

CERTIFICATE

Annexure -V

Reference No. 02/ 2022 S. M. Joshi, Advocate
Entry Serial no. 02/ Register No. 1 of year 2022

08.01.2022

To,
The Circle Head
Circle Office
Punjab National Bank,
Dehradun

Opinion on Investigation of title and obtaining of search report in respect of all that apartment no. B-103, Hill View Apartment situated on the first floor, having a total area of 1350 Sq. ft. or 125.415 Sq. Mts. situated at Mauza Chak Danda Lakhond, Pargana Parwa Doon, District Dehradun (including area under common utilities and living area/covered area inclusive walls, cupboards, niche, window, projections and balconies) belonging to Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, 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 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 deed, which was obtained by me is enclosed with this certificate. *(No. Since the original title deeds are deposited with Punjab National Bank, Dehradun the same could not be compared with the original title deed)*

I further certify that the photographs 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 23.12.2014 till date of search receipt does not disclose any encumbrances/disclose encumbrances as stated therein.

I have not 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 no defects in the title of the person offering mortgage:-
N. A.

I hereby certify that **Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun** have a clear, valid and marketable title over the above said property and they are competent to create an equitable mortgage. The valid mortgage can be created by deposit of the **following** original title deed. The said title deeds are copies and the original have not been verified by me. (Give hereunder details of title deeds which are required to be deposited to create equitable mortgage)

i) Original sale deed dated 06.01.2015 executed by Dr. Rakesh Mehendiratta son of Shri Arjan Lal and Smt. Seema Mehendiratta wife of Dr. Rakesh Mehendiratta residents of 32, Manali House, Ambala City, Haryana in favour of Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun and duly registered in the office of the Sub-Registrar, Dehradun in book no. 1 volume 6192 on pages 287 to 322 at serial no. 32 dated 07.01.2015.

ii) Document as mentioned in previous report dated 23.12.2014.

Encl :

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


S. M. Joshi
Advocate

SPECIAL REPORT ON TITLE

Annexure - IV

Reg: All that apartment no. B-103, Hill View Apartment situated on the first floor, having a total area of 1350 Sq. ft. or 125.415 Sq. Mts. situated at Mauza Chak Danda Lakhond, Pargana Parwa Doon, District Dehradun (including area under common utilities and living area/covered area inclusive walls, cupboards, niche, window, projections and balconies)

ASPECTS TO BE CONSIDERED

COUNSEL'S STATEMENT

A PARTICULARS

1. Name of the borrower with address:
2. Name of the person offering Mortgage with parentage/ constitution & address.
3. Details of the property to be mortgaged: As per title deed.....
As per present

Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun

Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun

All that apartment no. B-103, Hill View Apartment situated on the first floor, having a total area of 1350 Sq. ft. or 125.415 Sq. Mts. situated at Mauza Chak Danda Lakhond, Pargana Parwa Doon, District Dehradun (including area under common utilities and living area/covered area inclusive walls, cupboards, niche, window, projections and balconies) bounded and butted as under :-
East : Open Area
West : Stairs and thereafter apartment no. B-101
North : Apartment no. B-104
South : Open space

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)
- Original sale deed dated 06.01.2015 executed by Dr. Rakesh Mehendiratta son of Srhi Arjan Lal and Smt. Seema Mehendiratta wife of Dr. Rakesh Mehendiratta residents of 32, Manali House, Ambala City, Haryana in favour of Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun and duly



registered in the office of the Sub-Registrar, Dehradun in book no. 1 volume 6192 on pages 287 to 322 at serial no. 32 dated 07.01.2015.

2. Whether certified copies have been obtained from the Registrar's office. Original title deeds has not been perused.
3. Whether the documents in hand are compared with the certified copies and whether the documents given raise any doubt or suspicion? *The original title deeds are deposited with Punjab National Bank, Dehradun and hence, the same could not be compared with the original title deed*
4. Whether the registration particulars 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? Yes.
5. 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 as obtained from the registrar's office? *The original title deeds are deposited with Punjab National Bank, Dehradun and hence, the same could not be compared with the original title deed*
6. Whether the photographs of parties as affixed in conveyance deed/ Title deed tally with the photograph seen in the certified copy as obtained from the registrar's office? *The original title deeds are deposited with Punjab National Bank, Dehradun and hence, the same could not be compared with the original title deed*
7. Whether the contents 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?. *The original title deeds are deposited with Punjab National Bank, Dehradun and hence, the same could not be compared with the original title deed*
8. Whether the property has been mutated in the name of the person offering the mortgage? Not applicable
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 the mortgage of the property to be mortgage? (In some States, there are legal restrictions on creation of the mortgage of agricultural property for non agricultural purposes). No, there is no legal restriction on creation of the equitable mortgage.

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

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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.)
23. **Whether the mortgaged property is** Yes.
enforceable under SARFAESI Act
2002.

Date : 08.01.2022

Place : Dehradun


S. M. Joshi
Advocate

08.01.2022

CERTIFICATE

To,
The Circle Head
Circle Office
Punjab National Bank,
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 21.03.2012 till date, no recorded encumbrances has been found in respect of the property mentioned here-in-below.

DESCRIPTION OF THE PROPERTY

All that apartment no. B-103, Hill View Apartment situated on the first floor, having a total area of 1350 Sq. ft. or 125.415 Sq. Mts. situated at Mauza Chak Danda Lakhond, Pargana Parwa Doon, District Dehradun (including area under common utilities and living area/covered area inclusive walls, cupboards, niche, window, projections and balconies) bounded and butted as under :-

East : Open Area
West : Stairs and thereafter apartment no. B-101
North : Apartment no. B-104
South : Open space

Name and Address of the Present Owner:

Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun

Title Verification:

All that apartment no. B-103, Hill View Apartment situated on the first floor, having a total area of 1350 Sq. ft. or 125.415 Sq. Mts. situated at Mauza Chak Danda Lakhond, Pargana Parwa Doon, District Dehradun (including area under common utilities and living area/covered area inclusive walls, cupboards, niche, window, projections and balconies) was purchased by Shri Kamal Nagpal son of Shri Balkishan Nagpal and Smt. Rekha Nagpal wife of Shri Kamal Nagpal residents of Sumitra Apartment, Near Green Field School, Mohini Road, Dehradun from Dr. Rakesh Mehendiratta son of Shri Arjan Lal and Smt. Seema Mehendiratta wife of Dr. Rakesh Mehendiratta residents of 32, Manali House, Ambala City, Haryana vide sale deed dated 06.01.2015 and duly registered in the office of the Sub-Registrar, Dehradun in book no. 1 volume 6192 on pages 287 to 322 at serial no. 32 dated 07.01.2015.

The chain of title is given in the earlier report of the panel Advocate.

The said property is at present equitably mortgaged with Punjab National Bank, Dehradun.

[Signature]

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. *However, the said property is at present equitably mortgaged with Punjab National Bank, Dehradun.*

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 23.12.2014 till date of inspection and the same disclosed following encumbrances:-

N.A.

There is no 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 23.12.2014 till date of inspection at the following Sub-Registrar/ offices:-

- i) Dehradun.

The search report disclosed the following encumbrances:-

NIL.

[Signature]

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 : 07.01.2022

Inspection : For the period from 23.12.2014 till date of search receipt.

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 borrowers have a clear marketable title over the said property and they are 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

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08.2022

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