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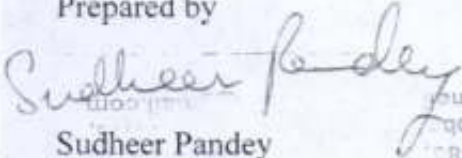
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## TITLE INVESTIGATION REPORT

Of following property of Sh. Sohanlal; Smt. Chandrakala; Bishan Dass;  
& Smt. Uma Goel

PROPERTY- Residential Plot No.1, admeasuring 333.50 Sq.Mtr., Block No.  
PP, at Pitampura, Mandipur, Shakarpur, Delhi-110034.

Prepared by

  
Sudheer Pandey

Advocate

for ILS Advocates



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**ANNEXURE 'B': REPORT OF INVESTIGATION OF TITLE IN  
RESPECT OF IMMOVABLE PROPERTY**

1.	a) Name of the Branch/Business Unit/Office seeking opinion.	State Bank of India, Industrial Finance Branch, Jwahr Vyapar Bhawan, New Delhi.
	b) Ref. no. and date of letter under cover of which the documents tendered for scrutiny are forwarded.	As per record.
	c) Name of the borrower.	M/s AJANTA SOYA Ltd.
2.	a) Name of the unit/concern/company/person offering the property(ies) as security.	Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel
	b) Constitution of the unit/concern/person/body/authority offering the property for creation of charge.	Public Limited company.
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc).	Borrower/Guarantor.
3.	Complete or full description of the immovable property (ies) offered as security including the following details.	PROPERTY- Residential Plot No.1, admeasuring 333.50 Sq.Mtr., Block No. PP, at Pitampura, Mandipur, Shakarpur, Delhi-110034.
	(a) Survey No.	NA
	(b) Door/House No.(in case of house property)	Plot No. 1
	(c) Extent/area including plinth/ built up area in case of house property	333.50 Sq.Mtr.
	(d) Location like name of the place, village, city, registration, sub-district etc. Boundaries.	Pitampura residential Scheme, Delhi-34
4.	a)Particulars of the documents scrutinized, serially and chronologically.	Please see Part-1 of Annexure- 1





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	b) Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified.  Note: Only originals or certified extracts from the registering/land/revenue/other authorities be examined.	As above in original.
5.	Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.)	Yes.
6.	a) Whether the records of registrar office or revenue authorities relevant to property in question are available for verification through any online portal or computer system?	No
	b) If such online/ computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	N.A.
	c) Whether the genuineness of the stamp paper is possible to be got verified from any online portal and if so whether such verification was made?	No.
7.	a) Property offered as security falls within the jurisdiction of which sub-registrar office?	Sub-Registrar-II, Delhi
	b) Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/ district registrar/ registrar- general. If so please name all such offices.	No.
	c) Whether search has been made at all the offices named at (b) above?	N.A.
	d) Whether the searches made in the offices of registering authorities or any	No.

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	other records reveal registration of multiple title documents in respect of the property in question?	
8.	Chain of title tracing the title from the oldest title deed to the latest title deed establishing the title of the property in question from predecessors in title/interest to the current title holder. And whether Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance on such clog on title.  In case of property offered as collateral security for loans of Rs. 1.00 crore and above, search of title/encumbrances for a period of not less than 30 years is mandatory. (Separate sheets may be used)	Please see Part-2 of Annexure- 1
9.	Nature of title of intended Mortgagor over the property( whether full ownership rights, leasehold rights, occupancy/possessory rights or inam holder or Govt. grantee/allottee etc.	Freehold rights.
10.	If leasehold, whether;  a) lease Deed is duly stamped and registered. b) lessee is permitted to mortgage the Leasehold right.  c) duration of the Lease/unexpired period of lease. d) If, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by Sub-Lessee also. e) Whether the leasehold rights permit for creation of any superstructure(if applicable)? f) Right to get renewal of leasehold rights and nature thereof.	NA
11.	If Govt grant/ allotment/Lease-cum/Sale Agreement, whether;	NA

