

भाग 2

प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला

उपनिबन्ध सदर प्रथम
गाजियाबाद

क्रम संख्या 2021136007792

लेख या प्रार्थना पत्र प्रस्तुत करने का दिनांक 09/03/2021

प्रस्तुतकर्ता या प्रार्थी का नाम संजय कुमार

लेख का प्रकार: मुआयना 2009 वर्ष से 2021 वर्ष तक

प्रतिफल की धनराशि

1. रजिस्ट्रीकरण शुल्क
2. प्रतिलिपिकरण शुल्क
3. निरीक्षण या तलाश शुल्क
4. मुहताब के अधिप्रमाणीकरण लिए शुल्क
5. कमीशन शुल्क
6. विविध
7. यात्रिक भत्ता

1 से 6 तक का योग 100

शुल्क वसूल करने का दिनांक 09/03/2021

दिनांक जब लेख प्रतिलिपि या तलाश 09/03/2021

प्रमाण पत्र वापस करने के लिए तैयार किया

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर

सब रजिस्ट्रार प्रथम
गाजियाबाद



09-03-21, 3:10

Dear Sir,

As per Your Instructions and pursuant to my Search Conducted in the office of Sub-Registrar, Ghaziabad as well as Physical Verification of the Property, I Submit my legal Scrutiny Report as Under:-

SPECIAL REPORT ON TITLE

ANNEXURE- IV

ASPECTS TO BE CONSIDERED	COUNSEL'S STATEMENT
A-PARTICULARS	
1) Name of the Borrower with Address	: M/s Capital Electech(P) Ltd.
2) Name of the Person offering Mortgage	:



SANJAY KUMAR

(Advocate) Panel of Punjab
E-mail. Sanjaykrsingh22@gmail.com

National Bank,

Reg No -D 305/2012 Delhi Bar Council Mobile - 9650961237

Associate member of Ghaziabad Bar Association

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Practiser at- Delhi High Court, Civil Court Delhi and NCR

Chamber No- Chamber No-307/ Ansal Sundram, R.D.C, Ghaziabad

Ref/san/leg/LCB/04/2021

Dated: 12/03/2021

To,

The Chief Manager,

Punjab National Bank,

H-1A/11, Sector-63, Noida-201301

Reg.: Title Opinion on the Property/Industrial Plot of Land Bearing No.E-38 Situated within the Industrial Area at Site-1, B.S Road, Ghaziabad. The Industrial Plot of Land having the Area 1181.41 Sq.Mts.

Dear Sir,

As per Your Instructions and pursuant to my Search Conducted in the office of Sub-Registrar, Ghaziabad as well as Physical Verification of the Property, I Submit my legal Scrutiny Report as Under:-

SPECIAL REPORT ON TITLE

ANNEXURE- IV

<u>ASPECTS TO BE CONSIDERED</u>	<u>COUNSEL'S STATEMENT</u>
A-PARTICULARS	
1) <u>Name of the Borrower with Address</u>	: M/s Capital Electech(P) Ltd.
2) <u>Name of the Person offering Mortgage</u>	:



3) <u>Details of Property to be Mortgaged as per title deed as per present position</u>	: The property is an Industrial Plot of Land having the Area 1181.41 Sq.mtrs. Situated at B.S Road, Industrial Area, Ghaziabad. The Property falls within the Jurisdiction of Sub-Registrar Ghaziabad As such the Search has been Carried out in the Office of Sub-Registrar Ghaziabad. On the East : 60' Wide Road On the West : Plot No.B-32 On the North : Plot No.E-39 On the South : Plot No.E-37
4) <u>As per Present</u>	The property is an Industrial Plot of Land having the Area 1181.41 Sq.mtrs. Situated at B.S Road, Industrial Area, Ghaziabad. The Property falls within the Jurisdiction of Sub-Registrar Ghaziabad As such the Search has been Carried out in the Office of Sub-Registrar Ghaziabad. On the East : 60' Wide Road On the West : Plot No.B-32 On the North : Plot No.E-39 On the South : Plot No.E-37
B. INVESTIGATION	
1) <u>Details of the title Deeds/Documents (including Link Deeds/Parent Deeds) to be obtained for creation of Equitable/Mortgage (with Full Particulars Regarding nature of Documents, Date of execution and detail of Registration)</u> <u>History of Title Based on Documents Mentioned in clause No.1</u>	Property acquired by the Govt through acquisition and handed over to the UPSIDC for development of land accordingly to the lay-out plan mention by the U.P Govt for industrial purpose land in question situated within Site-B.S.Road industrial area at Ghaziabad within distt -Ghaziabad Hence search has been carried out in the office of <u>Sub Registrar GHAZIABAD</u> M/s Saneer Electricals (P) Ltd. Was allotted an Industrial Plot of Land from UPSIDC. The Lease Deed in favour of M/s Sanner Electrical (P) Ltd. Was executed by UPSIDC Vide Lease Deed dated 07.02.2003. M/s Sanner Electrical(P)Ltd. Has sold the Said Industrial Plot of Land To M/s Capital electech (P) LTD. As per the procedure of UPSIDC Sale Deed with respect to Building will be executed and registered By M/s Saneer Electricals(P) Ltd. In favour of M/s Capital Electech(P) Ltd. The Lease Deed with respect to Industrial Plot of



