

B.D. Uniyal

Advocate
(M.COM, LL.M)



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To,
The Circle SASTRA Head,
Circle SASTRA, Dehradun west
Punjab National Bank,
Dehradun.

Date: 13.12.2021

ANNEXURE-IV

SPECIAL REPORT ON TITLE

REGARDING: SEARCH REPORT / NON-CUMBRANCE CERTIFICATE IN RESPECT OF All that Property/Land comprised in Land Khata Khatoni No. 306 (Fasli Year 1422-1427) bearing Khasra No. 19 ka measuring 129.64 Sq. Mtr. Situated in Mauza Danda Dhoran, Pargana Parwa Doon, Distt. Dehradun.

ASPECT TO BE CONSIDERED	COUNSEL'S STATEMENT
A- PARTICULARS	
1. Name of the borrowers with address:	Shri Rajan Singh Rawat S/o Shri Mahabir Singh Rawat R/o Near Ekta Hotel, Kandoli, Rajpur Road, Dehradun.
2.(i) Name of the Persons offering Mortgage and address:	Shri Rajan Singh Rawat S/o Shri Mahabir Singh Rawat R/o Near Ekta Hotel, Kandoli, Rajpur Road, Dehradun
2.(ii) Name of the present owner	Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant R/o 72, Danda Lakhond, I.T. Park Gujrada, Dehradun.
3.(i) Details of the Property to be Mortgaged: As per Title Deed:	All that Property/Land comprised in Land Khata Khatoni No. 306 (Fasli Year 1422-1427) bearing Khasra No. 19 ka measuring 129.64 Sq. Mtr. Situated in Mauza Danda Dhoran, Pargana Parwa Doon, Distt. Dehradun. Bounded and butted as under: East: Land of Seller, S.M. 45 Ft. West: Land of Seller, S.M. 45 Ft. North: Land of other, S.M. 31 Ft. South: 25 Ft. wide Road, S.M. 31 Ft.
3.(ii) As per present:	As per valuation report of the approved valuer of the Bank.
B – INVESTIGATIONS	
1. Detail of the Title deeds/Documents (including Link deeds/Parent deeds) to be deposited for creation of the Mortgage (with full particulars regarding nature of document, date of execution	1. Certified Copy of Punrikshit Khata Khotoni Khata No. 95 Fasli 1400 in the name of present owner Shri Ramesh Chand Pant S/o Vishambar Dutt Pant . 2. Certified Copy of Khasra Mutabika

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ON PANEL OF

PUNJAB NATIONAL BANK / ORIENTAL BANK OF COMMERCE / UNITED BANK OF INDIA,
NANITAL BANK, CO-OPREATIVE BANK, IGRC MEMBER OF BSE Ltd. DEHRADUN.

and details of registration.

1400 Fasli.

3. **Certified Copy of Fard Mutabika 1400 Fasli.**

4. **Certified Copy of Naksa Nazri 1400 Fasli.**

5. **Copy of Present Khata Khatoni Khata No. 306 Fasli year 1422-1427 in the name of Present owner Shri Ramesh Chand Pant S/o Vishambar Dutt Pant.**

6. **Copy of land use certificate of MDDA letter no. 1943/Lok Suchna /2020-21 dt. 30.11.2021.**

7. **Original Agreement to sell dt. 01.11.2021.**

8. **Original Sale Deed yet to be execute in favor of Borrower.**

History of the Title based on Documents mentioned in Clause No.

WHEREAS the above Present owner **Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant R/o 72, Danda Lakhond, I.T. Park Gujrada, Dehradun**, is the recorded owner with transferable right in old Khata No. 95 in 1400 Fasli of Khasra no. 19 Ka measuring 0.2600 Hectar with other Khasra Nos. total huge Land measuring 0.8298 Hect. Since 1391 Fasli i.e. from the year of 1983, in this regards Certified Copy of it enclosed herewith.

And Whereas name of above present owner continuously appearing in new Khata Khatoni Khata No. 306 (Fasli 1422-1427) in Khasra No. 19 Ka for area 0.2600 Hect. With other Khasra Nos. for Land 0.6250 Hect. Copy of Khatoni Khata No. 306 enclosed herewith.