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	<p>a) grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions.</p> <p>b) the mortgagor is competent to create charge on such property.</p> <p>c) Whether any permission from Government or any other authority is required for creation of mortgage and if so whether such valid permission is available.</p>	
12.	<p>If occupancy right, whether;</p> <p>(a) Such right is heritable and transferable.</p> <p>(b) Mortgage can be created.</p>	<p>Heritable &amp; Transferable</p> <p>Yes</p>
13.	<p>Nature of Minor's interest, if any and if so, whether creation of mortgage could be possible- the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.</p>	Nil.
14.	<p>If the property has been transferred by way of Gift/Settlement Deed, whether;</p> <p>a) The Gift/Settlement Deed is duly stamped and registered.</p> <p>b) The Gift/Settlement Deed has been attested by two witnesses.</p> <p>c) The Gift/Settlement Deed transfers the property to Donee.</p> <p>d) Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separate writing or by implication or by actions.</p> <p>e) Whether there is any restriction on Donor in executing the Gift/Settlement Deed in question.</p> <p>f) Any other aspect affecting the validity of title passed through the Gift/Settlement Deed.</p>	No.
15.	<p>(a) In case of partition/settlement deeds, whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage.</p>	N.A.

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	<p>(b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.</p> <p>(c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.</p> <p>(d) In respect of partition by a decree of the court; whether such decree has become final and all other conditions/ formalities are completed/ complied with.</p> <p>(e) Whether any documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages?</p>	
16.	<p>Whether the title documents include any testamentary documents/wills?</p> <p>a) In case of wills whether will is registered will or unregistered will?</p> <p>b) Whether will in matter needs a mandatory probate and if so whether the same is probated by a competent court?</p> <p>c) Whether property has been mutated on basis of will?</p> <p>d) Whether the original will is available?</p> <p>e) Whether the original death certificate of the testator is available?</p> <p>f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testator?</p> <p>(Comments on the circumstances such as availability of a declaration by all the beneficiaries about the genuineness/ validity of the will, all parties have acted on wil, etc., which are relevant to rely on will, availability of Mother/Original title deeds are to be explained.)</p>	No.

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17.	(a) Whether the property is subject to any wakf rights?  (b) Whether the property belongs to church/temple or any religious/ other institution having any restriction in creation of any charges on such properties?  ( c ) Precautions/ permissions, if any in respect of the above cases for creation of Mortgage.	No.
18.	(a) Where the property is a HUF/Joint Family property, mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution. Minor's share if any, rights of female members etc.  (b) Please also comment on any other aspect which may adversely affect the validity of security in such cases.	No.
19.	(a) Whether the property belongs to any trust or is subject to rights of any trust?  (b) Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of property?  ( c ) If so additional precautions/ permissions to be obtained for creation of valid mortgage.  ( d ) Requirements, if any for creation of mortgage as per Central/State laws applicable to the trust in the matter.	No.
20.	(a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creating/enforcement of mortgage.  (b) In the case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and rights to enforce the mortgage.	No.  NA



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	(c) In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained.	NA
21.	Whether the property is affected by any local laws or other regulations having a bearing on the creation of security (viz. Agricultural Laws, Weaker Sections, minorities, Land Laws, SEZ regulations, Coastal Zone regulations, Environmental Clearance etc.)	No.
22.	(a) Whether the property is subject to any pending or proposed land acquisition proceedings?  (b) Whether any search is made with the Land Acquisition Office and outcome of such search/enquiry.	No.  No.
23.	(a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?  (b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?  (c) Whether the title documents have any court seal/marking which points out any litigation/ attachment/ security to court in respect of the property in question? In such case please comment on such seal/marking.	NA  N.A.  No
24.	(a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered.  (b) Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed?  (c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	N.A.

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25.	Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, Authorisation to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar(ROC), Articles of Association /provision for common seal etc.	No
26.	In case of Societies, Association, the required authority/power to borrower and, whether the mortgage can be created, and the requisite resolutions, bye-laws.	N.A.
27.	(a) Whether any POA is involved in the chain of title?  (b) Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in the favour of the builder/developer and as such is irrevocable as per law.  (c) In case the title document is executed by POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/Firms/Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorised Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other type of POA (Common POA).  (d) In case of builder's POA, whether a certified copy of POA is available and the same has been verified/compared with the original POA.  (e) In case of Common POA (POA other than builder's POA), please clarify the following clauses in respect of POA:-  (i) Whether the original POA is verified	NA  NA  NA  NA  NA

