

MAHIMA SHANKAR SAXENA
Advocate
Court Compound
Rishikesh.

Resi :
922, Avas Vikas Colony
Virbhadra Marg, Rishikesh
Ph: 2430955, M: 9412964001

Ref.No.....

Date : 14.03.2022

To,

The Branch Manager
Bank of Baroda
Rishikesh.

NON ENCUMBRANCE CERTIFICATE

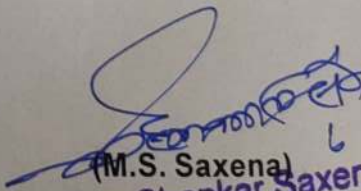
Sub : Property bearing Municipal No. 104/14 (Old No.208), Khasra No. 74, area 209.25 sqm., covered area 148.64 sqm., situated at Dehradun Road, Rishikesh, Distt. Dehradun, which is bounded & butted as under:-

East	-	25ft. wide road, side 25 ft.
West	-	Other's Property, side 25 ft.
North	-	Property of seller, side 90 ft.
South	-	Property of Mr. Omprakash, side 90 ft.

At present owned by **Smt. Sarika Garg W/o Shri Ajay Garg, R/o 104/14, Dehradun Road, Rishikesh, Distt. Dehradun.**

I have inspected the Index Register Part-II of the office of the Sub Registrar, Dehradun and Rishikesh (Registration) for the period 1992 to 1998 and 1998 to 14.03.2022 respectively and I found no act of recorded encumbrance for the period 01.01.1992 to 14.03.2022 **except BOB, Rishikesh.**

Therefore the property mentioned above and owned by **Smt. Sarika Garg** is free from all recorded encumbrances for the period 01.01.1992 to 14.03.2022 as the records made available **except BOB, Rishikesh.**


(M.S. Saxena)
Mahima Shankar Saxena
Advocate
Reg. No.-UP5679/92, UA-2333/04

Encl :

1. Receipt No. 52/94 dt. 22.02.2022 of the Office of Sub Registrar, Dehradun.
2. Receipt No. 46/35 dt. 14.03.2022 of the Office of Sub Registrar, Rishikesh.

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LAWYER'S OPINION NOTE REGARDING EQUITABLE MORTGAGE

To,

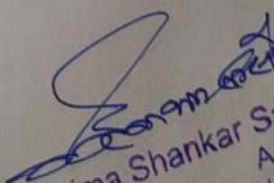
The Branch Manager
Rishikesh.

Dear Sir

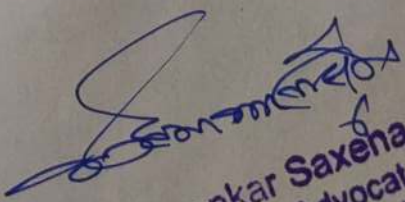
Sub: Title Opinion Report certifying non-encumbrance of the property bearing Municipal No. 104/14 (Old No.208), Khasra No. 74, area 209.25 sqm., covered area 148.64 sqm., situated at Dehradun Road, Rishikesh, Distt. Dehradun, Tehsil-Rishikesh, Distt. Dehradun belonging to Smt. Sarika Garg W/o Shri Ajay Garg, R/o 104/14, Dehradun Road, Rishikesh, Distt. Dehradun.

I refer to your letter No. Nil 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/proposed to be granted to Smt. Sarika Garg W/o Shri Ajay Garg, R/o 104/14, Dehradun Road, Rishikesh, Distt. Dehradun (borrower).

1. Description and area of the property proposed to be mortgaged. Specific number (s) and address of property along with boundaries and measurements.
Property bearing Municipal No. 104/14 (Old No.208), Khasra No. 74, area 209.25 sqm., covered area 148.64 sqm., situated at Dehradun Road, Rishikesh, Distt. Dehradun, which is bounded & butted as under:-
East - 25ft. wide road, side 25 ft.
West - Other's Property, side 25 ft.
North - Property of seller, side 90 ft.
South - Property of Mr. Omprakash, side 90 ft.
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.
Resi. Property
3. Name of the Mortgagor/Owner and status in the Account i.e. borrower or guarantor and whether Individual, Sole Proprietor, Partner, Director, Karta or Trustee. In case the Mortgagor is Partner/Director/Trustee who is mortgaging the property on behalf of Partnership/Company/Trust, whether he/she has the authority. Copy of the Resolution/Memorandum & Articles of Association/Trust Deed etc. whether examined and verified.
Smt. Sarika Garg W/o Shri Ajay Garg, R/o 104/14, Dehradun Road, Rishikesh, Distt. Dehradun (borrower).


