

SULTAN KHAN

Advocate

Office:- Opposite Bar Association Hall
Court Compound, Dehradun.
& Near Registrar Office, Tehsil Vikas Nagar
Dehradun. Mob. No. 9758890909

Date- 18-01-2022

To,

The Chief Manager,
Bank of Baroda
CPC, Vasant Vihar,
Dehradun

Dear Sir/Madam,

REG: Title Opinion Report certifying non encumbrance of All that Commercial property B-06 Transport Nagar Phase-II, Saharanpur Road, Dehradun measuring Plot area 225 sq. mtr situated at Sewala Khurd, Pargana Centraldoon, Dehradun was belongs to Sh. Himanshu Kapoor S/o Sh. Madan Mohan Kapoor R/o 302, Doon Royal, Apartment Sewala Kalan, Shimla By Pass, Dehradun.

Refer to your letter no. dated 23-11-2021 requesting me to furnish non encumbrance and certify and submit the Title cum Opinion Report about the clear and marketable title to the above property to be mortgaged for securing the credit facility's granted/proposal to be granted to(borrower).

1. Description and Area of the property proposed to be mortgaged. Specific number(s) and address of property along with boundaries and measurements.	All that Commercial property B-06 Transport Nagar Phase-II, Saharanpur Road, Dehradun measuring Plot area 225 sq. mtr situated at Sewla Khurd, Pargana Centraldoon, Dehradun, which is bounded and butted as under:- East-Road, West-Godam Type-C-09 North- Godam Type-B-05 South- Godam Type-B-07 (As per Sale deed dt. 03-07-2017 doc no. 3309)
2. Nature of Property (Whether Agricultural Non-Agricultural Commercial, Residential or Industrial) If non-Agricultural, the reference & date of conversion order from the competent authority should also be mentioned	Commercial Property

3. Name of the Mortgager/Owner and status in the Account i.e borrower(s) or guarantor and whether individual, Sole Proprietor, Partner, Director, Karta or Trustee.	Sh. Himanshu Kapoor S/o Sh. Madan Mollan Kapoor R/o 302, Doon Royal, Apartment Sewla Kalan, Shimla By Pass, Dehradun - Mortgagor and Guarantor.
In case the Mortgager is partner/Director/Trustee who is mortgaging the property on behalf of Partnership/Company/Company/Trust, Whether he/she has the authority. Copy of the Resolution/Memorandum & Articles of Association/Trust Deeds etc whether examined and verified.	Sh. Himanshu Kapoor intent to mortgage his property to secure Financial Assistance Availing by his Proprietorship Firm H.V. Technologies Proprietorship Firm.
4. Whether any minor lunatic or un-discharged insolvent is contacting	No.
5. Whether the property is Freehold or Leasehold.	Yes, the property is Free Hold and
If Lease hold then period of lease and if Freehold Whether Urban Land ceiling Act applies and permission to be obtained.	Urban Land Ceiling Act is not applicable, hence no permission is to be acquired
6. Source of Property i.e Self acquired or Ancestral. If Ancestral then mode of succession and Whether Original Will/Probate is available.	Self acquired
7. Whether the Mortgager is Co- Owner/Joint owner and/or any partition of the Property is made between the members of the family through Partition Deeds. If yes, Whether Original Registered Partition Deeds is available or it is only a family settlement.	No.
8. Whether the Mortgager is in exclusive possession of the property.	Yes the mortgagor is in exclusive possession of the property
Or it is leased/rented out to third party.	
9. Whether the property is mutated in municipal/Revenue records and Mortgagor's name is reflecting and if not the reason thereof.	The property is within municipal limit Dehradun and sold by MDDA, Dehradun a Govt. body to Present owner and as per Present owner the Tax of entire locality is not assets till date and the proceedings for the tax assessment the areas recently came in limit of Nagar Nigam Dehradun is under consideration my advice to Bank that Bank should obtain declaration through affidavit from Present owner that when the processor of Nagar Nigam Tax Assessment in the area complete he will applied the mutation and supply the copy of mutation as earlier as possible.
10. Whether any restriction for creation of mortgage is imposed under Central/State Local Laws. If yes then specify whose consent or permission would be required for creation of mortgage.	No.
11. Whether all the Original Title deeds including antecedent Title deeds and other	Yes, the Original Sale deed dt. 03-07-2017

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2014 doc no. 2812 were deposited by present owners with **HDFC Bank, Dehradun.**

12. Whether the Advocate has personally visited the Sub Registrar/Revenue/Municipal office and examined the records.

Yes

13. Whether the Search is being made for the period of 30 years. If no reason thereof.

Yes, The search conducted for the period from 01.01.1990 to 11-01-2022 (more than 30 years).

14. Details of documents examined/scrutinized (Which are in chronological order with serial numbers, type/nature of document date of execution, parties, date of registration details including the details of revenue/society records etc.)

1. Certified copy of Sale deed dt. 02-04-2014 doc no. 2812 executed by MDDA through its property officer in favour of Sh. Ajay Goyal, which is duly registered in the office of Sub-Registrar Dehradun in Book no. 1, vol. 5742, pages 231 to 244 at Sr. No. 2812 on 03-04-2014.