And Whereas the borrower presented the copy of Land use certificate letter no. 1943/Lok Suchna /2020-21 dt. 30.11.2021 got through RTI from MDDA Dehradun about the aforesaid Property/Plot in Khasra no. 19 ka & other which is residential in its Zonal Plan 2025 of MDDA dehradun.

Thus the chain of title is well established from last more then 13 years continuously. The present owner **Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant** has clear marketable & transferable title of the aforesaid property/Land and he has right to sell and transfer the same, and property is also free from mortgage, charge, lien, etc and the mortgagor may create equitable mortgage by depositing original sale deeds in favor of Bank in accordance with rules.

I have searched the relevant records in this regard to immovable Property Land in sub registrar office Dehradun, for 2008 to 13.12.2021, and all concern record and verify the certified copy of deed, I found no irregularity. That on the basis of such a search made by me, and on the basis of affidavit of no encumbrance, furnished by Present owner, **Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant R/o 72, Danda Lakhond, I.T. Park Gujrada, Dehradun**, is absolute owner of the Schedule of Property/Plot.

That **Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant R/o 72, Danda Lakhond, I.T. Park Gujrada, Dehradun**, has entered into an agreement to sell aforesaid Property/Plot with **Shri Rajan Singh Rawat S/o Shri Mahabir Singh Rawat R/o Near Ekta Hotel, Kandoli, Rajpur Road, Dehradun**, for consideration 26,00,000/ (Twenty Six Lac) and time for sale deed is to be executed up to 03.02.2022.

That **Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant R/o 72, Danda Lakhond, I.T. Park Gujrada, Dehradun**, is the absolute owner of the scheduled property/Plot. And after execution the sale deed in favor of Borrower **Shri Rajan Singh**

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Rawat S/o Shri Mahabir Singh Rawat R/o Near Ekta Hotel, Kandoli, Rajpur Road, Dehraduni, then he will become the absolute owner of the scheduled Property/Plot .

2.	Whether certified copies have been obtained from the registrar office?	Yes
3.	Whether the Documents are in hand are compared with the certified copies and whether the documents given raise any doubt of suspicion?	Yes, Documents does not raise any doubt of suspicion.
4.	Whether the registration particulars Number & date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office ?	YES
5.	Whether the registration particulars and dated and page particulars as given in the title deed tally with the particulars as stated in records of the registrar's office?	Yes
6.	Whether the photographs of the parties affixed in the conveyance deed/tittle deed tally with the photograph seen in the certified copy as obtained from the registrar's office?	Yes
7.	Whether the contents of the given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the Registrar's office/ If not variations be specified. What is its effect.	Yes
8.	Whether the Property has been mutated in the name of the person offering the mortgage?	Land mutated in the name of Present owner
9.	Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated.	Yes
10.	Whether there is any bar under any local law for creation of mortgage of the Land to be mortgaged? (In some stats there are legal restrictions on creation of the mortgage of Agricultural property for non-agricultural Purpose).	No
11.	Where there are restrictions regarding sale of the Property to be mortgaged? (In some States, there are restrictions for sale of property to be residents out side the States).	No
12.	Whether all the approvals, clearance/sanctioned required for creation of the mortgage have been	Not Applicable

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	obtained? If not obtained, what are such sanction/ approvals and clearances yet to be obtained.	
13.	Whether the Land is ancestral/or under joint ownership or the minor is having interest in the Land. If so it effect thereof.	Not Applicable
14.	Whether the Land to be mortgaged has been acquired under Land Acquisition Act 1894?	Not Applicable
15.	Whether Urban Land Ceiling Act is applicable in the State where the Land is located?	Not applicable
16.	In case of lease hold property whether permission/NOC from the Lessor is required for creation of mortgage. Whether permission of the Lessor/NOC is obtained.	Not Applicable
17.	What is the rate of sharing unearned income with Lessor in the event of the sale of the property?	Not Applicable
18.	Whether copy of the title deed favoring Lessor (other then government) is made available to examine the validity of the lease.	Not Applicable
19.	Whether terms and conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	Not Applicable
20.	Whether the permission of the Income Tax Authorities/ Assessing Officer is required under the provisions of the Income Tax Act for creation of Mortgage or any certificate is to be submitted to the bank to show that no dues are outstanding to the Income Tax Department.	Not Applicable
21.	In respect of the agricultural land whether land is declared surplus or under consolidation of holdings.	Not Applicable
22.	Whether certified copies of revenue records has been obtained and examined to confirm that no dues are outstanding towards the mortgagor. (copies of the revenue record be submitting the certificate of Title Investigation).	Not Applicable
23.	Whether the Mortgaged property is	That the aforesaid Property/Land is


