

To  
The Branch Manager  
Punjab National Bank  
B. O. Kankhal Haridwar

Date- 17-1-2020

## SPECIAL REPORT ON TITLE

Reg- Property situated at Vill. Sirauli Teh. & Distt. Sambhal belonging to Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. & Distt. Sambhal.

### A. PARTICULARS

ASPECTS TO BE CONSIDERED	COUNSEL'S STATEMENT
<b>A. PARTICULARS</b>	<b>Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. &amp; Distt. Sambhal.</b>
1. Name of the borrower with address	<b>Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. &amp; Distt. Sambhal.</b>
2. Name of the person offering Mortgage with parentage/constitution and address	<b>Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. &amp; Distt. Sambhal.</b>
3. Details of the property to be mortgage. As per gift deed	An Agriculture land (Now declared as non Agriculture land) Gata No. 150 area 1.992 out of which 0.254 Hac. i.e. 2540 Sqr. Mtrs. land is under consideration situated in Vill. Sirauli Teh. Sambhal bounded by- East- Land of Bhagwant Singh West- Land of Ram Bharose North- Road South- Land of Bhagwant Singh
<b>B- INVESTIGATIONS</b>	Gift deed executed by Property owner Mr. Bhagwan Singh S/o Sh. Dilip Singh Tyagi in favor of <b>Mr. Nishant Tyagi and Kunal Tyagi (above)</b> for no consideration on stamp worth Rs. 51,550/-, The Gift deed is Registered in the office of Sub Registrar Sambhal on 27.4.2017 at Book No. 1 Vol. No. 8049 Page No. 201/216 Sl. No. 2510 on 27.4.2017.
1. Details of the title deed/documents (including link Deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of document, date of execution and details	Yes
2. Whether certified copies have been obtained from the Registrar's office.	Yes compared and found both the documents identical.
3. Whether the documents in hands are compared with the certified with the certified copies and whether the documents given raise and doubt or suspicion?	Yes.
4. Whether the registration particulars, number, Date and page particulars as given in the title deed tally with the particulars as stated in the certified copy obtained from the registrar's office?	Photos are affixed and tally to each other.
5. Whether the Photographs of parties as	

6. Whether contents as given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the registrar's office?	Yes.
7. Whether the property has been mutated in the name of the person offering the mortgage.	Yes.
8. Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated.	Yes.
9. Whether there is any bar under any local law for creating of the mortgage of the property to be mortgaged? (In some states, there are legal restrictions on creating of the mortgage of of agriculture property for non agriculture purpose.)	No. Equitable Mortgage under Sec. 58 (f) of T. P. Act could be created.
10. Whether there is any doubt/suspicious about the genuineness of the Original documents. If yes, then Specify.	No
11. Whether all the approvals, clearance/sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained.	N.A.
12. Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property? If so its effect therof.	Sole owner got title through registered gift deed.
13. Whether the property to be mortgaged has been acquired under Land Acquisition Act 1884?	No.
14. Whether Urban Land Ceiling Act is applicable in the State where the property is located.	No.
15. In case of leasehold property, Whether permission/NOC from the lessor is required for creation of Mortgage? Whether permission of the lessor/NOC is obtained?	N.A.
16. What is the rate of sharing of unearned income with Lessor, in the event of sale of the property?	N.A.
17. Whether copy of title deed favoring lessor (other than Govt) is made available to examine the validity of the lease.	N.A.
18. Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, its	N.A.



effect thereof.

19. Whether any permission of Income tax Authorities/Assessing Officer is required under the provisions of 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?

N.A.

20. In respect of agriculture land, Whether land is declared Surplus or under consolidation of holdings?

N.A.

21. Whether certified copies of Revenue records has been Obtained and examined to confirm that no dues are outstanding towards the mortgagor? (Copies of revenue records be submitted to the Bank While submitting the Certificate of Title Investigation.)

N.A.

Place: SAMBHAL  
Date: 17.1.2020

Signature of the Advocate

Narendra Kumar Gupta

Advocate

Legal adviser Punjab National Bank.



Advocate  
(Legal Adviser P.N.B., B.O.B., All. Bank  
Prathma Bank & Indian Railways)

Near Rani Wala Mandir  
Sambhal- 244302

## CERTIFICATE

REFERENCE NO.....

