



Ref. No.....

Date: September 15, 2020

TITLE INVESTIGATION REPORT (Annexure-B)

1	Name of Branch/ Business Unit/Office seeking opinion.	STATE BANK OF INDIA, RMME Branch Jansath Road, MuzaffarNagar
B	Reference no. and date of the letter under cover of which the document tendered for scrutiny are forwarded.	S.N. 93. dt 4/9/20
C	Name of the Borrower.	M/S. AROMA CRAFTS & TISSUES PRIVATE LIMITED, Regd. Office at 190/2-1 Civil Lines South Tehsil Sadar District M.Nagar through its Director Rajesh Kumar Jain S/O. Adish Kumar Jain R/O.3 Rainbow Vihar, MuzaffarNagar.
2	Name of unit/concern/company/person offering the property/(ies) as security.	Shri Puneet Kumar Jain S/O. Late Shri Jitendra Kumar Jain R/O. 61 Jain Milan Jansath Road Muzaffar Nagar
B	Constitution of the authority unit/concern/person/body offering property for creation of charge.	Individual
C	State as to under what capacity is security offered (Whether as joint applicant/borrower or guarantor etc.)	Guarantor
3	Complete/full description of immovable property/(ies) offered as security including following details.	As follows
A	Survey No.	Khasra no.498M
B	Door/House no.(in case of house property)	Plot no.217 Phase-II /
C	Extent/area including plinth/ built up area in case of house property	Area 162 Sq. Mtrs.
D	Locations like name of the Place, Village, City Registration Sub-District etc. Boundaries	Village Kookra Tehsil Sadar Distt. MuzaffarNagar with the dimension & boundaries as follows:-

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		<u>Dimensions:-</u> East-18 Meter West- 18 Meter North-9 Meter South- 9 Meter <u>Boundaries:-</u> East-Plot no.216 West- Plot no.218 North-Land of others South- Rasta 9 Meter wide			
4 A	Particulars of the document scrutinized-serially & chronologically. Nature of document verified and as to whether they are originals or certified copies or registration extracts duly certified. Note: Only original or certified extracts from registering/ land / revenue/ other authorities be examined				
	Sl. No	Date	Name/Nature of document	Original/Certified copy/Photocopy etc.	In case of copies, whether original was scrutinized by the Advocate.
	01	20/09/2010	Transfer of Lease Deed (By way of Assignment) no. 10857	Original	
	02	21/06/1999	Perpetual lease deed no.4791	Original	
	03		Khatauni Kh. no.498M Vill. Kookra	Photocopy	
5 A	Whether certified copy of all title documents are obtained from the relevant Sub-Registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies & relevant fee receipts along with the TIR.)				Yes
6 A	Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system?				No
B	If such online/computer record are available, whether any verification or cross checking are made and the comment/ finding in this regard.				Not Applicable


