

BHUVAN BHASKAR TIWARI
ADVOCATE

Mob No. 9335701323

Email : bhuvanbhaskartiwari@gmail.com

Resi : 119/349 Darshanpurwa,
Kanpur Nagar - 208012
Office : Behind Muslim Hotel,
Civil Court Compound, Kanpur

To,

PNB

Laxman Jhula Road, Rishikesh

LEGAL TITLE OPINION/SRO SEARCH REPORT

Ref. No.- HOU/LUC/

Date of Legal Report- 08-12-2016

Report:- Positive/Negative/Hold

Search Receipt No. - 13284

Date of search receipt: 08-12-2016

Search for the period from 2004-2016 = 13 Years.

ANNEXURE: Search Receipt

Sub-Registrar office at Zone- 1, Kanpur Nagar

Type of Case:- (Re-sale, Purchase, LAP, Re-Finance, Balance Transfer)

The Branch Manager,

PNB

Laxman Jhula Road, Rishikesh

Sir,

As desired by you the records of Sub-Registrar, Zone- 1, Kanpur Nagar have been verified by me for the period of last 13 Years for investigation of title in respect of the below mentioned property. I have also verified documents mentioned in schedule. On the basis of said documents my REPORT/CERTIFICATE is given as under:-

SUB: - TITLE CLEARANCE CERTIFICATE

▪ **Name/s of all the Title holders/Present Owner/s of the Property/Properties-**

Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun.

▪ **Name/s of the person/s offering mortgage.** (If the person/s-offering mortgage is an authorized POA holder, comment whether explicit power is given to mortgage the property.

Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun.

▪ **Status of the Owner/s and Mortgagor/s** (Individual, HUF, Partnership firm, Company, Society, Trust etc.)

Individual



Bhuvan Bhaskar Tiwari

Advocate

Registration No. 5036/07

✓
(20)

45

BHUVAN BHASKAR TIWARI
ADVOCATE

Mob No. 9335701323

Email : bhuvanbhaskartiwari@gmail.com

Resi : 119/349 Darshanpurwa,
Kanpur Nagar - 208012
Office : Behind Muslim Hotel,
Civil Court Compound, Kanpur

▪ **Description of the Property-** (Particulars regarding Plot/Block/Flat No., Plot area, construction area, common space area, Revenue Survey No., City Surve No., T. P. Scheme No., Final Plot No., extent, boundaries, Village, Taluka, District, etc.):-

Part of Premises No. 85/57, (Admeasuring Area- 104.03 Sq. Meters) situated at Pvt. Plot No. 31, Laxmipurwa, Kanpur Nagar bounded as below-

East- Land of Nazul

West- Plot No. 30

North- Others Campus


South- 25 ft. wide Road

▪ **Particulars of all documents made available for verification** with their Registration No., Date, (State here Whether Original or Photo Copy):-

1. Photocopy of Agreement to Sale dated 27.08.2016 executed by Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal R/o House No. 75/21-A, Sabzi Mandi, Badshahi Naka, Kanpur Nagar in favour of Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun against Sale Consideration of Rs. 1,86,00,000/-
2. Photocopy of Sale Deed dated 12.01.2004 executed by M/s Bhowmik Engineering & Constructions Company Pvt. Ltd. Office at 85/57 Laxmipurwa, Kanpur Nagar through its Managing Director Mohd. Anwar S/o Mohd. Ibrahim, R/o House No. 84/69-A, Anwar Ganj, Kanpur Nagar in favour of Kishori Lal Agarwal S/o Late Dina Nath Agarwal and Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal both R/o House No. 13/5, Ganga Chhavi, Parmat, Civil Lines, Kanpur Nagar vide Book No. 1, Volume No. 3347, Page No. 385 to 414 at Serial No. 80 dated 12.04.2004 in the office of Sub Registrar, Zone- 1, Kanpur Nagar.
3. Photocopy of Sale Deed dated 20.08.1965 executed by M/s Rallis India Ltd. Office at Ralli House- 21, Raveline Street Fort- Bombay, Branch Office- Kanpur Nagar through Attorney Holder Brigadier Brijendra Singh Bhagat in favour of M/s India Engineering and Construction Company through its proprietor S.K. Bhowmik S/o Late Kamini Kumar Bhowmik R/o House No. 24/42, Birhana Road, Kanpur Nagar vide Book No. 1, Volume No. 2664, Page No. 329 to 339 at Serial No. 8010 dated 28.10.1969 in the office of Sub Registrar, Kanpur Nagar.

