

LETTER ENGAGEMENT TO ADVOCATE

Annexure-I

Geeta Babbar
K-141, Tehsil Building
New Court Delhi 110054

Date: 23.08.2022

No. ADV/2022-23/2

Madam,


You are requested to make an investigation of title to the properties more fully described in the Schedule A-1 below, to enable us to obtain a valid and enforceable mortgage of the said property(ies).

1. Please know that the responsibility of making search of the records required for the purpose at various Govt/ registering authority/ revenue offices/ Company register etc. is entirely on you and you shall be liable for any loss caused to the bank due to negligent search on your part or on the part of the agent/ authorised representative engaged by you for this purpose.
2. Please note that you have to make an actual and personal inspection of relevant books and indexes maintained/ kept in office(s) of sub-registrar, office of registrar and other relevant offices wherever applicable. The search should cover all the subregistrar/ registrar offices wherein the title documents are registered as well as such offices where such registration is legally possible.
3. Please also note to obtain certificates of encumbrance (EC) from the relevant offices (wherever such facility is available) to ensure that there are no subsisting charges/ encumbrance on the property offered as security.
4. Please do not hesitate to demand any document/ record/ material required by you for the purpose of making proper investigation into the title to the property of the mortgagor.
5. In respect of all cases where the loan amount is less than Rs 1.00 crore. You have to make search of the title of the property for not less than 13 years if it establishes clear and marketable title. However if the flow of title is not clear or in the event of any ambiguity about the title after search of 13 years. You may make search for not less than 30 years. In respect of all cases where the loan amount is Rs. 1.00 Crore and above, you have to make search of the title of the property for not less than 30 years irrespective of the fact that clear and marketable title is established by a shorter search of 13 years. In case of Builder tie Ups (In case of home loans). For approval of the project search of the title for not less than 30 years is mandatory.
6. Please note that you are required to verify the original title deeds only, particularly title deeds which are the subject matter of the mortgage. If the original title deeds/ documents are not available and certified extracts are produced. Kindly examine whether that should be sufficient for creation of a valid and enforceable mortgage and state what precautions are to be taken for the purpose.
7. You are also required to obtain the certified copies of all the relevant title documents directly from the office of the concerned sub-registrar/ registrar office and compare the same with the documents submitted by the customer. Please also attach all such certified copies along with your report along with the receipt for fees paid for obtaining certified copies.
8. In case of agricultural lands offered as security, please specify as to whether there are any restrictions under the local laws for creation and enforceability of the mortgage of agricultural lands.
9. In case of Lending by consortium members/ multiple lenders and / or extension of mortgages. Priority of charges existing in favour of other charge holders. Intervening charges created if any

will have to be verified in detail and please advise the bank as to the restrictions/ limitations/ impediments and remedial measures if any.

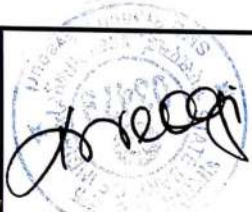
10. Please advise about all legal formalities/ procedures required under laws to be complied with or valid creation of mortgage in favour of the bank. If there are any legal impediments/ restrictions. Kindly advise as to whether such impediments can be cured and if so. What procedure is to be followed?
11. Please note that at no circumstances, you should submit a title investigation report (TIR) certifying clear and marketable title of the property with conditions or stipulations to be complied.
12. Please sign the duplicate of this letter acknowledging the receipt of the documents detailed in the Schedule A-1 and acceptance of the aforesaid stipulations under which you will be providing the required search report and certificate. The format of the TIR and certificate on title to be given as per Bank's standard format. i.e. Annexure-B and Annexure-C
13. The TIR along with all the original documents and certified copies of documents are to be submitted directly to the branch concerned and in no circumstances the same to be handed over to the borrower/ guarantor or his/their agent/ representative.
14. Please acknowledge receipt

Yours faithfully,

Signature	
Name	Kasturi Neogi
Designation	Deputy Manager
Branch/Unit	SME Mayapuri Branch
Contact details	7678638712

Details of the property offered as the security

1	(a) Name & Constitution of the Borrower	Marble City India Pvt. Ltd.
	(b) Whether the loan proposal is for Rs. 1.00 crore and above? (search for not less than 30 years is mandatory in such)	Yes
2	Name and constitution of the intended mortgagor	Mr. Amit Dalmia S/o Raja Ram Dalmia (Individual)
3	Relationship between intended mortgagor and borrower	Guarantor
4	Property details	S-03, 2 nd Floor, part of property bearing No. A-30, Kailash Colony, New Delhi

Signature	
Name	Kasturi Neogi
Designation	Deputy Manager
Branch/Unit	SME Mayapuri Branch
Contact details	7678638712