

S.M.Jain
Advocate

53, Gandhi Road,
Dehradun
14.4.2013

CERTIFICATE OF TITLE

I have examined the original Title Deed intended to be deposited relating to the Schedule property(ies) and offered as security by way of * Equitable Mortgage and that the documents of the title referred to in the opinion are valid evidence of Right, title and interest and that if the said Registered/ Equitable Mortgage is created, it will satisfy the requirements of creation of Registered/ Equitable Mortgage and I further certify that :

1. I have examined the documents in details, taking into account all the Guidelines in the check list vide Annexure-C and the other relevant facts.
 - (a) I confirm having made a search in the Land/ Revenue records I do not find and thing adverse which would prevent the title holders from creating a valid mortgage. I am liable/responsible, if any lose is caused to bank due negligence on my part or by my agent in making search.
 - (b) Following Scrutiny of land records/ revenue records and relative title deed I hereby certify the genuineness of the title deeds. Suspicious / doubt if any has been clarified by making necessary enquiries.
2. Except the mortgage on the property created by the borrower by deposit of title deed with State Bank of India there is no mortgage/ charges/ encumbrances whatsoever as could be seen from the encumbrance certificate for the period 1992-2004 pertaining to the immoveable property(ies) covered by the said title deed. The property is free from all encumbrances.
3. To safe guard the interest of the bank the enclosed affidavit be taken since the revenue records and the record/ index help in the office of the Sub-Registrar are incomplete and are in a poor condition.
4. 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) whatever is in applicable.
5. Minor and his interest in the property is to be extent of - Nil.
6. The Borrower has taken financial facility from the bank by deposit of title deed and mortgage has been created.

I, certify that SARDAR HARNAM SINGH is/are the absolute owner/s and has/have clear and marketable title to the property given in the Schedule of the property given below, property. I further certify that the above title deeds are genuine and a valid mortgage can be mortgage would be enforceable on the property.

I have inspected the following documents in RACPC, which have been deposited by the borrower for creating mortgage on the property.

1. Sale deed dated 10.12.2004

Schedule of the Property

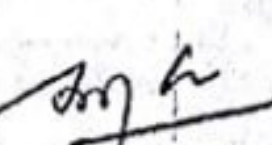
All that property known as First floor, Shiv Rattan Cottage Number One (Rest Heaven Cottage) having a total area of 495 Sq.mt. or 5335 Sq.ft. (covered area 99 Sq.mt or 1067 Sq.ft open area area 396 Sq. or 4267 Sq.ft.) forming part of said Rest heaven Estate, Camel's Back road, Mussoorie, along with all easementry rights, more clearly shown within red ribband on the plan annexed with this deed butted and bounded as follows :-

East : Open land and thereafter approach road.

West : Property of others

North : Land of Shri J.C. Bhatia

South : Property of others and Cottage No.2


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[11-11-2013]

