

02-07-2010

## CERTIFICATE

To,

The Sr. Manager  
Punjab National Bank,  
Tilak Road,  
Dehradun.

SUB: Opinion and Title Investigation and Search Report in respect of all that property bearing Khasra No. 278 Min situated in Mauza Malakpur Latifpur, Tehsil Roorkee, District Haridwar and now bearing municipal no. 595, Adharsh Nagar, Roorkee, District Haridwar.

Dear Sir,

As desired I have conducted the legal investigation of the title and searched the records in the office of the Sub Registrar, Roorkee and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed.

Chain of title relating to the property is complete as given in the annexure hereto.

I hereby certify that Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar has a clear, valid and marketable title over the above said property and he is competent to create an equitable mortgage in favour of the bank.

A valid equitable mortgage can be created by deposit of the following original title deed. The title deeds are genuine in my opinion.

1. Original sale deed dated 20.02.1997 executed by Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta, Smt. Sumiti Verma wife of Shri Narender Verma resident of Civil Lines, Roorkee in favour of Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar duly registered in the office of the Sub-Registrar, Roorkee in book no. 1 volume 2 on page 278 and in additional file book no. 1 volume 73 on pages 239 to 244 at serial no. 317 dated 05.03.1997.
2. Certified copy of sale deed dated 15.04.1989 executed by Shri Mosam Ali son of Shri Abdul Majid resident of Malakpur Latifpur, Pargana and Tehsil Roorkee, District Haridwar in favour of Smt. Sumiti Verma wife of Shri Narender Verma, Shri Sunil Kumar son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar duly registered in the office of the Sub-Registrar, Roorkee in book no. 1 volume 1851 on page 230 and in additional file book no. 1 volume 1899 on pages 173 to 176 at serial no. 3290 dated 18.04.1989.
3. Khatauni wherein the said khasra plot was recorded in the name of Shri Mosam Ali since the fasli year 1379 i.e. 1972 and subsequently, the name of Shri Yatveer Singh has been duly mutated in the name of Shri Yatveer Singh.
4. Copy of building plan sanctioned by the Regulated Area, Roorkee vide file no. 136/2000-2001 dated 25.11.2001.
5. Affidavit of Smt. Sushma Aggarwal wife of Shri Virender Kumar Gupta.
6. Affidavit of Shri Vijender Kumar son of Shri Ramesh Chand.


R. A.

-2-

The search report conducted by me which is annexed hereto, for the period from January, 1989 till date does not disclose any encumbrances/~~disclosed~~ ~~encumbrances stated~~ therein.

I find following defects/no defects in the title of the person offering mortgage:-  
Nil.

I have returned the documents shown to me to Branch/borrowers.

  
(S.M.Joshi)  
Advocate

Encl. : 1- Special Report  
2- Chain of Title  
3- Search Report

**SPECIAL REPORT ON TITLE**

Reg: All that property bearing Khasra No. 278 Min situated in Mauza Malakpur Latifpur, Tehsil Roorkee, District Haridwar and now bearing municipal no. 595, Adharsh Nagar, Roorkee, District Haridwar

**ASPECTS TO BE**

**CONSIDERED**

**A PARTICULARS**

1. Name of the borrower with address:

Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar

2. Name of the person offering Mortgage with parentage/ constitution & address.

Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar

3. Details of the property to be mortgaged: As per title deed.....  
As per present position

All that property bearing Khasra No. 278 Min situated in Mauza Malakpur Latifpur, Tehsil Roorkee, District Haridwar and now bearing municipal no. 595, Adharsh Nagar, Roorkee, District Haridwar measuring 139.40 Sq. Mts. out of which covered area is 920 Sq. ft. or 85.468 Sq. Mts. bounded and butted as under :-  
North : 20 ft. wide Road  
South : Plot of Shri Naresh Kumar  
East : Plot of Shri Sunil Kumar.  
West : Plot of Shri Pankaj Kumar Garg

**1. INVESTIGATION**

Details of the title deeds/ documents ( including link deeds/Parent deeds ) to be deposited ofr creation of the mortgage ( with full particulars regarding nature of document, date of execution and details of registration )

Sale deed dated 20.02.1997 executed by Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta, Smt. Sumiti Verma wife of Shri Narendra Verma resident of Civil Lines, Roorkee in favour of Shri Yatveer Singh son of Shri Mahabeer Singh resident of



-2-

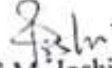
Village Majri, Post Office Piran  
Kaliyar, Pargana and Tehsil Roorkee,  
District Haridwar duly registered in the  
office of the Sub-Registrar, Roorkee in  
book no. I volume 2 on page 278 and in  
additional file book no. I volume 73 on  
pages 239 to 244 at serial no. 317 dated  
05.03.1997

2. Whether documents given to the counsel are original one or more copies of documents. Original Sale Deed in favour of the borrower perused and certified copy of the sale deed obtained.
3. Whether documents given as original title deeds raise any doubt or suspicion? No.
4. Whether the particulars of registration as given in the title deed shown to the counsel tally with the particulars as stated in records of the registrar's office. Yes
5. Whether the property has been mutated in the name of the person offering the mortgage? Yes.
6. Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated. Yes
7. Whether there is any bar under any local law for creation of the mortgage of the property to be mortgage? (In some Estates, there are legal restrictions on creation of the mortgage of agricultural property for non agricultural purpose. No, there is no legal restriction on creation of the equitable mortgage.