		<p>Land will be executed and registered by UPSIDC.</p> <p>UPSIDC after Completing its Formalities has determined /Foreited the lease Deed dated 07.02.2003 and transferred the lease Hold Rights of the Said Industrial Plot of Land in Favour of M/s Capital Electech (P) Ltd. Vide Transfer letter Dated 03.12.2015.</p> <p>The Sale Deed with respect to building and super Structure Constructed over the Said Industrial Plot of Land executed by M/s Sanner Electricals(P) Ltd. In favour of M/s Capital Electech (P) Ltd. On 17.02.2016 and registered in the office of Sub-Registrar Ghaziabad vide entry in Bahi No.1 Zild No.13559 At Pages 255-314 At Serial No.1009 on 17.02.2016.</p> <p>M/s Capital Electech (P) Ltd. Had Alloted /Transferred the Industrial Plot of Land on Lease by UPSIDC for a Period of 90 Years commencing from 02.07.1979. The Lease Deed executed By UPSIDC in favour of M/s Capital Electech(P) Ltd on 14.03.2016 and registered in the Office of Sub-Registrar Ghaziabad vide entry in bahi No.1 ,Zild 13633 at Pages 1-144 at Serial No.1730 on 16.03.2016.</p>
2) <u>Whether Certified Copies Have Been obtained from the Registrar's Office?</u>	:	<p>Yes</p> <p>Certified Copies -17/02/2016 and 16/03/2016 enclosed</p>
3) <u>Whether the Documents in Hand are Compared with the Certified Copies and whether the Documents Given raise any Doubt or Suspicion?</u>		<p>Yes</p> <p>Original Title-Deed has no Doubt or Suspicion</p>
4) <u>Whether the Registration Number & Date and Page particulars as given in the tiel deed Shown to the Counsel Tally with the Particulars as Stated in the Records of the Registrar's Office?</u>	:	<p>Yes</p>
5) <u>Whether the Registration particulars number & date and</u>	:	<p>Yes</p>



<u>page particulars as stated in the certify copy as obtained from the Registrar's Office?</u>	
6) <u>Whether the Photographs of parties as affixed in conveyance deed/title Deed tally with Photograph seen in the certified copy as obtained from the Registrar's office?</u>	: Yes
7) <u>Whether Contents of the as 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?</u>	: Yes
8) <u>Whether the property has been mutated in the Name of The person offering the Mortgage?</u>	: Yes for 90 years the property in Question is Lease-Hold
9) <u>Whether Equitable Mortgaged can be created at the Place where the Branch disbursing the Loan is Situated?</u>	Yes.
10) <u>Whether there is any bar under any local Law for creation of Mortgage of the Property to be Mortgaged?(In some states, there are legal restrictions or creation of the Mortgage of Agriculture property for Non-Agricultural Purposes)</u>	: No
11) <u>Whether there are any restrictions regarding sale of the property to be Mortgaged?(In Some states, there are restrictions for sale of the Property to residents outside the State).</u>	: N.A.
12) <u>Whether all the approvals, clearance/Sanctions required for creation of the Mortgage obtained, What are such sanctions, approvals and clearances yet to be obtained.</u>	: Yes From UPSIDC for Any CHANGE
13) <u>Whether the property is ancestral/or Under joint Ownership or the Minor is having interest in the property? If so, Its</u>	: N.A.



