

Ref. No. A.G./60/2011-12

Dated : 28-06-2011

The Sr. Br. Manager  
 Bank of Baroda  
 C.C. Chowk  
Haridwar.

449

Dear Sir,

RE: LEGAL OPINION-CUM-SEARCH REPORT OF THE PROPERTY SITUATED AT VILL.  
 SALEMPUR MEHDOOD-2, PARGANA ROORKEE, TEH. & DISTT. HARIDWAR.

1.	Name of Account & Address	M/s I.T. Computer Park Th. Its Prop. Sh. Vijay Kushwah Kumar Complex BHEL Road, Near C.C. Chowk Haridwar
2.	Proposed Facilities:	C.C. Limit- 150.00 h
3.	<b>Description &amp; Area of property proposed to be mortgaged with boundaries :</b>	
a)	Give the specific number & address of Plot, House, Bldg., Flat, Shop, etc.	Abadi/Residential Plot No. 22, area 2000 sq.ft. bearing Khata No. 727, Khasra No. 1695 situated at Vill. Salempur Mehdoood-2, Pargana Roorkee Teh. & Distt. Haridwar out of Mpl. Limits, Haridwar and bounded in as per sale deed: <b>East-</b> Way 20 ft. wide <b>West-</b> Land others <b>North-</b> Plot No. 20 <b>South-</b> Plot No. 24
b)	State specifically whether property is in agricultural, non-agricultural, commercial, residential or Indl. area.	Abadi/Residential
4.	Name of mortgagor & his Status in the A/c (Whether sole proprietor, Partner, Director, Karta, Trustee, Agent or Guarantor or co-borrower)	Sh. Vijay Kushwah As Sole Proprietor/Borrower
5.	Whether the mortgagor has sufficient title and capacity to contract for creation of mortgage (Not a minor, Lunatic or undischarged insolvent, etc.)	Yes
6.	Nature of mortgagor's right or title in the Property (Whether lease hold, free hold, co-owner, or joint owner or any other type-state specifically) and how it is derived (whether self acquired, ancestral inheritance or by succession or otherwise)	Full ownership

**ANURAG GUPTA & ASSOCIATES**

**ANURAG GUPTA**, Advocate & Notary  
 Civil, Service, Labour, MACT, Consumer Forum  
 33, Lawyer's Chamber, Roshnabad, Hardwar  
 ST, COUNSEL : BHEL, LIC, INS. COS. BANKS

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7.	Whether Mortgagor is in exclusive possession of property proposed to be mortgaged.	Yes
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Sl. No.	Type/Nature No. of document	Date of Execution	No. & Date of Registration/Lien in revenue records/ builder's records/society's records	Parties
1.	Sale Deed 450	18-03-11	Regd. at book No. 1 Vol. 222 at pages 25-48 at Sl.No. 1830 on 18-03-11 at S.R.O.-II Haridwar.	Sh. Shakeel Ahmed & Sh. Vijay Kushwah
2.	Khatauni	17-03-11	Tehsil, Haridwar	Shri Shakeel Ahmed

**8. Tracing of title & chain of title in favour of Sh. Vijay Kushwah & Mortgagor together with names and descriptions of Parties to the documents :**

On the basis of available Index Inspection for the last 30 years at S.R.O. Hardwar, it is found that present owner Sh. Vijay Kushwah S/o Sh. Murli Manohar Goel R/o H.No. M-40, New Haridwar Colony, Haridwar acquired ownership vide sale deed dated 18-03-11 from Sh. Shakeel Ahmed S/o Sh. Zaleel Ahmed R/o Vill. Salempur Mehdood, Distt. Haridwar, who acquired ownership prior to 1406 fasli as S.Bhumidhar with transferable rights. The Land use change as Non-Agricultural u/s 143 Z.A. Act vide order dated 15-03-2011 passed by S.D.M. Haridwar. So, flow of title is complete for last 30 years.

9.	Whether title is clear and property is free from any encumbrance  a. No. of Years (30 years normally) for which search made I Sub-Registrar's Office, Haridwar. b. If Name is mutated in Municipal records c. If Name is shown in Revenue/Land records	Yes, as per available index inspection for the last 30 years at Sub-Registrar Office, Haridwar 30 years at Sub Registrar Office Haridwar.  Not applicable  The mutation proceeding is pending due to strike in Tehsil Haridwar.
10.	Whether title to properties is clear, unambiguous, marketable & property is saleable.	Yes, as per available index inspection for the last 30 years upto date at Sub-Registrar Office, Haridwar.
11.	Whether there is any Bar/restriction for creation of equitable mortgage under any Act, state law or rule/notification (likes Ceiling Act, Land Acquisition Act, State Coop.Societies Act, Societies Registration Act or Apartments/Flat Ownership Act or Income Tax Act:	No



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12.	Whether any permission/consent/no objection is required & if so, it is obtained (State the letter no. and the Authority/ Statuorty Body/Court concerned).	No
13.	Additional documents required/ formalities to be completed by the proposed mortgagor (State specifically in case of flats/properties in corp. Societies whether allotment letter, possession letter, share certificate, affidavit, in corporation Societies whether allotment letter, power of attorney, etc. is required.	1. Latest Certified copy of Khatauni bearing Khasra No. 1695 2. Copy of Site Layout Plan of Colony 3. Copy of mutation application filed in Tehsil Haridwar. 4. Copy of No Objection by other Co-sharer Rashid Ali & others. 5. Certified copy of order dt. 15-03-11 passed by S.D.M. Haridwar for 143 Z.A. Act. 6. Copy of Voter I.D. & Ration Card of the Mortgagor. 7. Affidavit of mortgagor
14.	List out the Title Deeds to be deposited to create mortgage by Deposit of Title Deeds in favour of Bank by above said mortgagor <b>Sh. Vijay Kushwah.</b>	Original sale deed 18-03-11
15.	Whether all original deeds are available and scrutinised Deeds are duly executed/ stamped and registered. There is no doubt/ suspicion as to their genuineness or existence.	Yes, Sale deed dated dt. 18-03-11 is duly stamped registered at Sub-Registrar Office Hardwar and it is genuine.

## 16. Final Certificate/Opinion:

On the basis of perusal from title deed and available index inspection at Sub-Registrar Office, Hardwar, it is to certify that No-Encumbrance is recorded on this property and its title is clear and with transferable rights and Equitable Mortgage can be created by way of deposit **original sale deed** in favour of the Bank.

The Property of the Mortgagor should be inspected & verified on spot before sanctioning & disburshment of the loan amount. The Mortgagor also should be identified/verified by matching/compare their Voter I.D. Card & Ration Card.

Yours faithfully,

(ANURAG GUPTA)  
Bank Lawyer

**ANURAG GUPTA**  
Advocate & Notary  
33, Lawyer's Chambers  
Distt. Court, Roshnabad, Hardwar

## Encl:

Ins. Receipt No. 10/34 & 86/31 dt. 28-06-2011  
of Sub-Registrar Office-I, Hardwar