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	and the title investigation is done on basis of original POA?	NA
	(ii) Whether the POA is registered one?	NA
	(iii) Whether the POA is a special or general one?	NA
	(iv) Whether the POA contains a specific Authority for execution of title Document in question?	NA
	(f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	NA
	(g) Please comment on the genuineness of the POA.	NA
	(h) The unequivocal opinion on the enforceability and validity of POA.	NA
28.	Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed/stamped/authenticated in terms of the Law of the place, where it is executed.	N.A.
29.	If the property is a flat/apartment or residential/commercial complex, check and comment on the following:-  (a) Promoter's/Land owner's title to the land/ building. (b) Development Agreement/Power of Attorney. (c) Extent of authority of the Developer/builder. (d) Independent title verification of the Land and/or building in question. (e) Agreement for sale (duly	NA

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	<p>registered).</p> <p>(f) Payment of proper stamp duty.</p> <p>(g) Requirement of registration of sale agreement, development agreement, POA etc.</p> <p>(h) Approval of building plan, permission of appropriate/ local authority etc.</p> <p>(i) Conveyance in favor of Society/Condominium concerned.</p> <p>(j) Occupancy Certificate/allotment letter/letter of possession.</p> <p>(k) Membership details in the Society etc.</p> <p>(l) Share Certificates.</p> <p>(m) No Objection Letter from the Society.</p> <p>(n) All legal requirements under the local/Municipal laws, regarding ownership of flats/ Apartments/ Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.</p> <p>(o) Requirement for noting the Bank's charges on the records of Housing Society, if any.</p> <p>(p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any.</p> <p>(q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.</p>	
30.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details there of.	Nil.
31.	The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so	1988-2018.

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	satisfaction of charge, if any?	
32.	Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	NA
33.	(a) Urban land ceiling clearance, whether required and if so details thereof.  (b) Whether No Objection Certificate under the Income Tax Act is required/obtained.	N.A.  Yes ?
34.	Details of RTC extracts/mutation extracts/ Katha extracts pertaining to the property in question	NA
35.	Whether the name of mortgagor is reflected as owner in revenue/ Municipal/ Village records.	Yes.
36.	(a) Whether the property offered as security is clearly demarcated?  (b) Whether the demarcation/ partition of property is legally valid?  (c) Whether the property has clear access as per documents?	Yes ✓  YES ✓  Yes ✓
37.	Whether the property can be identified from the following documents, and discrepancy/ doubtful circumstances, if any revealed on such scrutiny?  (a) Document in relation to electricity connection.  (b) Document in relation to water connection  (c) Document in relation to Sales Tax Registration, if any applicable.  (d) Other utility bills, if any.	  YES ✓  YES ✓  YES ✓  YES ✓
38.	In respect of the boundaries of the property, whether there is a difference/	No discrepancy.

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	discrepancy in any of the title documents or any other documents (such as valuation report, utility bills etc.) or the actual current boundary? If so please elaborate/comment on the same.	
39.	<p>If the valuation report and/or approved/sanctioned plans are not made available, please comment on the same including the comments on the description and boundaries of the property on the said document and that in the title deeds.</p> <p>If the valuation report and/or approved/sanctioned plans are not available at time of preparation of TIR, please provide these comment subsequently, on making the same available to the advocate.</p>	No discrepancy.
40.	Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.	No.
41.	Whether the Bank will be able to enforce SARFESI Act if required against the property offered as security?	Yes.
42.	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc. as also any precaution to be taken by the Bank in this regard.	N.A.
43.	Whether the governing law/ constitutional documents of the mortgagor (other than natural persons) permit creation of mortgage and additional precautions, if any to be taken in such cases.	Yes.
44.	Additional aspects relevant for investigation of title as per local laws.	Nil.
45.	Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	None.

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46.	The specific person(s) who is/are required to create mortgage/to deposit documents creating mortgage.	Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel or any person jointly authorised by them.
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Date: 14.11.2018  
Place: New Delhi

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**ANNEXURE 'C' : CERTIFICATE OF TITLE**

I have examined the Original Title Deeds intended to be deposited relating to the schedule property(ies) and offered as security by way of Equitable Mortgage and that the documents of title referred to in the Opinion are valid evidence of Right, Title and Interest and that if the said Equitable Mortgage is created, it will satisfy the requirements of creation of Equitable Mortgage and I further certify that:--

2. I have examined the Documents in detail, taking into account all the Guidelines in check list vide Annexure 'B' and the other relevant factors.

