

# The Juris

Advocates & Legal Consultants

Phone : 011-26964663  
011-41000935

Date 15/09/20

## **THE JURIS**

**Advocates & Legal Consultants**

**Property Number:-** First Floor, in/of the Freehold Built-up Property Bearing No.27, in Block 'A-9', Plot of Land Measuring 1216 Sq. Yds., situated at Vasant Vihar, New Delhi-110057.

**Name of the Present owner:-** Shri Sunny Gaur S/o Shri Jaiprakash Gaur, R/o A-9/27, Vasant Vihar, New Delhi-110057



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## **LEGAL OPINION CUM-SEARCH REPORT**

**Ref: First Floor, in/of the Freehold Built-up Property Bearing No.27, in Block 'A-9', Plot of Land Measuring 1216 Sq. Yds., situated at Vasant Vihar, New Delhi-110057.**

This is to certify that I have examined and searched the records pertaining to the aforesaid property in the office of Sub-Registrar-VII, Vikas Sadan, INA, New Delhi, on 25.11.2019; Sub-Registrar-VII-A, Sarojini Nagar, New Delhi, on 27.11.2019; & Sub-Registrar-IX, Kapashera, New Delhi, on 02.12.2019. The facts are that by virtue of Perpetual Sub-Lease Deed, the President of India, through Government Servants Co-Operative House Building Society Limited, Delhi Administration (Land & Building Department), granted unto Shri S.S. Jaggia S/o Late Dr. Tulsi Dass Jaggia, R/o S-92, Greater Kailash Part-II, New Delhi-110048, on Lease hold rights in perpetuity in respect of a Residential Plot of Land Bearing No.27, in Block No.A-9, Plot of Land Measuring 1216 Sq. Yds. or thereabouts, situated in the layout plan of Government Servants Co-Operative House Building Society Limited, in the Colony Known as Vasant Vihar, New Delhi-110057, in the revenue Estate of Village Mohammadpur, Munirka, Basant Nagar, in the Union Capital Territory of Delhi, within the limits of South Delhi Municipal Corporation (formerly Municipal Corporation of Delhi) (hereinafter referred to as "**THE SAID PLOT OF LAND**"), vide Perpetual Sub-Lease Deed, duly registered as Document No.4423, in Additional Book No.I, Volume No.2676, on pages 164 to 170, on 03.07.1971, in the office of the Sub-Registrar-III, Asaf Ali Road, New Delhi.

The said plot of land is bounded as under:-

East	Plot No.A-9
West	Service Lane
North	Plot No.A-9/28
South	Plot No.A-9/26



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That the said Shri. S.S. Jaggia, was member of Government Servants Co-Operative House Building Society Limited and the said Society was allotted land measuring 1928 Acre/Bighas 12 Biswas at Village Mohammadpur, Munirka, Basant Nagar, New Delhi, vide Lease Deed, dated 10.08.1966, duly registered as Document No.5991, in Additional Book No.I, Volume No.1589, at pages 1 to 19, on 19.08.1966, in the office of the Sub-Registrar, New Delhi.

That after acquiring the said plot of land, the said Shri S.S. Jaggia, at his own cost and out of their personal earnings constructed a Residential Single Storeyed Building on the said plot of land, after obtaining the necessary approvals and plan sanctioned from Delhi Development Authority /Authority Concerned and also obtained Completion Certificate thereof, from Delhi Development Authority, vide its File No.F.31(27)/75/1405, dated 29.08.1977 (The said Plot of Land alongwith Super-Structure standing thereon are hereinafter collectively referred to as 'THE SAID PROPERTY', which expression shall include all improvements, additions and alterations subsequently made therein or thereto as well as all fixtures and fittings contained therein and the benefit of all water, electricity, power and sewerage connections therein and deposits related thereto).

That the said Shri S.S. Jaggia, was permitted to sell the said property to Smt. Chandra Kala Gaur W/o Shri Jai Prakash Gaur, R/o Baljit Kutir, Bulandshar, Uttar Pradesh, by virtue of Letter No.F1(309)/78/CS/DDA, dated 07.01.1981, issued by Delhi Development Authority for and on behalf of the Lessor and Letter No.F1(309)/78/CS/DDA, 23.01.1981, issued by Deputy Director (Coop), Delhi Development Authority, as Competent Authority under the Urban Land (Ceiling and Regulations) Act, 1976.

That the said Shri S.S. Jaggia, sold, conveyed and transferred the above said property to Smt. Chandra Kala Gaur W/o Shri Jai Prakash Gaur, R/o Baljit Kutir, Bulandshar, Uttar Pradesh vide Sale Deed, dated 12.01.1981, duly registered as Document No.326, in Additional Book No.I, Volume No.4416, on pages 66 to 86, on 27.01.1981, in the office of the Sub-Registrar, New Delhi.



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That the said Smt. Chandra Kala Gaur, subsequently applied to the President of India for grant of freehold ownership rights in the said property and upon representation made to them, the President of India, through Delhi Development Authority, granted freehold ownership rights, in the said property and the land underneath the same, vide Conveyance Deed, dated 18.08.2000, duly registered as Document No.11646, in Additional Book No.I, Volume No.327, on pages 66 to 67, on 18.08.2000, in the office of the Sub-Registrar, New Delhi.

That the said Smt. Chandra Kala Gaur, was a member of Hindu Undivided Family known as "Jaiprakash Gaur HUF", governed by Mistakshara Hindu Law of which Shri Jaiprakash Gaur is the Karta of the Hindu Undivided Family (HUF).