**CHECK LIST FOR THE GUIDANCE OF THE ADVOCATES VERIFYING THE
TITLE OF THE PROPERTY(IES) OFFERED AS SECURITY**

1.	Nature of the title (ownership. Occupation, leasehold/ Govt. Grant/ Allotments etc.)	Absolute Ownership
2.	If lease hold, whether :- a) Lease Deed is duly stamp and registered. b) Lessee is permitted to mortgage the lease hold right's (duration of the lease/unexpired period of the leased). If sub-lease check listed lease deed in favour of the pleasing as to whether lease deed permits sub-leasing and mortgage by sub-lease also.	Not Applicable
3.	If govt. Grant/ allotment / lease cum/ sale agreement : Whether a) Grant/ agreement also provides for alienable rights to the mortgagor with or without condition. b) Mortgagor is competent to create charge on such property.	Not Applicable
4.	Occupancy rights whether:- a) Such Right is heritable and transferable. b) Whether no objection certificate under the Income Tax is required/ obtained.	Not Applicable
5.	a) Urban Land Ceiling clearance whether require and if so details thereon. b) Whether no objection certificate under Income Tax required/ obtained.	Not Applicable
6.	Nature of the minor's interest, if any, and if so whether creation of the mortgage could be possible the modalities and the procedure to be followed and the reasons for coming to such conclusion.	Not Applicable
7.	If the property is agricultural land, and whether the Local laws permit mortgage or agricultural land and whether there any restrictions for enforcing thereon.	Not Applicable
8.	In case of conversion of Agricultural land for commercial purpose or otherwise, whether requisite procedure followed/ permission obtained.	Not applicable
9.	Whether the property is affected by local laws (viz, agriculture laws, weaker sections, minorities, land laws)	Not Applicable
10.	a) In case of partition/settlement deeds, whether the original deed is available for deposit, if not the modality/procedure to be followed to create a valid and enforceable mortgage. b) Whether mutation has been affected and whether mortgagor is in possession and enjoyment of his share. c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagor title thereon.	Not Applicable
11.	a) In case of partnership firm, whether the property belongs to the firm and the deed of the property registered. b) Whether the person(s) creating Mortgage has/have authority to create Mortgage for and on behalf of the firm. c) Whether the partition made is valid in law and the	Not Applicable

	mortgagor has acquired and mortgagor title thereon.	
	a) Whether the property belongs to a limited company check the borrowing Powers BOD resolution authorization to create mortgage/ execution of documents / registration of any prior charges with the company Registrar, Articles of Association / provisions for common seal etc. b) In case of societies, associations, the required authority, power to borrower, and whether the mortgage can be created and the requisite resolution / bye laws.	Not Applicable
13.	Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the power given therein and whether the same is properly executed/ stamped / authenticated in terms of the law of the place, where it is executed.	Not Applicable
14.	If the property is a flat, apartment or residential/commercial complex, check. a) Promoters/ land owners title to the land/ building. b) Development agreement / Power of Attorney. c) Extent of authority of the Developer/builder. d) Independent title verification of the land and/or building in question. e) Agreement of sale (duly registered) f) Payment of property stamp duty. g) Conveyance of property stamp duty. h) Occupancy Certificate/ allotments letters, Letter of possession. i) Membership details in the society etc. j) Shares Certificate. k) No objection letter from the Society. l) All requirements under the local/municipal laws, regarding ownership of flats/ apartments/ building regulations, development control regulations/ cooperative societies, laws etc.	Not Applicable
15.	Whether the property is a joint family property, Mortgage is created for family benefit/ legal necessary, whether the major coparceners have no objection/ join in execution, minor's share if any, rights of the female members etc.	Not Applicable
16.	Pending litigations / court judgments / injunctions/ stay orders, acquisition by the govt. / Local Authority etc. that could be ascertained.	No such records is available
17.	Any other details required for the purpose.	No.

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TITLE INVESTIGATION REPORT (TIR)

1.	Name of the Branch /BU seeking Opinion	SBI Main Branch, Mussoorie
2.	Reference No. and Date of the Letter under the cover of which the documents tendered for security are forwarded.	1/56
3.	Name of the unit concern company person offering the property(ies) as security.	SARDAR HARNAM SINGH
4.	Constitution of the unit concern/ person/ body authority offering creation of charge.	Individual
5.	State as to under what capacity is Security Officer (whether joint applicant/borrower/ as Guarantor)	Borrower
6.	(a) Particulars of documents Scrutinized.	Following documents inspected in Bank :- 1. Sale deed dated 10.12.2004
	(b) Nature of documents verified and as to whether they are original/certified copies/ registration extracts duly certified. Note: Only originals or certified extracts from the registering / land/ revenue / other authorities be examined.	As available in the Bank
7.	Complete or full description of the immovable property (ies) offered as security for creation of mortgage, whether equitable / registered mortgage	All that property known as First floor, Shiv Rattan Cottage Number One (Rest Heaven Cottage) having a total area of 495 Sq.mt. or 5335 Sq.ft. (covered area 99 Sq.mt or 1067 Sq.ft. open area area 396 Sq. or 4267 Sq.ft.) forming part of said Rest heaven Estate, Camel's Back road, Mussoorie, along with all easementary rights, more clearly shown within red ribband on the plan annexed with this deed.
	i) Survey No.	Nil
	ii) Door No. (in case of house property)	Nil
	iii) Extent / area including plinth/built up are in case of house property.	Nil
	iv) Locations like, name of the place/village/ city, registration, Sub-Districts etc.	Rest Heaven Estate, Camel's Back road, Mussoorie.
	v) Boundaries	East : Open land and thereafter approach road. West : Property of others North : Land of Shri J.C. Bhatia South : Property of others and Cottage No.2
8.	Flow of titles tracing out a title, of the intended Mortgagor and his/its predecessors in interest from the mother deed to the latest title deed	The property known as Rest heaven Estate situated Camel's Back road, Mussoorie was