COUNSEL'S NAME & ADDRESS- Narendra Kumar Gupta Advocate

ENTRY SERIAL NO...../REGISTER NO.....OF YEAR 2020

To  
The Manager  
Punjab National Bank  
B. O. Kankhal Haridwar

Date- 17.1.2020

Opinion on investigation of title and obtaining of search report in respect of property situated at **Vill. Sirauli Teh. Sambhal belonging to Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. & Distt. Sambhal.** 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.

Sub Registrar (Registration) SAMBHAL.

I have answered all the queries in the special report which is enclosed.

Yes

I hereby certify that the registration particulars - Number, date & page particulars etc., as shown in the original title deed and contents thereof tally with the information.

N.A.

As stated in the records of Sub Registrar/Registrar of assurance as well as with certified copy of the title deed, which was obtained by me, is enclosed with the certificate.

N.A.

I further certify that the photograph of previous owner and the intending mortgagor affixed/seen in the title deed tally with records of registration office as well as certified copy of the title deed.

N.A.

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

As per Extracts of Khatauni (as mentioned in Annexure A in the name of **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. & Distt. Sambhal.** is owner/ co-owner. Hence the chain of endorsement and title is complete.

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

Tallied with Tehsil records.

I shall be liable/responsible, if any loss is caused to the 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 INDIAL BANK'S ASSOCIATION OR RESERVE BANK OF INDIA OR ANY OTHER SUCH BODY for circulation amongst Banks/ Financial institutions.



(Legal Adviser P.N.B., B.O.B., All. Bank  
Prathma Bank & Indian Railways)

9412475428

Near Rani Wala Mandir  
Sambhal- 244302

Date- 17.1.2020

To

The Manager

Punjab National Bank

B. O. Kankhal Haridwar

## SEARCH REPORT

Sub- Search report regarding the property of **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. & Distt. Sambhal.**

### 1. Search made at-

a. Sub Registrar office: Sambhal

b Registrar of Companies: \*

c. Courts: \*

d Other offices: \*

e. Any other document:

(i) Receipt of payment of Municipal Taxes etc. N.A.

f. Sub Registrar /Registrar of Assurance office **Sambhal.**

g. The encumbrance certificate was obtained from the Sub Registrar **Sambhal** for the period from .....\*.....TO ..... and the same disclosed following encumbrances (Certificate enclosed.)

(A) NIL

(If there is no system of issue of encumbrance certificate in the office of Sub Registrar, it be stated accordingly.)

2. Besides obtaining encumbrance certificate from the Sub Registrar, personal search was carried out by me for the purpose Inspection was made on **17.1.2020 vide receipt No. 2020266001413** for the period from **01.01.2017 to 16.1.2020** as per available records at the following Sub Registrar office:

a. Sub Registrar office Sambhal and The search report disclosed the following encumbrances :-

3. The ownership of the property being of a Company, Search was conducted in the following offices of the Registrar of Companies :-

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

ROC	INFORMATION
N.A.	N.A.

### 4. Inspection of Courts records disclosed:-

(This may detail suit pending, Decrees, Attachment before Judgment, Injunction, Appointment of receiver, Appointment of Liquidator)

Name of Court	Date of Order	Nature of order
N.A.	N.A.	N.A.

### 5. Searches made /Inspection carried out in the following offices disclosed: Appointment of receiver, Appointment of Liquidator)

Office	Date of search/inspection	Information
Sub Registrar, Sambhal	17.1.2020	N.A.

### 6. A study of following documents disclosed :

Details of documents perused	INFORMATION
Sale deed	N.A.

Defects noticed are indicated in the Certificate given by me.

NONE

NARENDRA KUMAR GUPTA  
ADVOCATE

The search report of which is annexed hereto, conducted by me, for the period from 01.01.2017 to 16.1.2020 as per available records and **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli**, the land is free from all encumbrances.

I have given opinion earlier on investigation of title relating to the same property as detailed hereunder:

An earlier investigation report furnished by **Sh. Vinay Kumar** dated 06.11.2017 is already with the Bank (A mortgage created by the donor prior to gift in favour of **Prathma Bank Manota Distt Sambhal** was found).

a. Name of lender-

b Date of opinion & reference no. (if any)

c. Remarks -Nil

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

None

I hereby certify that **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi** have a clear, valid Marketable title over the above said property and he/she is competent to create the mortgage.