effect thereof/	
14) Whether the Property to be mortgage has been acquired under Land acquisition Act 1894?	: N.A.
15) Whether Urban Land ceiling Act 1976 is applicable in the State where the property is Located	N.A.
16) In caase of Lease Hold Property, Whether Permission/NOC from the lessor is required for creation of Mortgage? Whether permission of the Lessor/NOC is obtained?	YES 90 years the property in Question is Lease-Hold <u>Permission</u> From UPSIDC
17) What is the Rate of Sharing of unearned income with Lessor, In the event of Sale of the Property?	: N.A.
18) Whether copy of Title Deed favouring Lessor (Other than Govt.) Is made available to examine the Validity of the Lease?	Yes
19) Whether terms & conditions given in the lease Deed have been complied with? IF any condition is violated, Effect thereof.	yes
20) Whether any permission of Income tax Authorities/Assessing Officer is required under the provision of Income Tax Act for Creation of Mortgage or any Certificate is to be Submitted to the Bank to Show that no Dues, are Pending are Outstanding To the Income Tax Department?	N.A.
21) In Respect of Agriculture land, Whether land is declared Surplus or Under Consolidation of Holdings?	N.A.
22) Whether certified copy of Revenue Records has been obtained and examine to confirm That no dues are outstanding toward the Mortgagor?	N.A.
23) Whether The Provisions of the Securitization and Reconstruction of Financial Assets and Enforcement of securities Act. 2002 and Amendments thereto (SARFAESI) is Applicable?	Yes



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E-mail. Sanjaykrsingh22@gmail.com

Ref/san/leg/LCB/04/2021

Dated: 12/03/2021

The Chief Manager,

Punjab National Bank,

H-1A/11, Sector-63, Noida-201301

CERTIFICATE

ANNEXURE - V

Dear Sir,

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, etc as Shown in the Original Sale Deed Dt.17/02/2016 and 16/03/2016 thereof tally with the certified copy of the Said title-Deed, which has been obtained by me from the office of Sub-Registrar-I Ghaziabad. On the Basis of the Certified Copy obtained the said Original Sale-Deed is genuine.

That the property in question is covered under SARFAESI ACT, 2002.

That the Property in question is already mortgaged in the PNB, MCC, RDC, Rajnagar, Ghaziabad. I have Seen the said Original Title-Deed Dt.17/02/2016 and 16/03/2016 of the Property in Question in the Branch.

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 of



Reserve Bank of India or Any Other Such Body for Circulation Amongst Banks/Financial Institutions.

I further certify that the Photograph of Present Owner affixed/seen in the above Title Deed tally with the certified copy of the Said Title-Deed.

Chain of the title relating to the Property is complete as given in the Annexure Hereto.

The search report of which is annexed here to Conducted by me, for the period from 2009 to 2021 does not disclose any registered encumbrances as stated therein.

I have not given opinion earlier on investigation as title Relating to the same property as per my record available.

I find no defects in the title of the person offering mortgage.

SEARCH AND INVESTIGATION

I visited the Office of Sub-Registrar-I Ghaziabad for search and verification of title-deed described above

Inspection fee of Rs 100/- (receipt No 2021136007792 Dt.09/03/2021) was deposited by me and Made Search of the Available Record from 2009 to 2021. Original Receipt is enclosed herewith the Record.

I have Verified, tallied and compared these documents from the record of the Office of Sub-Registrar-I Ghaziabad

Original The Sale Deed with respect to building and super Structure Constructed over the Said Industrial Plot of Land executed by M/s Sanner Electricals(P) Ltd. In favour of M/s Capital Electech (P) Ltd. On 17.02.2016 and registered in the office of Sub-Registrar Ghaziabad vide entry in Bahi No.1 Zild No.13559 At Pages 255-314 At Serial No.1009 on 17.02.2016.and Certified Copy enclosed.

Original Alloted /Transferred in favour of M/s Capital Electech (P) ltd. the Industrial Plot of Land on Lease by UPSIDC for a Period of 90 Years commencing from 02.07.1979. The Lease Deed executed By UPSIDC in favour of M/s Capital Electech(P) ltd on 14.03.2016 and registered in the Office of Sub-Registrar Ghaziabad vide entry in bahi No.1 ,Zild 13633 at Pages 1-144 at Serial No.1730 on 16.03.2016.