That due to unavoidable circumstances, the above said HUF was dissolved, consequent upon the decision taken by the Karta and all members of Hindu Undivided Family (HUF). In this respect a Joint Declaration and Disclaimer was executed on 14.11.2012 amongst the members of the Hindu Undivided Family, known as "Jai Prakash Gaur (HUF)", as per the terms and conditions of the oral understanding /Family Agreement, dated 18.08.2007. The said Declaration and Disclaimer was duly registered with the office of the Sub-Registrar-IX, Kapashera, New Delhi, vide Registration No. 1810, in Additional Book No.IV, Volume No.1613, on pages 43 to 50, on 10.12.2012. Thus on the basis of the Joint Declaration and Disclaimer, dated 14.11.2012, the said Shri Sunny Gaur S/o Shri Jaiprakash Gaur, R/o A-9/27, Vasant Vihar, New Delhi-110057, became the absolute and exclusive owner of the First Floor, with 1/3<sup>rd</sup> undivided share in basement, staircase, entrance, lobby, powder room, lift, terrace including Gazibos (2 Nos.), Laundry room, Boiler, Transformer, AC Plant, Solar Heater, Filter Plant, Overhead Tank, Toilet and all other common areas of ingress and egress in the aforesaid building, alongwith 1/3<sup>rd</sup> undivided, indivisible and impartible ownership rights in the plot of Land Measuring 1216 Sq. Yds., in/of the Property Bearing No.A-9/27, known as "Chandra Sadan", situated at Vasant Vihar, New Delhi-110057 (hereinafter called the **"SAID PORTION OF THE SAID PROPERTY"**).

That the said Shri Sunny Gaur, got the First Floor, in/of the Property Bearing No.A-9/27, known as "Chandra Sadan", situated at Vasant Vihar, New Delhi-110057, mutated and transferred in his favour in the records of the South Delhi Municipal Corporation, Assessment & Collection Department, South Zone, R.K. Puram, Sector-IX, New Delhi, vide their Letter No.A&C/RKP / VV/2012/103, dated 23.04.2013.





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Thus the aforesaid Shri Sunny Gaur, became the absolute owner of the said portion of the said property.

## **SCOPE OF WORK:-**

The search in respect of the said property based on the documents and search conducted by me.

## **TITLE OF THE SAID PROPERTY :-**

That the said Property is located at Vasant Vihar, New Delhi, being used as residential purpose.

## **ENCUMBRANCES :-**

As per search conducted on the basis of documents made available to us the above said property is free from all sorts of encumbrances and Shri Sunny Gaur, is the absolute owner of the above said portion of the said property.

## **DISPUTE AND LITIGATION : -**

I have not examined whether there is any litigation or dispute in respect of the said portion of the said property as it is out of the scope of my work.

## **RECOMMENDATION :-**

My report with regards to search and examination of the records pertaining to the aforesaid property in the office of Sub-Registrar-VII, Vikas Sadan, INA, New Delhi; Sub-Registrar-VII-A, Sarojini Nagar, New Delhi; & Sub-Registrar-IX, Kapashera, New Delhi, is given below:-

1. I certify that the search and examination conducted by me have not disclosed any registered alienation transfer, encumbrances or charges in respect of the aforesaid portion of the said property.



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2. I certify that the owner/occupier has a clear and marketable title over the property in question.
3. I certify that the title of the owner/occupier to the property in question in complete in all respect.

Under the aforesaid circumstances, I am of the opinion that the aforesaid portion of the said property is fit for accepting by way of equitable mortgage in favour of bank/ private financial institution by way of a Deed of Mortgage or Sale /dispose off in favour of intending purchaser.

Encl: Inspection Receipt attached.

  
SAILENDRA KUMAR MOHALLIK  
(Advocate)  
304, 3rd Floor, Thapar House,  
Plot No. N-161, Yusuf Sarai  
Community Centre,  
New Delhi-110049

(Sailendra Kumar Mohallik)  
Advocate.

Indo-Asian  
Japan House  
No. 101, Yashwantrao  
Chavan Road,  
New Delhi 110049

**Cash Receipt****Receipt Book (B)****Original****Sub Registrar Office:** IX Kapashera New Delhi

Slip No: 114190  
Fee For: Inspection  
Applicant Name: SAILENDRA KUMAR MOHALLIK ADV, YUSUF SARAI  
And Address: COMMUNITY CENTRE NEW DELHI  
Application Date: 02/12/2019  
Year From: 2012  
Year TO: 2015  
Total Fee: 400

Cashier

**Sub Registrar Office**

IX Kapashera New Delhi

**Cash Receipt****Receipt Book (B)****Duplicate****Sub Registrar Office:** IX Kapashera New Delhi**Cash Receipt****Receipt Book (B)****Original****Sub Registrar Office:** VII A Sarojini Nagar

Slip No: 10184  
Fee For: Inspection  
Applicant Name: SAILENDRA KUMAR MOHALLIK ADV  
And Address: 304, N=-61 THAPAR HOUSE TUSUF SARAI COMMUNITY  
Application Date: 27/11/2019  
Year From: 2015  
Year TO: 2019  
Total Fee: 500

Cashier

**Sub Registrar Office**

VII A Sarojini Nagar

**Cash Receipt****Receipt Book (B)****Original****Sub Registrar Office:** VII INA New Delhi

Slip No: 145013  
Fee For: Inspection  
Applicant Name: SAILENDRA KUMAR MOHALLIK ADV  
And Address:  
Application Date: 25/11/2019  
Year From: 2000  
Year TO: 2000  
Total Fee: 100

Cashier

**Sub Registrar Office**

VII INA New Delhi