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C	Whether genuineness of stamp paper is possible to be got verified from any online portal, if so whether such verification was made?	No
7 A	Property offered as security falls within the jurisdiction of which Sub-registrar office?	Sub Registrar, Tehsil Sadar, District MuzaffarNagar
B	Whether it is possible to have registration of the documents in respect of the property in question, at more than one office of the Sub-Registrar/ District Registrar-General If so please name all such offices?	No
C	Whether search has been made at all the offices named above?	Not Applicable
D	Whether searches into the offices of registering authorities/any other records reveal registration of multiple title documents in respect of the property in question?	No
8	Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/ interest to current title holder and wherever minor's interest or other clog on title is involved, search should be made for further period, depending on the need for clearance of such clog on the Title. In case of property offered as security for loans of Rs. 1.00 Crore and above, search of title/ encumbrances for the period of not less than 30 years is mandatory. (Separate Sheets may be used)	Alok Sahakari Grah Nirman Samiti Ltd. M.Nagar having registration no. 1210 through Sh. Surendra Kumar Jain S/O. Sh. Trilok Chand Jain R/O. 34, Prem Vihar, Pargana & Tehsil Sadar, District MuzaffarNagar has purchased the land of various khasra numbers of Village Bibipur, Kookra, and SherNagar, Pargana and Tehsil Sadar, District MuzaffarNagar from their bhumidhar for purpose of the residential demand of its members and developed a residential colony known as Surendra Nagar in the purchased land. Alok Sahakari Grah Nirman Samiti Limited allotted the plots to its members through lottery system. Accordingly Alok Sahakari Grah Nirman Samiti Ltd. allotted the <u>plot no.217 land area 162 Sq. Mtrs. Phase-II situated in land Kh.no. 498 M Vill. Kookra, Tehsil Sadar Distt. M.Nagar has been initially allotted to Shri Prabhat Kumar Mittal S/O. Late Sh. Jyoti Prashad Mittal R/O. 53, Ram Bagh Road, M.Nagar and executed a lease deed regd. in Bahi no.1, Vol.no.1366 Page no. 363-376 Serial no. 4791 Dated 21/06/1999</u> in his favour in the office of Sub Registrar Sadar District M.Nagar Subsequently Sh.Prabhat Mittal with


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		the consent of Alok Sahakari Grah Nirman Samiti Ltd. transferred the said plot to Sh. Puneet Jain S/O. Late Sh. Jitendra Kumar Jain R/O. 61, Jain Milan Vihar, Jansath Road M.Nagar and a transfer of lease deed (By way of Assignment) has been executed by him and the said Samiti. The transfer of lease deed has been duly registered in Bahi no.1, Volume no. 5777, Page no.45-74 Serial no. 10857 Dated 20/09/2010. Thus the present owner have rights title interest of referred property and membership no.1181 of the Society.
9	Nature of title of the intended mortgagor over the property (Whether full ownership rights, Lease hold rights, Occupancy/Possessory rights or Inam Holder or Govt. Grantee/ Allottee etc.)	Full ownership right ✓
10	If Leasehold, whether;	
A	Lease deed is duly stamped and registered	Yes ✓
B	Lessee is permitted to mortgage lease hold right,	Yes ✓
C	Duration of Lease/unexpired period of lease,	Lease deed is Perpetual ✓
D	If Sub-lease, check the lease deed in favour of the Lessee as to whether the lease deed permit sub-leasing & mortgage by Sub-Lessee also.	Not Applicable
E	Whether the leasehold rights permits for creation of any superstructure (if applicable)?	Yes
F	Right to get renewal of the leasehold rights and nature thereof.	Yes
11	If Government grant/allotment/Lease-cum sale agreement whether the grants/agreement etc. provide for alienable rights to the mortgagor with or without conditions, the mortgagor is competent to create charge on such property whether any permission from Govt. or any other authority is required for creation of mortgage & if so whether such valid permission is available.	Not Applicable
12	If occupancy right, whether;	Not Applicable
A	Such right is heritable and transferable,	
B	Mortgage can be created.	Not Applicable
13	Nature of minor's interest, if any and if so, whether creation of mortgage could be possible modalities/ procedure to follow including court permission to be obtained & reason for coming to such conclusion.	Not Applicable