▪ **Year up to which the property tax/society charge has been paid** (Description of property tax/society charge receipt: - N.A.

▪ Whether the particulars of registration as given in the title deeds shown to the counsel tally with the particulars as stated in the records of the Registrar's office - YES


Bhuvan Bhaskar Tiwari
Advocate
Registration No. 5036/07

2

BHUVAN BHASKAR TIWARI
ADVOCATE

Mob No. 9335701323

Email : bhuvanbhaskartiwari@gmail.com

Resi : 119/349 Darshanpurwa,
Kanpur Nagar - 208012
Office : Behind Muslim Hotel,
Civil Court Compound, Kanpur

- Whether the property/properties has/have been mutated in the name/s of the person/s offering the mortgagor- No
- Where there is any bar under any local law for creation of the mortgage on the property. Whether there are any liabilities or encumbrances over the said property. - No
- Whether all approval clearance/sanctions required for creation of the mortgage have been obtained, what are such sanctions, approvals and clearances yet to be obtained? - YES
- Whether equitable mortgage can be created on these property/properties - YES
- Where the property/properties under consideration involves Land, whether the Land is Agricultural/ Non Agricultural land, in case of N.A. land/plot-whether it is allowed for use of Residential/Commercial/Industrial Purpose? - Residential
- Whether there is any construction over the said land and any Permission or Approved Lay-out plan obtained from Competent Authority? - N.A.
- Please state here about the permission and approved lay-out for construction and whether the construction area is as per Approved Lay-out plan and copies verified in original or photo copy*
- Whether the property/properties is coming under the preview of Urban Land & Ceiling Act Urban Land (Ceiling & Regulation) Act had been repealed since 1994? - Act already repealed
- Whether the property/ properties are owned by the person/s offering mortgage or is on lease (Freehold / leasehold)? -Free Hold
- Whether the whole/part of the property/properties being offered for mortgage is/are rented or leased out to any third party ?-No
- Whether the Property is subject to the claim of any minor person? -No
- Whether the Property is subject to land acquisition proceedings? - NO

▪ **Description of the Search / Inspection Receipt**

Description of the inspection receipt issued by the Sub-registrar (number and date, copy of inspection receipt and year wise search report be attached along with the report)

Search Receipt No. 13324

Date of Search receipt - 0.11.2016

Additional documents (if any obtained):-

▪ **Devolution of Title / Title Flow**

Evolution, Background & Tracing of Title property/Properties i.e. flow of title during last 13/30 Years (Tracing of the title should be explained in chronological order beginning with the earliest available title deed. All the title deeds should be discussed fully, stating registration number, document number, dates of execution, names of executors and executants, etc., & complete history of mutation entries, village

Bhuvan Bhaskar Tiwari
Advocate
Registration No. 5038/07



BHUVAN BHASKAR TIWARI
ADVOCATE

Mob No. 9335701323


Email : bhuvanbhaskartiwari@gmail.com

Resi : 119/349 Darshanpurwa,
Kanpur Nagar - 208012
Office : Behind Muslim Hotel,
Civil Court Compound, Kanpur

records. The chain of title deeds should clearly establish the title of the property holder. If the chain is broken, the same should be explained in a convincing manner.