-3-

- 8- Where there are restrictions Nil.  
regarding sale of the property to  
be mortgaged? (In some Estates,  
there are restriction ofr sale of  
property residents outside the  
Estate).
- 9- Whether all the approvals, No approvals/ clearance/ sanction is  
clearance/sanctions required for required from any department ofr  
creation of the mortgage have creation of security mortgage/ equitable  
been obtained? If not obtained, mortgage of the property by way of .  
what are such sanction; deposit original title deed.  
approvals and clearances yet to  
be obtained.

Date: 02.07.2010

  
(S.M. Joshi)  
Advocate

02.07.2010

**CERTIFICATE OF NON ENCUMBRANCE**

To,

The Sr. Manager  
Punjab National Bank,  
Tilak Road,  
Dehradun.

It is certified that on careful inspection of the available index registers, as indexed upto the date in the office of the Sub Registrar, Dehradun from 1989 till date, no recorded encumbrances has been found in respect of the property mentioned here-in-below.

**DESCRIPTION OF THE PROPERTY**

All that property bearing Khasra No. 278 Min situated in Mauza Malakpur Latifpur, Tehsil Roorkee, District Haridwar and now bearing municipal no. 595, Adharsh Nagar, Roorkee, District Haridwar measuring 139.40 Sq. Mts. out of which covered area is 920 Sq. ft. or 85.468 Sq. Mts. bounded and butted as under :-

North : 20 ft. wide Road

South : Plot of Shri Naresh Kumar

East : Plot of Shri Sunil Kumar.

West : Plot of Shri Pankaj Kumar Garg

**Name and Address of the Present Owners:**

Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar

**Title Verification:**

All that property bearing Khasra No. 278 Min situated in Mauza Malakpur Latifpur, Tehsil Roorkee, District Haridwar measuring 139.40 Sq. Mts. was purchased by Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar from Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta, Smt. Sumiti Verma wife of Shri Narender Verma resident of Civil Lines, Roorkee vide sale deed dated 20.02.1997 duly registered in the office of the Sub-Registrar, Roorkee in book no. I volume 2 on page 278 and in additional file book no. I volume 73 on pages 239 to 244 at serial no. 317 dated 05.03.1997.

Smt. Sumiti Verma wife of Shri Narender Verma, Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Sushma Aggarwal wife of Shri Virender Kumar Gupta, Shri Vijender Kumar son of Shri Ramesh Chand and Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta had purchased khasra plot no. 278 measuring 17 Biswa from Shri Mosam Ali son of Shri Abdul Majid resident of Malakpur Latifpur, Pargana and



-2-

Tehsil Roorkee, District Haridwar vide sale deed dated 15.04.1989 duly registered in the office of the Sub-Registrar, Roorkee in book no. I volume 1851 on page 230 and in additional file book no. I volume 1899 on pages 173 to 176 at serial no. 3290 dated 18.04.1989.

The said property was mutually partitioned amongst Smt. Sumiti Verma wife of Shri Narender Verma, Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Sushma Aggarwal wife of Shri Virender Kumar Gupta, Shri Vijender Kumar son of Shri Ramesh Chand and Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta and the land in question had fallen to the share of Smt. Sumiti Verma wife of Shri Narender Verma, Shri Sunil Kumar son of Shri Ramesh Chand and Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta. However I am of the opinion that an affidavit be taken from Smt. Sushma Aggarwal wife of Shri Virender Kumar Gupta, Shri Vijender Kumar son of Shri Ramesh Chand to the effect that they have separated their share and have no objection to the sale in favour of Shri Yatveer Singh.

The said khasra plot was recorded in the name of Shri Mosam Ali since the fasli year 1379 i.e. 1972.

Shri Yatveer Singh had got a building plan sanctioned from the Regulated Area, Roorkee vide file no. 136/2000-2001 dated 25.11.2001. According to which the total covered area would be 920 Sq. ft.

After the purchase the name of Shri Yatveer Singh has been duly mutated in the municipal records.

**Regarding Encumbrance:-**

I have inspected the available records in the office of the Sub Registrar, Roorkee and have found that the said property is free from all charges, liens and encumbrances. However, the records maintained by the Office are in poor condition and some parts are torn.

3- I further certify that the documents tendered by the borrower for the purpose of creation of mortgage/charge/security are genuine and original documents of title to the said immovable property.