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14	If the property has been transferred by way of a Gift/ Settlement Deed, whether the:-	Not Applicable
A	Gift/Settlement deed is duly stamped & registered;	Not Applicable
B	The Gift/Settlement deed has been attested by two witnesses;	Not Applicable
C	Gift/Settlement deed transfer property to Donee;	Not Applicable
D	Donee has accepted gift by signing gift/ settlement deed by separated writing or by implication or by actions;	Not Applicable
E	There is any restriction on Donor in executing the gift/settlement deed in question;	Not Applicable
F	Donee is in possession of gifted property;	Not Applicable
G	Whether any life interest is reserved for the Donor or any other person and whether there is need for any other person to join the creation of mortgage;	Not Applicable
H	Any other aspect affecting the validity of the title passed through the gift/settlement deed.	Not Applicable
15	In case of the partition/family settlement deeds, whether original deed is available for deposit. If not, modality/ procedure to be follow to create the valid and enforceable mortgage.	Not Applicable
A		
B	Whether mutation has been effected & mortgagor is in possession and enjoyment of his share.	Not Applicable
C	Whether partition made is valid in law and the mortgagor has acquired mortgageable title thereon.	Not Applicable
D	In respect of partition by the Decree of Court, whether such decree has become final & all other conditions/formalities are completed/ complied.	Not Applicable
E	Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages?	Not Applicable
16	Whether title document includes any testamentary document/Wills?	Not Applicable
A	In case of Will, whether the Will is registered Will or unregistered Will?	
B	Whether Will in the matter needs mandatory probate if so whether the same is probated by a competent court?	Not Applicable
C	Whether the property is mutated on basis of Will?	Not Applicable ✓
D	Whether the original Will is available?	Not Applicable
E	Whether the original death certificate of the testator is available?	Not Applicable
F	What are the circumstances or documents to establish the Will in question is the last & final Will of the testator? (Comment on circumstances such as	Not Applicable


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	availability of declaration by all the beneficiaries about genuineness/validity of the Will, all parties have acted upon the Will, etc., which are relevant to rely on Will, availability of mother/original title deeds is to be explained.	
17	Whether property is subject to any Wakf right?	Not Applicable
A	Whether the property belongs to the Church/ Temple	Not Applicable
B	any other religious/institution having restriction in creation of the charges on such properties?	
C	Precautions/permissions, if any in respect of the above cases for creation of mortgage?	Not Applicable
18	Where the property is HUF/Joint family property and the mortgage is created for family benefit/ legal necessity, whether	Not Applicable
A		
B	Major coparcener have no objection/joined in execution, minor's share if any rights of female members etc.	Not Applicable
C	Please also comment on any other aspect which adversely affects validity of security in such cases?	Not Applicable
19	Whether property belongs to any Trust or is subject to the rights of any Trust?	Not Applicable
A		
B	Whether Trust is Private or Public Trust and whether Trust deed specifically authorizes the mortgage of the property?	Not Applicable
C	If so additional precautions/permissions to be obtained for creation of the valid mortgage?	Not Applicable
D	Requirements, if any for creation of mortgage as per Central/State laws applicable to Trust in the matter.	Not Applicable
20	If property is an agricultural land, whether local law permit mortgage of agricultural land & whether there are any restriction for creation / enforcement of mortgage.	Not Applicable ✓
A		
B	In case of agricultural property other relevant record /documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage?	Not Applicable
C	In case of conversion of the agricultural land for commercial purposes or otherwise and whether the requisite procedure followed and permission has been obtained	Not Applicable
21	Whether property is affected by any local laws or other regulation having bearing on creation security (viz. agricultural laws, weaker sections, minorities, land laws SEZ regulations coastal zone regulations environmental clearance etc.).	Not Applicable
22	Whether property is subject to any pending / proposed land acquisition proceeding?	No
A		