- a) From the perusal of Documents Scrutinized it reveals that M/s Rallis India Ltd. Office at Ralli House- 21, Raveline Street Fort- Bombay, Branch Office- Kanpur had full ownership rights over the property Premises No. 85/57, Cooper Ganj, Kanpur Nagar.
- b) Further M/s Rallis India Ltd. Office at Ralli House- 21, Raveline Street Fort- Bombay, Branch Office- Kanpur through Attorney Holder Brigadier Brijendra Singh Bhagat executed Sale Deed of said property Premises No. 85/57, (Admeasuring Area- 13520.00 Sq. Meters) situated at Cooperganj, Kanpur Nagar in favour of M/s India Engineering and Construction Company through its proprietor S.K. Bhowmik S/o Late Kamini Kumar Bhowmik R/o House No. 24/42, Birhana Road, Kanpur Nagar vide Book No. 1, Volume No. 2664, Page No. 329 to 339 at Serial No. 8010 dated 28.10.1969 in the office of Sub Registrar, Kanpur Nagar.
- c) Further M/s India Engineering and Construction Company has changed the name of M/s Bhowmik Engineering & Constructions Company Pvt. Ltd, held a meeting of Board of Directors and decided that the property of Company to be sold to the various persons and Premises No. 85/57 (Admeasuring Area- 209.836 Sq. Meters) on Pvt. Plot No. 31, situated at Laxmipurwa, Kanpur Nagar is one of them.
- d) Further M/s Bhowmik Engineering & Constructions Company Pvt. Ltd. Office at 85/57 Laxmipurwa, Kanpur Nagar through its Managing Director Mohd. Anwar S/o Mohd. Ibrahim, R/o House No. 84/69-A, Anwar Ganj, Kanpur Nagar executed Sale Deed of said property Premises No. 85/57, (Admeasuring Area- 209.86 Sq. Meters) situated at Pvt. Plot No. 31, Laxmipurwa, Kanpur Nagar in favour of Kishori Lal Agarwal S/o Late Dina Nath Agarwal and Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal both R/o House No. 13/5, Ganga Chhavi, Parmat, Civil Lines, Kanpur Nagar vide Book No. 1, Volume No. 3347, Page No. 385 to 414 at Serial No. 80 dated 12.04.2004 in the office of Sub Registrar, Zone- 1, Kanpur Nagar
- e) Further Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal R/o House No. 75/21-A, Sabzi Mandi, Badshahi Naka, Kanpur Nagar executed Agreement to Sale her share of aforesaid Premises No. 85/57, (Admeasuring Area- 104.03 Sq. Meters) constructed at Pvt. Plot No. 31, Laxmipurwa, Kanpur Nagar in favour of Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun against Sale Consideration of Rs. 1,86,00,000/- dated 27.08.2016.
- f) In this way Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun became the prospective owner of said Premises No. 85/57(Part) (Admeasuring Area- 104.03 Sq. Meters) situated at Pvt. Plot No. 31, Laxmipurwa, Kanpur Nagar.

■ Documents required while creating E.M.


Bhuvan Bhaskar Tiwari
Advocate
Registration No. 5036/07



BHUVAN BHASKAR TIWARI
ADVOCATE

Mob No. 9335701323

Email : bhuvanbhaskartiwari@gmail.com

Resi : 119/349 Darshanpurwa,
Kanpur Nagar - 208012
Office : Behind Muslim Hotel,
Civil Court Compound, Kanpur

[List/Details of title deeds/documents to be deposited for creating mortgage by deposit of title deeds]: -