3. I Confirm having made a search in the Land/Revenue records. I also confirm having verified and checked the records of relevant Government Offices/ Sub-Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Registrar of Companies, Wakf Board (wherever applicable). I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage. I am liable/responsible, if any loss is caused to the bank due to negligence on my part or by my agent in making search.

4. Following scrutiny of Land Records/Revenue Records, relative Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and Encumbrance Certificate (EC) I hereby certify the genuineness of the Title Deeds, Suspicious/Doubt, if any, has been clarified by making necessary enquiries.

5. There are no prior Mortgage/Charges/encumbrances whatsoever as could be seen from the Encumbrance Certificate for the period from 1988 to 2018 pertaining to the immovable property(ies) covered by above said Title Deeds. The property is free from all Encumbrances.

6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than the already stated in the loan documents and agreed to by the mortgagor and the Bank. (Delete, whichever is inapplicable).

7. There is/are no Minor(s) and/or his/their interest in the said property.

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8. The Mortgage if created, will be available to the Bank for the liability of the proposed Borrower(s) M/s Ajanta Soya Ltd.

9. I certify that Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel have absolute, clear and marketable title over the Schedule property(ies). I further certify that above title deeds are genuine and a valid mortgage can be created and the said Mortgage would be enforceable.

10. In case of creation of Mortgage by deposit of title deeds, I certify that the deposit of following title deeds/documents would create a valid and enforceable mortgage. Please see Part-2 of Annexure- 1

11. There are no legal impediments for creation of the Mortgage under any applicable Law/Rules in force. However, as the property to be mortgaged is owned by a limited company, therefore, search of the charge and noting it thereof with concerned ROC shall be arranged.

## SCHEDULE OF THE PROPERTY(IES)

PROPERTY- Residential Plot No.1, admeasuring 333.50 Sq.Mtr., Block No. PP, at Pitampura, Mandipur, Shakarpur, Delhi-110034.

Date: 14.11.2018  
Place: New Delhi

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ANNEXURE-1

**Sub:** Verification of the title of Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel in PROPERTY- Residential Plot No.1, admeasuring 333.50 Sq.Mtr., Block No. PP, at Pitampura, Mandipur, Shakarpur, Delhi-110034.

## Part-I

The following documents were furnished:--

- (a) Original Conveyance deed executed dated by DDA in favour of Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel ON 21.01.1994 & registered in the office of Sub-Registrar-II, Delhi on 21.01.1994.
- (b) Occupancy certificate dated 12.06.1989
- (c) Perpetual Lease dated 16.05.1988.

## Part-II

I have checked and verified the records of Sub-Registrar-II, Delhi for 30 years vide receipt attached. The perusal and inspection of Sub Registrar and land records reveals that **Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel** are owners of the said Plot/Property and have not transferred said property by any registered instrument.

The scrutiny of the documents and land records shows DDA auctioned the leasehold rights of the said Plot on 10.10.1984 and the bid of **Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel** was accepted by DDA and thus the possession of the said plot was handed over to said persons on 08.07.1985.

That the said Plot No. 1 Situated at Pitampura Residential Scheme, Pitampura, Delhi-34 measuring 333.5Sq.m. was leased to **Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel** vide Perpetual Lease dated 16.05.1988.

That the aforesaid persons built a residential house as per plan submitted to DDA and the same was approved vide Occupancy certificate dated 12.06.1989.

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That, later, the said plot was conveyed to Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel by DDA vide Conveyance deed dated 21.12.1993 which was registered on 21.01.1994.

Thus Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel are the owners of said property proposed to be mortgaged/mortgaged to the Bank.

The title of the property is free from all encumbrances, the chain of title is complete and said property is free from all prior charges and encumbrances. With a view to have complete records while creating mortgage it is recommended that the following documents be kept deposited:--

- ✓ (a) Original Conveyance deed executed dated by DDA in favour of Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel ON 21.01.1994 & registered in the office of Sub-Registrar-II, Delhi on 21.01.1994.
- ✓ (b) Occupancy certificate dated 12.06.1989
- ✓ (c) Perpetual Lease dated 16.05.1988.
- ✓ (d) Latest Utility Bills of the aforesaid property.
- ✓ (e) Affidavit/Undertaking from the authorised officer/person/Director of the Sh. Sohanlal; Smt. Chandrakala; Bishan Dass; & Smt. Uma Goel of not having created any encumbrance on the said Property.

Date: 14.11.2018  
Place: New Delhi

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