**Search report relates to searches made in :-**

- |    |                                       |   |      |
|----|---------------------------------------|---|------|
| a) | Sub-Registrar Office                  | : | Yes. |
| b) | Registrar of Companies.               | : | No.  |
| c) | Courts                                | : | No.  |
| d) | Other Offices                         | : | No.  |
|    | i) Office of the Co-operative Society | : |      |

9.

-3-

- ii) Mussoorie Dehradun :  
Development Authority :
- e) Documents :
  - i) Balance Sheet : NA
  - ii) Any other documents like :  
income tax returns etc. : NA

**Sub Registrar/ Registrar of Assurance Office**

The encumbrance certificate was obtained from the Sub-Registrar/ Registrar, Roorkee for the period from January, 1989 till date and the same disclosed following encumbrances:- N.A.

There is a system of issue of encumbrances certificate in the office of the Sub-Registrar, however personal search was carried out for the purpose as per bank instructions, inspection was made for the period from 1989 to till date at the following Sub-Registrar/ offices:-

- i) Roorkee.

**The search report disclosed :-**

NIL

**The owner of the property being a company, search was conducted in the following offices of the registrar of companies:-**

NA

**The search made out in the office of Registrar of Companies disclosed :-**

NA


**Inspection of Court records disclosed :-**

NA

**Conclusion & Opinion**

On the perusal of the above mentioned documents and inspection of the available records in the office of the Sub Registrar, Roorkee I am of the opinion that the borrower has a clear marketable title over the said property and the same is free from all charges, liens and encumbrances and he is entitled to create an equitable mortgage in favour of the bank by deposit of original title deed in respect of the said property.

Encis: As above.

  
(S.M. Joshi)  
Advocate

02-07-2010

### CERTIFICATE

To,

The Sr. Manager  
Punjab National Bank,  
Tilak Road,  
Dehradun.

SUB: Opinion and Title Investigation and Search Report in respect of all that property bearing Khasra No. 278 Min situated in Mauza Malakpur Latifpur, Tehsil Roorkee, District Haridwar and now bearing municipal no. 595, Adharsh Nagar, Roorkee, District Haridwar.

Dear Sir,

As desired I have conducted the legal investigation of the title and searched the records in the office of the Sub Registrar, Roorkee and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed.

Chain of title relating to the property is complete as given in the annexure hereto.

I hereby certify that Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar has a clear, valid and marketable title over the above said property and he is competent to create an equitable mortgage in favour of the bank.

A valid equitable mortgage can be created by deposit of the following original title deed. The title deeds are genuine in my opinion.

1. Original sale deed dated 20.02.1997 executed by Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta, Smt. Sumiti Verma wife of Shri Narender Verma resident of Civil Lines, Roorkee in favour of Shri Yatveer Singh son of Shri Mahabeer Singh resident of Village Majri, Post Office Piran Kaliyar, Pargana and Tehsil Roorkee, District Haridwar duly registered in the office of the Sub-Registrar, Roorkee in book no. I volume 2 on page 278 and in additional file book no. I volume 73 on pages 239 to 244 at serial no. 317 dated 05.03.1997.
2. Certified copy of sale deed dated 15.04.1989 executed by Shri Mosam Ali son of Shri Abdul Majid resident of Malakpur Latifpur, Pargana and Tehsil Roorkee, District Haridwar in favour of Smt. Sumiti Verma wife of Shri Narender Verma, Shri Sunil Kumar son of Shri Ramesh Chand, Smt. Pooja Aggarwal wife of Shri Virender Kumar Gupta, Shri Vijender Kumar son of Shri Ramesh Chand and Smt. Lalita Gupta wife of Dr. Anand Prakash Gupta duly registered in the office of the Sub-Registrar, Roorkee in book no. I volume 1851 on page 230 and in additional file book no. I volume 1899 on pages 173 to 176 at serial no. 3290 dated 18.04.1989.
3. Khatauni wherein the said khasra plot was recorded in the name of Shri Mosam Ali since the fasli year 1379 i.e. 1972 and subsequently, the name of Shri Yatveer Singh has been duly mutated in the name of Shri Yatveer Singh.
4. Copy of building plan sanctioned by the Regulated Area, Roorkee vide file no. 136/2000-2001 dated 25.11.2001.

*[Signature]*

**Shri Mohan Joshi**  
**Advocate**

Residence { 0135-2654222  
0135-2650422  
14 / 7, NEMI ROAD  
DEHRADUN-248001

-2-

The search report conducted by me which is annexed hereto, for the period from January, 1989 till date does not disclose any encumbrances/disclosed encumbrances stated therein.

I find following defects/no defects in the title of the person offering mortgage:- Nil.

I have returned the documents shown to me to Branch/borrowers.

  
(S.M. Joshi)  
Advocate

Encl. : 1- Special Report  
2- Chain of Title  
3- Search Report