Prior to Sanction of loan

- ✓ 1. **Original** Agreement to Sale dated 27.08.2016 executed by Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal R/o House No. 75/21-A, Sabzi Mandi, Badshahi Naka, Kanpur Nagar in favour of Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun against Sale Consideration of Rs. 1,86,00,000/-
- ✓ 2. Copy of Sale Deed dated 12.01.2004 executed by M/s Bhowmik Engineering & Constructions Company Pvt. Ltd., Office at 85/57 Laxmipurwa, Kanpur Nagar through its Managing Director Mohd. Anwar S/o Mohd. Ibrahim, R/o House No. 84/69-A, Anwar Ganj, Kanpur Nagar in favour of Kishori Lal Agarwal S/o Late Dina Nath Agarwal and Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal both R/o House No. 13/5, Ganga Chhavi, Parmat, Civil Lines, Kanpur Nagar vide Book No. 1, Volume No. 3347, Page No. 385 to 414 at Serial No. 80 dated 12.04.2004 in the office of Sub Registrar, Kanpur Nagar.
- ✓ 3. Copy of Sale Deed dated 20.08.1965 executed by M/s Rallis India Ltd. Office at Ralli House- 21, Raveline Street Fort- Bombay, Branch Office- Kanpur Nagar through Attorney Holder Brigadier Brijendra Singh Bhagat in favour of M/s India Engineering and Construction Company through its proprietor S.K. Bhowmik S/o Late Kamini Kumar Bhowmik R/o House No. 24/42, Birhana Road, Kanpur Nagar vide Book No. 1, Volume No. 2664, Page No. 329 to 339 at Serial No. 8010 dated 28.10.1969 in the office of Sub Registrar, Kanpur Nagar.
4. Copy of Partition Deed between Smt. Poonam Agarwal and Kishori Lal Agarwal, so that demarcation of the property is possible.
- ✓ 5. Copy of Panchshala of the property since 1960 till 1992.

In our opinion, the following documents are required to be taken for creation of security:

At the time of Delivery of Pay Order(s)/ Demand Draft (s) to the Seller/Borrowers

AS Per aforesaid point


Post Disbursal

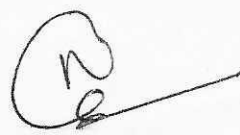
1. Original **Sale Deed** to be executed by Smt. Poonam Agarwal W/o Late Ghanshyam Agarwal & D/o Kishori Lal Agarwal R/o House No. 75/21-A, Sabzi Mandi, Badshahi Naka, Kanpur Nagar in favour of Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun.

▪ Critical Documents NIL ✓

Pay Order(s)/ Demand Draft (s) to be made by PNB Favouring " -Seller/borrower"

Document nice to have


Bhuvan Bhaskar Tiwari
Advocate
Registration No. 5036/07



BHUVAN BHASKAR TIWARI
ADVOCATE

Mob No. 9335701323

Email : bhuvanbhaskartiwari@gmail.com

Resi : 119/349 Darshanpurwa,
Kanpur Nagar - 208012
Office : Behind Muslim Hotel,
Civil Court Compound, Kanpur

Final Certificate/Opinion (Advocate should certify whether the title is clear, free from all encumbrances and marketable, also stating whether equitable mortgage or registered mortgage is to be created. He should also state as to how he arrived at the conclusion also he should specify that enforcement of the Property (if required) can be done by PNB under the provisions of The Securitization and Reconstruction of Financial Assets and Enforcement of Securities Act, 2002 and amendments thereto ("SARFAESI")

CERTIFICATE

THIS IS TO Neeraj Agarwal S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun is the prospective owner of House No. 85/57, (Admeasuring Area- 104.03 Sq. Meters) situated at Pvt. Plot No. 31, Laxmipurwa, Kanpur Nagar.

The said flat/property is free from all sorts of encumbrances, lien, charges, mortgages, etc. *Mr/Mrs./ M/ Neeraj Agarwal* S/o Kishori Lal Agarwal R/o House No. 43, Gali No. 09, Veerbhadra Road, Rishikesh, Distt. Dehradun is having valid, ***absolute, clear and marketable title*** to the flat/floor/shop/property and **Borrower/s will get a clear and marketable title after execution and registration of Sale Deed in her favor and thereafter they can create a valid equitable mortgage in favor of PNB.** The said Property / mortgage can be enforced (if required) under the provisions of The Securitization and Reconstruction of Financial Assets and Enforcement of Securities Act, 2002 and amendments thereto ("SARFAESI") by PNB.

Place: - Kanpur

Date: 08.12.2016

Yours faithfully,


BHUVAN BHASKAR TIWARI

Bhuvan Bhaskar Tiwari (ADVOCATE)

Advocate

Registration No. 5036/07

