

20.09.2015

CERTIFICATE

To,

The Chief Manager
Punjab National Bank,
Mussoorie,
Dehradun

Opinion on investigation of title and obtaining of search report in respect of property forming part of Khasra no. 14 Kha situated at Mauza Bhitari, Pargana Pachwa Doon, District Dehradun belonging to Smt. Mila Devi wife of Shri Kishore Singh resident of Bansagarh, Bhitari, P. O. Hathipawn, Mussoorie, District Dehradun

Dear Sir,

As requested, I have conducted the legal investigation of the title and made a search of records in the office of the Sub Registrar, Dehradun 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 ~~copy of~~ 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 with certified copy of the title deeds, which was obtained by me is enclosed with this certificate.

I further certify that the photograph of previous owner and of intending mortgagor affixed / seen in the title deed tally with records of registration 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 the office of the Sub-Registrar/Registrar of assurances and also from the records of other appropriate authorities:

1. Sub-Registrar, Dehradun.

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.

The search report of which is annexed hereto, conducted by me, for the period from 01.01.2002 till date does not disclose any encumbrances/disclose encumbrances as stated therein.

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

- (a) Name of lender N.A.
- (b) Date of opinion & reference no.(if any) N. A.
- (c) Remarks N. A.

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

Nil

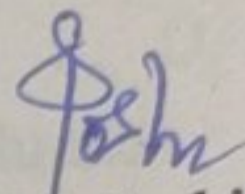
I hereby certify that Smt. Mila Devi wife of Shri Kishore Singh resident of Bansagarh, Bhitari, P. O. Hathipawn, Mussoorie, District Dehradun has a clear, valid and marketable title over the above said property and he/she is competent to create the mortgage. The valid mortgage can be created by deposit of the following original title deed.

The said title deeds are Original (~~The original title deeds have not been verified by me~~) 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)

i) Original gift deed dated 12.08.2015 executed by Shri Kishore Singh son of late Shri Ram Singh resident of Bansagarh, Bhitarli, P. O. Hathipawn, Mussoorie, District Dehradun in favour of Smt. Mila Devi wife of Shri Kishore Singh resident of Bansagarh, Bhitarli, P. O. Hathipawn, Mussoorie, District Dehradun and duly registered in the office of the Sub-Registrar, Dehradun in book no. 1 volume 6518 on pages 317 to 350 at serial no. 4950 dated 12.08.2015.

ii) Khatuani wherein the said khasra plot was recorded in the name of Shri Kishori Singh and others since the fasli year 1360 i.e. 1953

iii) No objection from the other co-owners.


S. M. Joshi
Advocate

Encl :

1. Special Report
2. Chain of Title
3. Certified Copy of Title Deed and link deeds.
4. Search Report

SPECIAL REPORT ON TITLE

Reg: All that property forming part of Khasra no. 14 Kha situated at Mauza Bhitari,
Pargana Pachwa Doon, District Dehradun

ASPECTS TO BE CONSIDERED

COUNSEL'S STATEMENT

A PARTICULARS

1. Name of the borrower with address:

Smt. Mila Devi wife of Shri Kishore Singh
resident of Bansagarh, Bhitari, P. O.
Hathipawn, Mussoorie, District Dehradun

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

Smt. Mila Devi wife of Shri Kishore Singh
resident of Bansagarh, Bhitari, P. O.
Hathipawn, Mussoorie, District Dehradun

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

All that property forming part of Khasra
no. 14 Kha situated at Mauza Bhitari,
Pargana Pachwa Doon, District Dehradun
measuring 300 Sq. Mts. out of which
covered area is 112.46 Sq. Mts. and 25.36
Sq. Mts. bounded and butted as under :-

