ANNEXURE - 3

Declaration by the Bidders

**(To be made in appropriate stamp paper with an affidavit notarised)**

Date:

To:

The Liquidator

Shreem Spa & Resorts Limited (In Liquidation)

Email Id: gsforgs@gmail.com

Sir,

1. I/We, the Bidder/s aforesaid do hereby state that, I/We have read the entire terms and Conditions of the sale and the terms and conditions of the Tender Document No. SSRL/2022/12 (E-Auction Tender Document”) dated 04-10-2022 for sale of the Assets (Office Building, Equipment, Electrical Installation, Furniture & Fixtures, Air Conditioner etc.) specified thereunder and have understood them fully. I/We, hereby unconditionally agree to confirm with and to be bound by the said terms and conditions and agree to take part in the e-auction process.

2. I/We declare that the earnest money deposit and other deposit towards purchase-price have been made by me/us as against my/our bid and that the particulars of remittance and all other information and details given by me/us in the bid application form is true and correct.

3. I/We further declare that the information revealed by me/us in the online / physical form is true and correct. I/We understand and agree that if any of the statement/ information revealed by me/us is found to be incorrect and/or untrue, the bid submitted by me/us is liable to be cancelled and in such case, the earnest money deposit and / or any other monies paid by me/us is liable to be forfeited by the Seller and the Seller will be at liberty to annul the offer made to me/us at any point of time.

4. I/We also agree that after my/our offer given in my/our bid for purchase of the Assets is accepted by the Seller and if, I/We fail to act upon the terms and conditions of the sale or am/are not able to complete the transaction within the time limit specified for any reason whatsoever and/or fail to fulfil any/all the terms and conditions of the auction and offer letter, the earnest money deposit and any other monies paid by me/us along with the online form and thereafter, are liable to be forfeited.

5. I/We understand that the earnest money deposit of all Bidders shall be retained by the Agency and would be either adjusted against sale consideration / forfeited in case of default by the Successful bidder or returned to unsuccessful bidders 15 days working days after the closure of auction. I/We state that I/We have fully understood the terms and conditions therein and agree to be bound by the same.

6. I/ We confirm that our participation in the e-auction process, submission of bid or acquisition of the Property(ies) pursuant to the provisions of the Tender Document will not conflict with, or result in a breach of, or constitute a default under:

(i) our constitutional documents; or

(ii) any applicable laws; or

(iii) any authorization or approval of any government agency or body; or

(iv) any judgment, order, injunction, decree, or ruling of any court or governmental authority, domestic or foreign, binding on me/ us; or

(v) any agreement to which I am/ we are a party or by which I am/ we are bound.

7. I/We confirm that I/we are not ineligible under the provisions of Section 29A of the Insolvency and Bankruptcy Code, 2016 and any other provision of the code/regulations thereunder.

8. The decision taken by the Liquidator with respect to the selection of the Successful Bidder and communicated to us through the Agency or by the Liquidator shall be binding on me/us.

9. I/ We also undertake to abide by the additional conditions if announced during the e-auction process including any announcement for correction of and/or additions or deletions to the time of the auction and Assets being offered for sale.

10. I/We also confirm that I/ we have taken training on the on-line bidding/auction and confirm that I am/ we are fully conversant with the functionality and process.

11. I/We confirm that the seller and or his employees, shall not be liable and/ or responsible in any manner whatsoever for my/our failure to access and bid on the e-auction platform due to loss of internet connectivity, electricity failure, virus attack, problems with the PC, any other unforeseen circumstances etc. before or during the auction event.

12. I/ We, hereby confirm that I/ we will honour the bids placed by me/ us during the e-auction process.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature SEAL

Name:

Address:

E-mail ID :

Mobile:

**AFFIDAVIT IN SUPPORT OF THE DECLARATION**

I / We …………………………………………………………… aged about …… years, having address, …………………………….., do hereby solemnly affirm and say that the contents of the aforesaid paragraphs 1 to 12 of the declaration are true to my knowledge and is based on information, and I / We believe the same to be true.

Solemnly affirmed at Ahmedabad

This ……. Day of ……….. 2022

DEPONENT