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B	Whether any search/enquiry is made with land acquisition office and outcome of such search / enquiry.	No
23 A	Whether property is involved in or subject matter of any litigation which is pending or concluded?	No
B	If so whether such litigation would adversely affect creation of a valid mortgage or have any implication of its future enforcement?	No
C	Whether title documents have any court seal/ marking which point out any litigation/ attachment/ security to court in respect of property in question? In such case please comment on such seal/ marking.	Not Applicable
24 A	In case of partnership firm whether property belongs to firm and deed is properly registered.	Not Applicable
B	Property belonging to partner, whether thrown on hotchpotch? Whether formalities for the same have been completed as per the applicable laws?	Not Applicable
C	Whether person creating mortgage has authority to create mortgage for and on behalf of the firm.	Not Applicable
25	Whether property belongs to limited company, check the borrowing powers, Board resolution, authorization to create mortgage/ execution of documents, Registration of any prior charges with Company Registrar(ROC) Article of Association / provision for common seal etc.	Not Applicable
26	In case of Societies, Association the required power/ authority to borrower and whether the mortgage can be created & requisite resolution bye-laws permits.	Not Applicable
27	Whether any POA is involved in the chain of title?	Not Applicable
A	Whether the POA involved is one coupled with interest i.e. development agreement-cum-Power of Attorney. If so please clarify whether the same is registered document and hence it has created an interest in favour of the builder/ developer and as such is irrevocable as per law.	Not Applicable ✓
B		
C	In case title document is executed by POA holder please clarify whether the POA involved is (i) one executed by builders viz. companies/firm/ individual /proprietary concern in favour of their employees/ partner/authorized representative to sign NOC/ flat allotment letters, agreement of sale, sale deed, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other type of POA (Common POA).	Not Applicable
D	In case of builder's POA, whether a certified copy of POA is available and the same has been verified / compared with the original POA.	Not Applicable


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E	In case of common POA (i.e. POA other than builder's POA) please clarify, following clause in respect of POA	Not Applicable
	I. Whether the original POA is verified and the title investigation is done on basis of original POA?	Not Applicable
	ii. Whether the POA is a registered one?	Not Applicable
	iii. Whether the POA is a special or general one?	Not Applicable
	iv. Whether the POA contains a specific authority for the execution of title document in question?	Not Applicable
F	Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	Not Applicable
G	Please comment on genuineness of the POA?	Not Applicable
H	The unequivocal opinion on enforceability and the validity of the POA?	Not Applicable
28	Whether the mortgage is being created by the POA holder? Check genuineness of power of attorney and the extent of the powers given therein and whether same is properly executed/stamped/ authenticated in terms of the Law of the place, where it is executed.	Not Applicable
29	If property is flat/apartment /residential/ commercial complex, check and comment on the following:	Not Applicable
	(a) Promoter's/land owner's title to land/ building (b) Development Agreement/Power of Attorney (c) Extent of authority of Developer/ Builder; (d) Independent title verification of land or building in question; (e) Agreement for sale (duly registered); (f) Payment of proper stamp duty; (g) Requirement of registration of sale agreement, development agreement, POA, etc.; (h) Approval of building plan, permission of local/ appropriate authority, etc.; (i) Conveyance in favour of society/ condominium concerned; (j) Occupancy Certificate/allotment letter/letter of possession (k) Membership details in the Society etc.; (l) Share Certificates; (m) No Objection Letter from the Society; (n) All legal requirements under the municipal/ local law regarding ownership of flat apartment / building regulation development control regulation Co-operative Societies' Laws etc.; (o) Requirements for noting the Bank charges on the	Whole Not Applicable


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	records of the housing Society, if any; (p) If property is vacant land & construction is yet to be made, approval of lay-out & other precaution if any. (q) Whether numbering pattern of units/ flats tally in all document such as approved plan, agreement plan, etc.	
30	Encumbrances, attachments or claims whether of Government, Central/State or other Local authorities or third party claims, Liens etc. and details thereof.	Not Applicable
31	Period covered under encumbrances certificate and name of person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	Thirty Years ✓
32	Details regarding property tax/land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Not Applicable
33	Urban land ceiling clearance, whether required and if so, details thereon.	Not Applicable
A		
B	Whether no objection certificate under Income Tax Act is required/ obtained.	Not Applicable
34	Detail of RTC extracts/mutation extracts/ Katha extract pertaining to the property in question.	Not Applicable
35	Whether name of mortgagor is reflected as owner in revenue /Municipal/Village records?	Not Applicable
36	Whether the property offered as security is clearly demarcated?	Yes ✓
A		
B	Whether the demarcation/partition of the property is legally valid?	Yes ✓
C	Whether the property has clear access as per the documents?	Yes ✓
37	Whether property can be identified from following documents and discrepancy/doubtful circumstances if any revealed on such scrutiny?	No
A	Document in relation to electricity connection;	Not Applicable
B	Document in relation to water connection;	Not Applicable
C	Document in relation to sales tax registration if any applicable;	Not Applicable
D	Other utility bills, if any	Not Applicable
38	In respect of boundaries of property whether there is difference/discrepancy in any of title document/any other documents (such as valuation report, utility bills etc.) actual current boundary? If so please elaborate/comment on the same.	No
39	If valuation report or approved/ sanctioned plans are made available, please comment on the same including comments on description & boundaries of	Yes same as valuation report