North : 15 ft. wide road

South : Property of others

East : Property of Shri Tara Chand

West : Property of Shri Kishori Singh and
others

B. INVESTIGATION

1. Details 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 and details of registration)

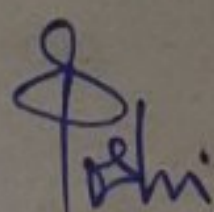
Gift deed dated 12.08.2015 executed by
Shri Kishore Singh son of late Shri Ram
Singh resident of Bansagarh, Bhitari, P. O.
Hathipawn, Mussoorie, District Dehradun
in favour of Smt. Mila Devi wife of Shri
Kishore Singh resident of Bansagarh,
Bhitari, P. O. Hathipawn, Mussoorie,
District Dehradun and duly registered in
the office of the Sub-Registrar, Dehradun
in book no. 1 volume 6518 on pages 317 to
350 at serial no. 4950 dated 12.08.2015.

2. Whether documents given to the
counsel are original one or mere
copies of documents.

Original title deed has been perused and
certified copy of the title deed has been
obtained.

3. Whether documents given as original
title deeds raise any doubt or
suspicion?

No.



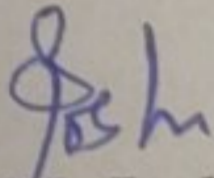
4. Whether the registration particulars Yes.
number and date and page particulars
as given in the title deed shown to the
counsel tally with the particulars as
stated in records of the registrar's
office?
5. Whether the registration particulars Yes.
number & date and page particulars as
given in the title deed tally with the
particulars as stated in the certified
copy as obtained from the registrar's
office?
6. Whether the photographs of parties as Yes.
affixed in conveyance deed/ Title deed
tally with the photograph seen in the
certified copy as obtained from the
registrar's office?
7. Whether the contents as given in the Yes.
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?.
8. Whether the property has been mutated No.
in the name of the person offering the
mortgage?
9. Whether equitable mortgage can be Yes
created at the place where the branch
disbursing the loan is situated.
10. Whether there is any bar under any No, there is no legal restriction on creation
local law for creation of the mortgage of the equitable mortgage.
of the property to be mortgage? (In
come States, there are legal restrictions
on creation of the mortgage of
agricultural property for non
agricultural purpose).

11. Where there are restrictions regarding sale of the property to be mortgaged? (In some States, there are restriction for sale of property residents outside the State). No
12. Whether all the approvals, clearance/ sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanction; approvals and clearances yet to be obtained. No approvals/ clearance/ sanction is required from any department for creation of security mortgage/ equitable mortgage of the property by way of deposit original title deed.
13. Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property ? If so, its effect thereof. N. A.
14. Whether the property to be mortgaged has been acquired under Land Acquisition Act, 1894? N. A.
15. Whether Urban Land Ceiling Act is applicable in the State where the property is located? N. A.
16. 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? No permission is required. N. A.
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? N. A.
19. Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof. N. A.
- John

20. Whether any permission of Income Tax N. A.
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?
21. In respect of agriculture land, whether N. A.
land is declared surplus or under
consolidation of holdings?
22. Whether certified copies of Revenue N. A.
Records has been obtained and
examined to confirm that no dues are
outstanding toward the mortgagor?
(Copies of revenue record be submitted
to the Bank while submitting the
Certificate of Title Investigation.)

Date : 20.09.2015

Place : Dehradun


S. M. Joshi
Advocate

20.09.2015

CERTIFICATE OF NON ENCUMBRANCE

To,
The Chief Manager
Punjab National Bank,
Mussoorie.
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 01.01.2002 till date of inspection, no recorded encumbrances has been found in respect of the property mentioned here-in-below.

DESCRIPTION OF THE PROPERTY

All that property forming part of Khasra no. 14 Kha situated at Mauza Bhitari, Pargana Pachwa Doon, District Dehradun measuring 300 Sq. Mts. out of which covered area is 112.46 Sq. Mts. and 25.36 Sq. Mts. bounded and butted as under :-

North : 15 ft. wide road

South : Property of others

East : Property of Shri Tara Chand

West : Property of Shri Kishori Singh and others

Name and Address of the Present Owner:

Smt. Mila Devi wife of Shri Kishore Singh resident of Bansagarh, Bhitari, P. O. Hathipawn, Mussoorie, District Dehradun

