Park, Plot No-P-2, Opposite: Fun cinema Pitampura, New Delhi-110034, Mobile No. 9087788888.
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 that is Rs. 1,00,000/- (Rs. One Lac) or higher than the auction's reserve price by multiples of increment of Rs. 1,00,000/- (Rs. One Lac). 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. 1,00,000/- (Rs. One Lac) or in multiples of the increment value of Rs. 1,00,000/- (Rs. One Lac).

A time period (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. In case of movable property, the price of each lot shall be paid at the time of sale or as soon after as the officer holding the sale directs and in default of payment the property shall forthwith be again put up and resold.
13. In case of immovable property the person declared to be successful / highest bidder shall have to pay/deposit immediately a deposit of 25% of the Sale proceed (less EMD) by way of electronic transfer on the same day in the Account **Debt Recovery Tribunal Allahabad U.P., Account No. 19910400000019 with IDBI Bank, Branch M.G. Marg, Allahabad, IFSC IBKL0000199.**

14. The purchaser shall deposit the balance amount of 75% of the sale proceed along with the poundage fee @ 2% up to Rs.1000/- and @ 1% on the remaining amount of sale proceed by way electronic transfer in the Account **Recovery Officer DRT Allahabad, Account No. 199104000000019** with IDBI Bank Ltd., M.G. Marg, Allahabad, IFSC IBKL0000199 within 15th day from the date of auction sale of the property, exclusive of such day and if the 15th day be a Sunday or other holiday, then on the first working day after the 15th day. In case of default of payment within the prescribed period, the property shall be re-sold, after the issue of fresh proclamation of sale. The deposit may after defraying the expenses of the sale, may, if the undersigned thinks fit, be forfeited to the Government of India and the defaulting purchaser shall forfeit all claims to the property or to any part of the sum for which it may subsequently be sold.
15. Highest bidder shall not have any right/title over the property until the sale is confirmed by the Recovery Officer, D.R.T. Allahabad. The Recovery Officer has the absolute right to accept or reject any bid or bids or to postpone or cancel the Sale without assigning any reason.
16. The amount of EMD deposited by the unsuccessful bidder shall be refunded directly to the originating account i.e. the account from which E.M.D. was paid/transmitted and no interest shall be paid on the EMD amount.
17. EMD received after the time and date fixed shall be rejected and the amount paid towards the EMD shall be refunded directly to the originating account as stated in the preceding paragraph.
18. No request for inclusion/substitution in the sale certificate of names of any person (s) other than those mentioned in bid Form shall be entertained.
19. In case of more than one items of property is brought for sale, the sale of properties will as per the convenience and it is not obligatory to go serially as mentioned in the sale notice.
20. NRIs bidder must necessarily enclose a photocopy of his / her passport and route their bid duly endorsed by Indian Embassy/Commission.
21. Details of this proclamation of sale can be also viewed at the website: <https://drt.auctiontiger.net>

SCHEDULE OF MORTGAGED PROPERTY

No. of Lots	Description of property	Reserve price	Earnest Money (E.M.D)
6	<p style="text-align: center;">(A)</p> <p>Land No. 151 Me, Area 12 Bigha, 2 Biswa, Land No. 152, Area 1 Biswa, 14 Biswansi Tota 2 Gatas, Total Area 12 Bigha, 3 Biswa, 14 Biswanshi situated at Village-Juraunda, Pargana-Ram Nagar, Tehsil-Fatehpur, Distt. Barabanki.</p> <p>Owned by: Sri Rituparna Trivedi S/o Late Om Prakash Trivedi (JD No. 2)</p> <p>Details of Sale Deed: Sale Deed Registered on 20.07.2008 in Book No. 1, Volume No. 702, Page Nos. 56/57 at Serial No. 1988 in the office of the Sub-Registrar Fatehpur, Distt. Barabanki.</p>	<p>Rs. 2,24,00,000/-</p> <p>(Rupees Two Crore Twenty Four Lac only)</p>	<p>Rs. 22,40,000</p> <p>(Rupees Twenty Two Lac Forty Thousand only)</p>



	<p style="text-align: center;">(B)</p> <p>Land No. 153, Area 2 Biswa situated at Village-Juraunda, Pargana & Tehsil-Ram Nagar, Distt. Barabanki.</p> <p>Owned by: Sri Rituparna Trivedi S/o Late Om Prakash Trivedi (JD No. 2)</p> <p>Details of Sale Deed: Sale Deed Registered on 21.10.1993 in Book No. 1, Volume No. 41, Page Nos. 169/170 at Serial No. 1360 in the office of the Sub-Registrar Ram Nagar, Distt. Barabanki.</p> <p style="text-align: center;">(C)</p> <p>Land No. 154A, Area 11 Biswa, 2 Bishwansi, Land No. 154B, Area 2 Bigha, 5 Bishwansi, Total 2 Gatas, Total Area measuring 2 Bigha, 11 Bishwa, 7 Bishwansi situated at Village-Juraunda, Pargana & Tehsil-Ram Nagar, Distt. Barabanki.</p> <p>Owned by: Sri Rituparna Trivedi S/o Late Om Prakash Trivedi (JD No. 2)</p> <p>Details of Sale Deed: Sale Deed Registered on 27.07.1991 in Book No. 1, Volume No. 13, Page Nos. 396/397 at Serial No. 854 in the office of the Sub-Registrar Ram Nagar, Distt. Barabanki.</p> <p style="text-align: center;">(D)</p> <p>Land No. 160, Area 4 Bigha, 16 Biswa, 13 Bishwansi situated at Village-Juraunda, Pargana-Ram Nagar, Tehsil- Fatehpur, Distt. Barabanki.</p> <p>Owned by: Sri Rituparna Trivedi S/o Late Om Prakash Trivedi (JD No. 2)</p> <p>Details of Sale Deed: Sale Deed Registered on 02.12.1989 in Book No. 1, Volume No. 736, Page Nos. 185/187 at Serial No. 2840 in the office of the Sub-Registrar Fatehpur, Distt. Barabanki.</p>		
--	---	--	--

N.B. The property is being sold on “**AS IS WHERE IS AND WHATEVER IT IS BASIS**” and is subject to Publication Charges, Revenue and other Encumbrances as per rules.

The undersigned reserves the right to accept or reject any or all bids if found unreasonable or postpone the auction at any time without assigning any reason.

Given under my HAND and SEAL at Allahabad this 12th day of January 2024.




 (Shreeshan Shandilya)
 Recovery Officer-I
 DRT, Allahabad

E – AUCTION EMD FORM

1. Name(s) of Bidder (in Capital)*

.....

2. Father's/Husband; Name

.....

3. Postal Address of Bidder

.....

4. Phone/Cell No. and e-mail ID

.....

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.

.....

I declare that the factual details provided above are true to my personal knowledge. I further declare that have read and understood all the general and technical terms and conditions of auction sale and shall abide by them.

(Signature of Bidder)

Encl:

1. Self attested Copy of Aadhar Card & PAN
2. Self attested copy of address proof
3. Self attested copy of EMD deposit receipt.