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	property on the said document and that in the title deeds. (If the valuation report or approved plans are not available at the time of preparation of TIR please provide the comment subsequently on making the same available to the advocate)	
40	Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.	No
41	Whether the Bank will be able to enforce the SARFAESI Act , if required against the property offered as security?	Yes /
42	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid & enforceable mortgage by deposit of certified extracts duly certified etc. as also any precaution to be taken by the Bank in this regard.	Not Applicable
43	Whether governing/constitutional document/ law of mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.	Not Applicable
44	Additional aspects relevant for investigation of title as per local laws.	Not Applicable
45	Additional suggestions, if any to safeguard the interest of Bank/ensuring perfection of security.	Nil
46	The specific persons who are required to create mortgage and deposit the required documents creating mortgage.	Shri Puneet Kumar Jain S/O. Late Shri Jitendra Kumar Jain R/O. 61 Jain Milan Jansath Road Muzaffar Nagar
47	Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act 2016?	No & Not Applicable
A	Y/N	
B	Whether the Project is registered with the Real Estate Regulatory Authority? If so the details of such registration are to be furnished,	Not Applicable
C	Whether the Registered agreement for sale as prescribed in the above Act/Rules there under is executed?	Not Applicable
D	Whether the details of the apartment plot in question are verified with the list of number and types of apartment or plots booked as uploaded by the promoter in the website of Real Estate Regulatory Authority?	Not Applicable

Place: Muzaffar Nagar

Date: September 15 2020

Signature & Seal of the Advocate


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 Advocate
 Muzaffarnagar

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Ref. No.

Date: September 05 2020

CERTIFICATE OF TITLE (Annexure - C)

I have examined the original/photocopy/certified copy of the title deeds intended to be deposited relating to the schedule property/(ies) and offered as security by way of an equitable mortgage (*please specify the kind of mortgage) and that the documents of title referred to in the opinion are valid evidence of right, title and interest and that if the said equitable mortgage is created, it will satisfy the requirements of creation of equitable mortgage and I further certify that:

1. I have examined the documents in detail, taking into account all the guidelines in the check list vide Annexure B and the other relevant factors.
2. I confirm having made a search in the Land/Revenue records. I also confirm having verified and checked the record of the relevant Government Offices, Sub-Registrar(s) Office (s), Revenue Records, Municipal/Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (wherever applicable), I do not find anything adverse which would prevent the title holders from creating a valid mortgage. I am liable / responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.
3. Following scrutiny of Land Records/ Revenue Records, relative title deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC), I hereby certify the genuineness of the title deeds. Suspicious/ doubt, if any, has been clarified by making necessary enquiries.
4. There are no prior mortgage/ charges/ encumbrances whatsoever, as could be seen from the encumbrance certificate for the period from 01/01/1984 to 2020 pertaining to the immovable property/ (ies) covered by above said title deeds. However the said property is encumbered with the existing lien of the Bank, Branch MuzaffarNagar

Enclosed receipt no. 64 dated 15/09/2020 & receipt no. 202027501476 dated 15/09/2020 issued from the office of Sub Registrar, Tehsil Sadar, District MuzaffarNagar.

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5. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/ charges other than already stated in the loan documents and agreed to by the mortgagor and the Bank (Delete, whichever is inapplicable).

6. ~~Minor/(s) and his/ their interest in the property/(ies) is to the extent of _____ No _____~~
(Specify the share of the Minor with Name). (Strike out if not applicable).