2. Certified copy of Sale deed dt. 03-07-2017 doc no. 3309 executed by Sh. Ajay Goyal in favour of Present owner Sh. Himanshu Kapoor, which is duly registered in the office of Sub-Registrar Dehradun in Book no. 1, vol. 1728, pages 111 to 134 at Sr. No. 3309 on 03-07-2017.

3. Copy of Commercial Building Plan of Block-B from MDDA, Dehradun.

15. Tracing of chain of title in favour of the Mortgagor/owner starting from the earliest document available. The nature of document/Deed conveying the title should be mentioned with description of parties along with the type of right it creates.

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shape of land were acquired by **MUSSOORIE DEHRADUN DEVELOPMENT AUTHORITY** for Transport Nagar Youjna and after acquired the land **MUSSOORIE DEHRADUN DEVELOPMENT AUTHORITY** developed the land in to Commercial Plot/Building and the Godawn.

AND WHEREAS MUSSOORIE DEHRADUN DEVELOPMENT AUTHORITY through its property officer sold the property described in schedule Godawn Type no. B-6 to **Sh. Ajay Goyal S/o Sh. M.K. Goyal**, by virtue of sale deed 02-04-2014, which is duly registered in the office of Sub-Registrar Dehradun in Book no. 1, vol. 5742, pages 231 to 244 at Sr. No. 2812 on 03-04-2014.

AND WHEREAS Sh. Ajay Goyal sold the property described in schedule Godawn Type no. B-6 to Present owner **Sh. Himanshu Kapoor S/o Sh. Madan Mohan Kapoor**, by virtue of sale deed 03-07-2017, which is duly registered in the office of Sub-Registrar Dehradun in Book no. 1, vol. 1728, pages 111 to 134 at Sr. No. 3309 on 03-07-2017.

AND WHEREAS the MDDA Dehradun sanctioned the Commercial Building map on 09-02-2011 of entire Block-B for the property described in schedule with other properties and **Sh. Himanshu Kapoor** and constructed a Commercial Building.

And Whereas the Present owner **Sh. Himanshu Kapoor** had created equitable mortgage property described in schedule in favour of **HDFC Bank, Dehradun** to secure the credit facility availed by his sole Proprietorship Firm **H.V. Technologies** and he will entitle to create equitable mortgage in favour of **Bank of Baroda, Dehradun** after getting release the same from **HDFC Bank, Dehradun**.

AND WHEREAS the property described in schedule is Commercial property the provisions of **SARFEASI ACT** are applicable over the property.

Hence, the title of present owners **Sh. Himanshu Kapoor** after getting release the same from **HDFC Bank, Dehradun** will have got clear, marketable, title and free from all recorded, encumbrances, liens, charges etc. and the chain of documents is complete during the minimum required period of 30 years and the interest of Bank would be safe and protected..

mortgaged is examined by him and the same is/are clear and marketable. Whether the property is enforceable under the SARFAESI Act, yes or no, specify.

searched and verified the information furnished in this report and have compared the title deeds given to the me with the records/copy of it in the office of the Sub Registrar and has found both tallying with each other. I confirm having made search in the Land/Revenue records. I also confirm having verified and checked the records of the relevant Government Officers/ Sub-Registrar(s) office(s), Revenue Records. I do not find anything adverse which would prevent the Title holders from creating a valid mortgage after getting release the property and Original title deeds from **HDFC Bank, Dehradun**. The statements and other information given in the report are correct and true.

I certify that, there are no prior Mortgage/ Charges/ Encumbrances (Except **HDFC Bank, Dehradun**) whatsoever, as could be seen from the Encumbrance Certificate for the period from **01-01-1990** to **11-01-2022** pertaining to the immovable property/(ies) covered by above said title deeds.

I certify that **Sh. Himanshu Kapoor** after getting release the property from **HDFC Bank, Dehradun** shall have got a valid, clear, absolute and marketable title over the property shown above free of any encumbrances, charge or claims. There are no legal impediments for creation of the mortgage under any applicable law/rules in force. I certify that the mortgage over the said property/ies can be enforced through process of law including under the provisions of **SARFAESI Act**, for recovery of dues to the Bank.

18. List of documents to be deposited for creation of Mortgage by the mortgagor including any additional document required in addition to the documents available.

1. Original & Certified copy of Sale deed dt. 02-04-2014 doc no. 2812 executed by MDDA through its property officer in favour of Sh. Ajay Goyal, which is duly registered in the office of Sub-Registrar Dehradun in Book no. 1, vol. 5742, pages 231 to 244 at Sr. No. 2812 on 03-04-2014.
2. Original & Certified copy of Sale deed dt. 03-07-2017 doc no. 3309 executed by Sh. Ajay Goyal in favour of Present owner Sh. Himanshu Kapoor, which is duly registered in the office of Sub-Registrar Dehradun in Book no. 1, vol. 1728, pages 111 to 134 at Sr. No. 3309 on 03-07-2017.
3. Copy of Commercial Building Plan of Block-B from MDDA, Dehradun.

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Email No. DA-257704

10. Whether any additional formalities to be completed by the proposed Mortgagor. If yes, state especially in case of Flat(s) Property(s) in Co-op Societies whether allotment letter, possession letter share, certificate, affidavit, power of attorney etc. is required.	No.
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Enl-

1. Certified copy of Sale deed dt. 03-04-2014
2. Certified copy of Sale deed dt. 03-07-2017

Date: 18-01-2022

Signature of the Advocate
Sultan Khan
Enroll No.