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enforceable under SARFAESI Act 2002

situated within the Limit of Nagar Nigam Dehradun, and Abadi in Nature and the Equitable Mortgage can be created on it and the SARFAESI Act 2002 is applicable upon the Land


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To,
The Circle SASTRA Head,
Circle SASTRA Dehradun west
Punjab National Bank,
Dehradun.

Date: 13.12.2021

ANNEXURE-V
CERTIFICATE

Reg: All that Property/Land comprised in Land Khata Khatoni No. 306 (Fasli Year 1422-1427) bearing Khasra No. 19 ka measuring 129.64 Sq. Mtr. Situated in Mauza Danda Dhoran, Pargana Parwa Doon, Distt. Dehradun. Bounded and butted as under:
East: Land of Seller, S.M. 45 Ft.
West: Land of Seller, S.M. 45 Ft.
North: Land of other, S.M. 31 Ft.
South: 25 Ft. wide Road, S.M. 31 Ft.

As requested, I have conducted the legal investigation of the title and made a search of records in the registration office and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed. I hereby certify that the registration particulars - number, date and page particulars etc., as shown in the original title deed and contents thereof tally with the information as stated in the records of the Sub-Registrar/Registrar of assurances as well as the certified copy of title deeds, which was obtained by me is enclosed with this certificate.

I further certify that the photographs of previous owner, and the intending mortgagor affixed/seen in the title deed tally with records of Sub-Registrar, office As well as certified copy of the title deed.

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

I have verified, tallied and compared these documents from the record of Sub-registrar/Registrar of assurance and also from the records of other appropriate authorities.:

1. Revenue records from fasli 1391 i.e. from the year 1983.

I shall be liable/responsible if any loss is caused to the Bank due to negligence on my part in making the search and Bank has the unqualified right to publish my name for including in the caution list being maintained by the Indian Banks' Association or Reserve Bank of India Or Any other Such Body for circulation amongst Banks/Financial Institutions.

As per your instructions and pursuant to my search conducted in the office of Sub-Registrar **Dehradun** from the period **2008-13.12.2021** Vide receipt attached with the report. Certified copy of the Transfer Deed is enclosed herewith and thereby undersigned came to the conclusion that No Encumbrance has been found in respect of the Above mentioned Land.

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ON PANEL OF

I have not given opinion earlier on investigation of title relating to the same land/Land as detailed hereunder:

- a) Name of Lender:
- b) Date of Opinion **13.12.2021**
- c) Remarks: Property/Land is governed under the SARFAESI ACT.

I have searched the relevant records in this regards to immovable Land in sub registrar office for 2008-13.12.2021, and all concern record and verify the certified copy of deed I found no irregularity,

That on the basis of such a search made by me and on the basis of affidavit submitted by **Shri Ramesh Chand Pant S/o Shri Vishambar Dutt Pant R/o 72, Danda Lakhond, I.T. Park Gujrada, Dehradun**, enclosed herewith to this effect, I have not found any defects in the title of the present owner.

The valid equitable mortgage can be created by depositing the following title deed. The said title deeds are genuinely registered and are not duplicate or fake as observed by me, are to be obtained by Bank at the time of Mortgage:-

1. **Certified Copy** of Punrikshit Khata Khotoni Khata No. 95 Fasli 1400 in the name of present owner **Shri Ramesh Chand Pant S/o Vishambar Dutt Pant**.
2. **Certified Copy** of Khasra Mutabika **1400 Fasli**.
3. **Certified Copy** of Fard Mutabika **1400 Fasli**.
4. **Certified Copy** of Naksa Nazri **1400 Fasli**.
5. **Copy** of Present Khata Khatoni Khata No. 306 Fasli year 1422-1427 in the name of Present owner **Shri Ramesh Chand Pant S/o Vishambar Dutt Pant**.
6. **Copy** of land use certificate of MDDA letter no. 1943/Lok Suchna /2020-21 dt. 30.11.2021.
7. **Original Agreement** to sell dt. 01.11..2021.
8. **Original Sale Deed** yet to be execute in favor of Borrower.