7. The mortgage if created will be available to the Bank for liability of the intending borrower **M/S. AROMA CRAFTS & TISSUES PRIVATE LIMITED, Regd. Office at 190/2-1 Civil Lines South Tehsil Sadar District M.Nagar through its Director Rajesh Kumar Jain S/O. Adish Kumar Jain R/O.3 Rainbow Vihar, MuzaffarNagar.**

8. I certify Shri Puneet Kumar Jain S/O. Late Shri Jitendra Kumar Jain R/O. 61 Jain Milan Jansath Road Muzaffar Nagar have an absolute, clear and marketable title over the Schedule property/ (ies).

9. I further certify that the above title deeds are genuine and a valid mortgage can be created and the said mortgage would be enforceable.

10. In case of creation of mortgage by deposit of the title deeds, I certify that the deposit of following title deeds/ documents would create a valid and enforceable mortgage:

(I) Original & Certified Copy of Transfer of Lease Deed (By way of Assignment) no. 10857 dated 20/09/2010.

(II) Original & Certified Copy of Perpetual lease deed no. 4791 dated 21/06/1999.

(III) Certified copy of Khasra & Khatauni Khasra no. 498M Village Kookra Tehsil Sadar, District MuzaffarNagar.

Note- The referred property is already mortgaged with the Bank and the original sale deed is with the bank.

❖ SCHEDULE OF THE PROPERTY (IES)

A residential property plot no.217 land area 162 Sq. Meters, situated at Surendra Nagar Phase-II, Jansath Road, (Area Khasra no. 498M Village Kookra) Tehsil Sadar, District MuzaffarNagar in the name of the mortgagors.

Place: MuzaffarNagar

Date: September 15th, 2020

Signature & Seal of the Advocate


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Advocate
Muzaffarnagar

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20

(भाग 1)

तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला

43
20

(भाग 1)

क्रम-संख्या 61

ना-पत्र प्रस्तुत करने का दिनांक 15/9/20

प्रार्थी का नाम 21 लेखनीय प्रमाण

जर 21 लेखनीय प्रमाण

धनराशि

करण शुल्क 1600

पेकरण शुल्क 84-99

6 या तलाश शुल्क

रामा के अधिप्रमाणीकरण के लिये शुल्क

न शुल्क 100

भत्ता

योग

रने का दिनांक 15/9/20

अप्रतिनिधि या तलाश प्रमाण-पत्र करने के लिये तैयार होगा

धकार के हस्ताक्षर 21 लेखनीय प्रमाण

मजफरनगर (30/10)

(अधिप्रमाणीकरण के लिये शुल्क)

प्रस्तुतकर्ता या प्रमाण-पत्र के निष्पादक र...

लेख्य का प्रतिफल

प्रार्थना

दिनांक

प्रा

भाग 1

प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला

अभिप्रेतक सदर प्रमाण क्रम संख्या 2020275014776

मजफरनगर

लेख या प्रार्थना पत्र प्रस्तुत करने का दिनांक 15/09/2020

प्रस्तुतकर्ता या प्रार्थी का नाम शैलेश गोयल एड०

लेख का प्रकार मुआयना

2000 वर्ष में 2020 तक

प्रतिफल की घनराशि 100

1. रजिस्ट्रीकरण शुल्क

2. प्रतिनिधिकरण शुल्क

3. निरीक्षण या नवाश शुल्क

4. मुआयना के अधिप्रमाणीकरण शुल्क

5. कमीशन शुल्क

6. निविदा

7. बाकि अना

1 में 6 नकल योग 100

शुल्क प्रस्तुत करने का दिनांक 15/09/2020

दिनांक अथवा लेख प्रतिनिधि या नवाश

प्रमाण पत्र वापस करने के लिए तैयार किया

रजिस्ट्रीकरण अधिसूचना 2017

मुजफ्फरनगर

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