Title Verification:

All that property forming part of Khasra no. 14 Kha situated at Mauza Bhitari, Pargana Pachwa Doon, District Dehradun measuring 300 Sq. Mts. out of which covered area is 112.46 Sq. Mts. and 25.36 Sq. Mts. was gifted by Shri Kishore Singh son of late Shri Ram Singh resident of Bansagarh, Bhitari, P. O. Hathipawn, Mussoorie, District Dehradun in favour of Smt. Mila Devi wife of Shri Kishore Singh resident of Bansagarh, Bhitari, P. O. Hathipawn, Mussoorie, District Dehradun vide gift deed dated 12.08.2015 and duly registered in the office of the Sub-Registrar, Dehradun in book no. 1 volume 6518 on pages 317 to 350 at serial no. 4950 dated 12.08.2015.

The said khasra plot was recorded in the name of Shri Shiv Singh, Shri Sunder Singh, Shri Roop Singh, Shri Ramesh Singh, Shri Kesar Singh, Shri Nag Chand, Shri Tara Chand, Shri Kunwar Singh, Shri Kishore Singh sons of Shri Jagtu, Shri Uttam Singh son of Shri Bahadur Singh, Shri Gulab Singh, Shri Kishore Singh son of Shri Ram Singh, Smt. Shanti Devi wife of Shri Ram Singh, Shri Sanjay, Shri Kamlesh sons of Shri Chandan, Smt. Jaggi

Devi wife of Shri Chandan Singh, Shri Pravesh son of Shri Sant Ram, Shri Rakesh, Shri Vikram sons of Shri Durga, Smt. Pingla Devi wife of Shri Durga since the fasli year 1360 i.e. 1953.

It has been stated in the gift deed that there has been a mutual family settlement between the co-owners and the above mentioned khasra plot has fallen to the share of Shri Kishore Singh. The co-owners have given a no objection to the said effect.

Smt. Mila Devi has moved an application for mutation for mutating her name in the revenue records and the same is pending disposal.

Regarding Encumbrance:-

I have inspected the available records in the office of the Sub Registrar, Dehradun have found that the said property is free from all charges, liens and encumbrances. The records maintained by the Sub-Registrar are in poor condition.

I hereby confirm and certify that:-

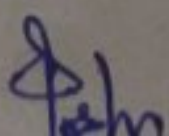
- 1- I have inspected the relevant available records in the office of Sub Registrar, Dehradun with regards to the immovable property proposed to be equitably mortgaged/creates security for mortgage with the bank and I verify the title.
- 2- I have inspected the available records and on the basis of such inspection I am of the opinion that the borrower has a clear marketable title over the said immovable property.
- 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 | : | |
| | ii) Mussoorie Dehradun Development Authority | : | |
| e) | Any others Documents | : | |
| | i) Receipt for payment of Municipal Taxes etc. | : | |

Sub Registrar/ Registrar of Assurance Office

The encumbrance certificate was obtained from the Sub-Registrar/ Registrar, Dehradun for the period from 01.01.2002 till date of inspection and the same disclosed following encumbrances:-



-3-

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 01.01.2002 till date of inspection at the following Sub-Registrar/ offices:-

i) Dehradun.

The search report disclosed the following encumbrances:-

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 :-

It is not possible to verify the pendency of the litigation.

Searches made / Inspections carried out in the following offices disclosed

Office Date of search : 16.09.2015

Inspection : For the period from 01.01.2002 till date

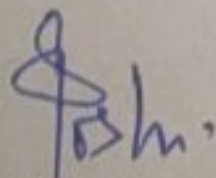
Information : No recorded encumbrances found.

A study of the following documents disclosed :

Details of documents perused information

On the perusal of the above mentioned documents and inspection of the available records in the office of the Sub Registrar, Dehradun, I am of the opinion that the borrower has a clear marketable title over the said property and she is entitled to create an equitable mortgage in favour of the bank by deposit of original title deed subject to the conditions mentioned above.

Encls: As above.


(S.M. Joshi)
Advocate