where ever minor's interest or other clog on title is involved for the further period depending upon the need of for clearance of the said clog on the title. (Separate sheets may be used)

given by Miss Annelizabeth Lason to Thakur Shamsher Singh vide Gift dated 24.4.1932 duly registered. After the death of Thakur Shamsher Singh his legal heirs became its owner. The said legal heirs sold a part of this property known as Shiv Ratan Cottage No.1, to Shri Hamid Hussain Khan vide sale deed dated 18.8.1965 registered in at No. 4187 on 21.9.1995. Shri Hamid Hussain Khan sold this property to Shri Hukum Singh Panwar and Sr. Kripal Singh vide sale deed dated 28.5.1981 registered at serial 473 of 1981. These persons sold this property vide sale deed dated 21.9.1981.

Shri Solanki sold a part of the property to Shri J.C. Bhatia area 356 Sq.mt. to Shri J.C. Bhatia vide sale deed registered at No. 10913 of 1981. Shri J.C. Bhatia sold this property to Shri Solanki vide sale deed at serial no. 133 of 1982. Shri Solanki sold the property described in column-7 above to Sr. Harnam Singh vide sale deed dated 10.12.2004 registered in the office of Sub-Registrar, Dehradun.

The borrower has taken financial facility from the bank and the property has been mortgaged by deposit of title deed.

Provisions of Securitization and Reconstructions of Financial Assets and Enforcement of Security Act 2002 apply.

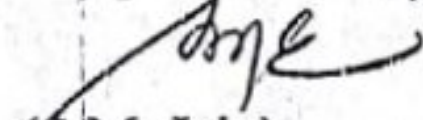
9.	Nature of title of the intended mortgagor over the property whether full ownership right/ lease holder rights/ occupancy/ possessory rights/ Inam holder/ Govt. guarantee / allottee etc.	The absolute owner.
	a) Encumbrances attachments/ or claims whether of Govt. Central or State/ other local Authorities / third party claims / liens etc. details thereof if yes give the details thereof.	No encumbrances on the property has been discovered.
	b) The period covered under the encumbrance certificate and the name of the person in whose favour the encumbrance is created and if so satisfaction of charge, if any.	Last 12 years
11.	Details regarding property tax or land revenue dues statutory dues paid or payable as on date if not what remedy.	Nil
12.	Details of RTC extracts/ mutation extract/ Khata extract pertaining in question.	
13.	Any bar/restriction for creation of mortgage under any local or special enactments details of proper registrations of documents payment of proper stamp duties etc.	Property already mortgage with State bank of India

14.	In case of absence of original title deeds details legal and other requirements for creation of proper and valid and enforceable mortgage by deposit of certified extracts duly certified etc. as also any precaution to be taken by the bank in this regard.	N.A.
15.	The specific persons who are required to create Mortgage/ to deposit documents creating mortgage.	SARDAR HARNAM SINGH

Date : 14.4.2013

Place : Dehradun

Encl: Search Receipts


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