The valid mortgage can be created by deposit of the following original deeds.

The said title deeds are original and genuine and are not duplicate or fake as observed by me-

(Give hereunder details of title deeds which are required to be deposited to create equitable Mortgage)

1. Documents are already with the Bank.

I have returned the documents shown to me to the Branch officials of your Bank.

Encl:

1. Special report
2. Chain of title
3. Search report

Narendra Kumar Gupta  
Advocate





No

2. I have examined following documents:

Gift deed executed by Property owner Mr. Bhagwan Singh S/o Sh. Dilip Singh Tyagi in favor of **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. Sambhal (above)** for no consideration on stamp worth Rs. 51,550/-, The gift deed is Registered in the office of Sub Registrar Sambhal on 27.4.2017 at Book No. 1 Vol. No. 8049 Page No. 201/216 Sl. No. 2510 on 27.4.2017.

3. The aforesaid land bears encumbrance/ charge as under.

I found the documents already deposited with your Bank and a legal report is in continuation of previous legal report dated 05.11.2017 of Mr. Vinay Kumar (A mortgage created by the donor prior to gift in favour of Prathma Bank Manota Distt Sambhal was found).

4. I have examined the title deeds, /Khasra Khatauni and other relevant documents of title deeds regarding land detailed as above and I certify that **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi** and has absolute title and can validly create charge/ mortgage in favour of the Bank without interference of any body else on the above land.

5. I have also inspected the Land records/ Revenue records pertaining to the aforesaid ~~property~~ personally at office of Sub Registrar Sambhal of Tehsil covering the entire period from the date of last legal opinion years and having found no encumbrance thereon and therefore, I hereby certify that the aforesaid property is free from all encumbrances of any other Bank except mentioned above.

6. I am of the opinion that the above borrower **Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi** has a valid, clear, absolute, marketable title on the said property. I certify that said property is not hit by any sort of restriction under any land laws or any other Centre /State Legislation. I further certify that the above title deeds are genuine and not forged and a valid and enforceable mortgage can be created over said property in favour of Bank and the said charge/ mortgage is enforceable.

7. I confirm that said property is not in dispute and no case on the said property is pending in the Court of Law and also that no proceedings for acquisition of the said property is pending before any Court/ Tribunal/ Authority.

8. I confirm having made a search in the Land/Revenue records. I do not find any thing adverse which would prevent the title holder's from creating a valid mortgage. I am liable, 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 the caution list being maintained by the Indian Bank's Association or Reserve Bank of India or any other such body. for circulation amongst Bank's /FI:

Encl



Date- 17-1-2020

To,

The Branch Manager  
Punjab National Bank  
B. O. Kankhal Haridwar

## CHAIN OF TITLE OF THE PROPERTY

Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi r/o Vill. Sirauli Teh. & Distt. Sambhal have got the title through gift deed. As regard chain of title the revenue records shows the name of Sh. Bhagwant Singh. Previously prior to Chakbandi this land was part of bif Khata having 12 plots area 10.96 Acre since before 1360 Fasl i.e. year 1953 situated in vill. Sirauli Teh. Sambhal. During consolidation saperate No. 150 area 1.992 Hac. was allotted to Sh. Bhagwant Singh as his exclusive share. Thus he became absolute and independant owner of this land. He Gifted 0.254 Hac. land to his grandsons Mr. Nishant Tyagi and Kunal Tyagi S/o Sh. Sunil Kumar Tyagi through registered gift deed which is under consideration. The party got the same land declared non agriculture u/s 80 C of U. P. Revenue Code 2006 on 02.10.2017. Previous owner was fully competent to gift and transfer the land under his title. Therefore the chain of title may safely be accepted as clear for more than 30 years. The property in question is in actual and physical possession and is transferable and marketable in all respect and he has every right to sale or mortgage his property in any manner as he likes. Present owners have become absolute owner from the date of gift deed & are very much competent to execute E. M. is valid and legally enforceable in the eye of law.

Narendra Kumar Gupta

Advocate

Legal adviser Punjab National Bank