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- Enclosures:**
1. Special report
 2. Chain of Title
 3. Search Receipt issued by Sub-Registrar, **Dehradun**.
 4. Certificate
 5. Certified copy
 6. Affidavit.

NOTE: ALL THE BOUNDRIES AND PHYSICAL POSSESSION OF THE LAND AND ID PROOF OF THE BORROWER / MORTGAGER SHOULD BE STRICTLY VERIFIED BY THE BRANCH MANAGER/ FIELD OFFICER, BEFORE THE DISBURSEMENT OF LOAN.



To,
The Circle SASTRA Head,
Circle SASTRA Dehradun west
Punjab National Bank,
Dehradun.

Date: 13.12.2021

ANNEXURE-V-B
SEARCH CERTIFICATE

REG: All that Property/Land comprised in Land Khata Khatoni No. 306 (Fasli Year 1422-1427) bearing Khasra No. 19 ka measuring 129.64 Sq. Mtr. Situated in Mauza Danda Dhoran, Pargana Parwa Doon, Distt. Dehradun. Bounded and butted as under:
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West: Land of Seller, S.M. 45 Ft.
North: Land of other, S.M. 31 Ft.
South: 25 Ft. wide Road, S.M. 31 Ft.
Sub-Registrar Office

Personal search was carried out for the purpose of inspection conducted by me in the office of Sub-Registrar, Dehradun, from the period of 2008-13.12.2021 Vide receipt enclosed with the report, Certified copy of the Transfer Deed is enclosed herewith and thereby undersigned came to the conclusion that No Encumbrance has been found in respect of the above mentioned Property/Land,

1. The Search report disclosed following:

Search Report discloses that the present is the recorded owner of aforesaid property/Plot with transferable right since 1983 as revenue record enclosed herewith.

3. Registrar of Companies : N.A.
4. Courts : No.
5. Other offices :
 - i) Office of the Co-operative Society : N.A.
 - ii) _____ Development Authority: N.A.
6. Any other documents
 - a) Receipts for payment of Municipal Taxes etc : N.A.
7. The Search made in ROC:- Bank do self
8. Inspection of Court records:- N.A.
9. Search Made / Inspections carried out in the following office disclosed:

Office	Date of Search / Inspection	Information
Sub-Registrar Dehradun	2008-13.12.2021	All the documents were properly registered over there.

Yours faithfully,
(B.D. Uniyal Adv.)
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ON PANEL OF

PUNJAB NATIONAL BANK / ORIENTAL BANK OF COMMERCE / UNITED BANK OF INDIA,
NANITAL BANK, CO-OPREATIVE BANK, IGRC MEMBER OF BSE Ltd. DEHRADUN.

(प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला)
लेख या प्रार्थना-पत्र प्रस्तुत करने का दिनांक

13-Dec-2021

प्रस्तुतकर्ता या प्रार्थी का नाम

B.D.UNIYAL ADV

लेख का प्रकार

मुआयना

14 वर्ष

(2008 - 2021)

प्रतिफल की धनराशि

1 रजिस्ट्रीकरण शुल्क

0.00

2 प्रतिलिपि करण शुल्क

0.00

3 इलैक्ट्रानिक शुल्क

0.00

4 निरीक्षण या तलाश शुल्क

0.00

70.00

5 मुख्तारनामा के अभिप्रणालोकरण के लिए शुल्क

0.00

6 कमीशन शुल्क

0.00

7 नकल शुल्क

0.00

8 विविध

5.00

9 यात्रिक भत्ता

0.00

10 कम रजिस्ट्रीकरण शुल्क

0.00

11 योग

75.00

शुल्क वसूल करने की दिनांक

13-Dec-2021

Application No

18256

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर उपनिबंधक, देहरादून, प्रथम

21/ रजिस्ट्रार
देहरादून