I hereby certified That above M/s Capital Electech (P) ltd has a clear, Valid and marketable title over the above said property, that the Said owner can create/extend the Mortgage of the Property in question in favor of the Bank.



The Valid Mortgage has already been created by deposit of the Following Documents/Original/Certified Copy of the Deed/Documents.

1. Original Transfer letter in favour of M/s Capital Electech(P)Ltd.
2. Original Possession Memo in favour of M/s Capital Electech(P) Ltd.
3. Original Sale Deed executed by M/s Saneer Electricals(P) Ltd. In favour of M/s Capital Electech(P) Ltd. On 17.02.2016 and registered in the office of Sub-Registrar Ghaziabad vide entry in Bahi No.1 ,Zild No..13559 at Pages 255-314 at Serial No.1009 on pages 17.02.2016
4. Original Lease Deed executed by UPSIDC in favour of M/s Capital Electech(P) Ltd. On 14.03.2016 and registered in the Office of Sub-Registrar Ghaziabad vide entry in Bahi No.1 Zild 13633 at Pages 1-144 at Serial No.1730 on 16.03.2016.
5. Boards Resolution of M/s Capital Electech(P)Ltd.
6. Permission to Mortgage from UPSIDC.
7. Affidavit along with Photograph.
8. Stamp Duty At the Rate applicable to the loan Amount subject to a maximum will be payable at the time of creation of Equitable Mortgage in accordance with Stamp Act as applicable to U.P.

The search Conducted by me for the Period from 2009 to 2021 does not disclose any registered encumbrances.

I find no defect in the Title of the Present Owner.

Encl: 1. Original Fee Deposit Receipt, 2021136007792 Dt.09/03/2021

2 Certified Copy of Sale-Deed Cum Sub-Lease Deed Dt.17/02/2016 and 16/03/2016

Encl: 1. Special Report 2. Chain of Title 3. Certified Copy of Title Deed. 4. Search Repo 5 Original verification Receipt (receipt No2021136007792 Dt.09/03/2021)

PLACE-GHAZIABAD

DATE- 12/03/2021

*NEC is as per form
provided by bank. There
is no infirmity observed
in NEC
Shweta
17/3/21*



SANJAY KUMAR

(Advocate) Panel of Punjab National Bank,
Reg No -D 305/2012 Delhi Bar Council Mobile - 9650961237
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E-mail. Sanjaykrsingh22@gmail.com

Ref/san/leg/LCB/04/2021

Dated: 12/03/2021

To,

The Chief Manager,

Punjab National Bank,

H-1A/11, Sector-63, Noida-201301

Search Report

(Account- M/s Capital Electech (P)Ltd)

Annexure V-B

Search Report Related to Search Made In:

a) Sub-Registrar Office	: Sub Registrar -I Ghaziabad
b) Registrar of Companies	: N.A.
c) Courts	: N.A.
d) Other Offices	: N.A.
e) Any Other Documents	: Not Required.
f) Sub-Registrar/Registrar of Assurance Office	: N.A.
g) Office of the Co-Operative Society	: N.A.
h) Development Authority	
(DDA/HUDA/And the like)	: N.A.

The Personal Search of the available record was also made in the office of Sub Registrar -I Ghaziabad from 2009 to 2021 . No Registered encumbrance was found.

1. Besides Obtaining encumbrance certificate from the Office of Sub Registrar -I Ghaziabad



2. The Search Report disclosed the Following encumbrances:-Report enclosed in certifiacat
3. The Ownership Of the Property being of a Company, Search was Conducted in the Following offices of the registrar of Companies : N.A.

ROC	INFORMATION
N.A.	

4. Inspection of Court Records Disclosed:- I am not authorized to inspect the Record of the Courts.

(This may Detail suit pending. Decrees, Attachment before Judgment, Injunction, Appointment of the Receiver, Appointment of Liquidator)

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

- 5 Search made/inspection carried out in the following office disclosed :

Office	Date of search/ Inspection	Information
Sub Registrar -I Ghaziabad	09/03/2021	No encumbrance found

A study of the following document disclosed: search report enclosed

Detail of Document Perused	Information
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Disclosed Above
Ghaziabad

Record In the office of Sub Registrar -I

PLACE-GHAZIABAD

DATE- 12/03/2021



SANJAY KUMAR
(ADVOCATE)