

By Speed Post/ Email

Notice under Rule 9(1) of Security Interest (Enforcement) Rules, 2002

Date: 22.08.2024

To,

1. M/s Samarth Dairy

(Through its Proprietor Ajinkya Shrishkumar Naik)
F-2/205, Etkha CHS, Dewan & Sons Housing Enclave
Ambadi Road, Near Kalpana Life Line Hospital
Vasai(W) Mumbai- 401202

Also At
S No.-8 Empire Building,
Near Swimming Pool, Ambadi Road,
Vasai(W)-Mumbai- 401202

Also At
Flat No.103-C, 1st Floor, A-Wing,
Reserve Bank Staff, Hemal CHSL,
Azad Nagar, Lane No-3, Near Andheri Sports Complex
Andheri(W)
Mumbai- 400053

2. Ajinkya Shrishkumar Naik

F-2/205, Etkha CHS, Dewan & Sons Housing Enclave
Ambadi Road, Near Kalpana Life Line Hospital
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Andheri(W)
Mumbai- 400053

3. Anthea Ajinkya Naik

Aditya Birla Finance Limited

10th Floor, R-Tech Park, Nirlon Complex, Off Western Express Highway,
Goregaon (East), Mumbai - 400063.

Tel: +91 22 4356 7100 | Toll-free no.: 1800-270-7000
care.finance@adityabirlacapital.com | <https://finance.adityabirlacapital.com>



Registered Office:

Indian Rayon Compound,
Veraval, Gujarat - 362 266

CIN: U65990GJ1991PLC064603



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Mumbai- 400053

....(Hereinafter collectively referred to as the
“Borrower/ Co-Borrowers/ Mortgagor”)

SUB: Loan A/c No. ABMUMLAP000000516688

**REF: Notice of 30 days in terms of Rule 9(1) of Security Interest
(Enforcement) Rules, 2002 For Sale of the immovable property being:**

**Flat No.103-C, 1st Floor, A-Wing, Reserve Bank Staff, Hemal CHSL,
Azad Nagar, Near Andheri Sports Complex, Andheri (W), Mumbai-
400058**

(hereinafter referred to as “immovable property/ Secured Asset”).

Sir/ Madam,

1. This is with reference to our notice dated 03.06.2024 issued to your good self-giving a notice of 30 days under Rule 8(6) of Security Interest (Enforcement) Rules, 2002 and Section 13(8) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI ACT, 2002) wherein we called upon you to redeem the above-mentioned Secured Asset by exercising your rights under Section 13(8) of the SARFAESI Act, 2002. Vide the said notice, we called upon you to pay a sum of **Rs.68,17,789.90 (Rupees Sixty-Eight Lakhs Seven Thousand Seven Hundred Eighty-Nine and paise Ninety Only)** by way of Outstanding Principal, arrears (including accrued late

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charges) and interest till 03.06.2024 with all costs, charges and expenses incurred by it prior to the date of publication of public notice for transfer of the Secured Asset by any one mode as contemplated under the Act. That you had failed to exercise your rights under Section 13(8) of the SARFAESI Act, 2002.

2. That after availing the aforesaid loans you the above-named addressees committed defaults in repayments and in view of the continuous defaults of more than the time period stipulated under the relevant applicable guidelines/circulars for asset classification issued by Reserve Bank of India (RBI), your loan account(s) was classified as **Non-Performing Asset (NPA) on 13.10.2022** in accordance with the concerned guidelines issued by Reserve Bank of India (RBI).
3. That thereafter, a demand notice dated 19.12.2022 U/S 13(2) of the Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (SARFAESI Act) was duly served on you the addressees but you failed to make the payment of demanded amount i.e. **Rs.58,85,518.94/- (Rupees Fifty Eight Lakhs Eighty Five Thousand Five Hundred Eighteen and paise Ninety Four Only) by way of outstanding principal, arrears (including accrued late charges) and interest due as on 15.12.2022** within 60 days of the said notice and as such the secured creditor has taken physical possession of the secured asset in compliance of the provisions of the SARFAESI Act, 2002 and rules framed thereunder.
4. That thereafter, the Authorized Officer has obtained valuation of the secured asset from an approved valuer and in consultation with the secured creditor, had fixed the reserve price of the secured asset as below:

Earnest Money Deposit Amount (in Rs.)	Reserve Price (in Rs.)
7,47,100/-	74,71,000/-

5. That accordingly, based on the commercial understanding, the secured creditor has decided that the secured assets may be put to sale, by holding an E- Auction of the secured assets on **27.09.2024** at a reserve price for the said secured asset, the details of which are mentioned below.

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Earnest Money Deposit Amount (in Rs.)	Reserve Price (in Rs.)
7,47,100/-	74,71,000/-

6. The date for inspection of the said secured asset is fixed from **16.09.2024 to 20.09.2024 between 11:00 a.m. to 5:00 p.m.** The offers for the said secured asset should reach the office of the undersigned in a sealed envelope along with Demand Draft/ NEFT / RTGS as Earnest Money Deposit for the amounts mentioned in Point 5 herein above on/before **26.09.2024** before 5:00 p.m. The Demand Draft/Pay Order/NEFT/ RTGS should be drawn in favour of Aditya Birla Finance Limited.
7. That this sale notice of 30 days, at pre-sale stage, is being given to you the addressees in compliance of Rule 9(1) of Security Interest (Enforcement) Rules, 2002 and you are hereby informed and notified that the aforesaid secured assets shall be put to sale, by holding public auction through e-auction mode on **“As is where is”, “As is what is”, and “Whatever there is”** after 30 clear days from this notice on **27.09.2024**.
8. That since the sale of secured asset will be affected by holding E-Auction, the secured creditor is also causing a public notice as given under Security Interest (Enforcement) Rules, 2002, which has been published in two leading newspapers on 23.08.2024 including one in vernacular language having wide circulation at Mumbai.
9. The detailed terms and conditions of E-Auction is available on website <https://mortgagefinance.adityabirlacapital.com/Pages/Individual/Properties-for-Auction-under-SARFAESI-Act.aspx> or <https://sarfaesi.auctiontiger.net>

For Aditya Birla Finance Limited

Anil Aggarwal
(Authorized Officer)



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