Mahima Shankar Saxena
Advocate
Reg. No.-UP5679/92, UA-2333/04

4. Whether any minor, lunatic or undischarged insolvent is involved. Confirm that the Mortgagor has sufficient capacity to contract. Precautionary steps to be taken. No, the mortgagor is of fully sound mind and competent to contract.
5. Whether the property is Freehold or Leasehold. If Leasehold then period of lease, and if Freehold whether Urban Land Ceiling Act applies and permissions to be obtained. Yes, Freehold, and Urban Land Ceiling Act does not apply on the property.
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 Mortgagor is Co-owner/ Joint owner and/or any partition of the Property is made between the members of the family through Partition Deed. If yes, whether original Registered Partition Deed is available or it is only a family settlement. Sole ownership
8. Whether the Mortgagor is in exclusive possession of the property or it is leased/ rented out to third party. Yes, in Exclusive possession
9. Whether the property is mutated in Municipal/revenue records and Mortgagor's name is reflecting and if not, the reason thereof. Yes, mutated in Municipal record in the name of borrower.
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 relevant documents are available. Please given detailed list. 1. Original sale-deed No. 5532 dt. 28.10.2010
2. Original sale-deed No. 373 dt. 14.01.1983
12. Whether the Advocate has personally visited the Sub Registrar/Revenue/ Municipal office and examined the records. Yes


Mahima Shankar Saxena
Advocate
Reg. No.-UP5679/92, UA-2333/04

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

Yes

1. Receipt No. 52/94 dt. 22.02.2022 of the Office of Sub Registrar, Dehradun.
2. Receipt No. 46/35 dt. 14.03.2022 of the Office of Sub Registrar, Rishikesh.

14. Details of documents examined/scrutinized (this should be 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.)

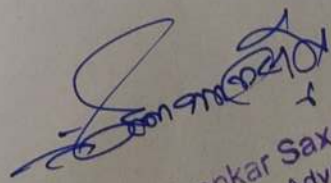
1. Original sale-deed No. 5532 dt. 28.10.2010
2. Original sale-deed No. 373 dt. 14.01.1983

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.

Brief history of the property is that Smt. Sarika Garg W/o Shri Ajay Garg, R/o 104/14, Dehradun Road, Rishikesh, Distt. Dehradun has purchased the said property from Mrs. Usha Breja W/o Late Sohan Lal Breja, Mr. Sanjay Breja, Mr. Rajeev Breja, Mr. Ajay Breja Sons of Late Sohan Lal Breja, R/o Avas Vikas Colony, Rishikesh, Distt. Dehradun through sale-deed dt. 28.10.2010, regd. with S.R. Rishikesh at Bk.No.1, zild 1066, pg. 61 to 84 at No. 5532 on dt. 28.10.2010. Mrs. Usha Breja & others got the said property in succession from Late Mr. Sohan Lal Breja. Mr. Sohan Lal Breja had purchased the said property from Shri Baba Singh S/o Sh. Sohan Singh through sale-deed, regd. with S.R. Dehradun at Bk.No.1, zild 2001, pg. 156 to 158 at No. 373 on dt. 14.01.1983. The name of Smt. Sarika Garg is mutated in Municipal record.

16. Whether there is any doubt/suspicion about the genuineness of the original documents. If yes, then specify.

No


Mahima Shankar Saxena
Advocate
Reg. No.-UP55679/92, UA-2333/04

17. The final Certificate of the Advocate confirming that title of the property(s) to be mortgaged is examined by him and the same is/are clear and marketable.

I hereby certify that the property has a marketable title and the chain of title is complete and free from any other recorded encumbrance **except BOB, Rishikesh**. The security by way of equitable mortgage by deposit of Original Title Deed is a good security and Bank's interest is secured by such security. SARFAESI Act 2002 is applicable.

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 sale-deed No. 5532 dt. 28.10.2010
2. Original sale-deed No. 373 dt. 14.01.1983
3. Copy of latest H.Tax receipt

19. Whether any additional formalities to be completed by the proposed mortgagor. If yes, state specifically 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

Yours faithfully

(M.S. Saxena)
Advocate

Mahima Shankar Saxena
Advocate
Reg. No.-UP5679/92, UA-2333/

MAHIMA SHANKAR SAXENA
Advocate
Court Compound
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To,

The Branch Manager
Bank of Baroda
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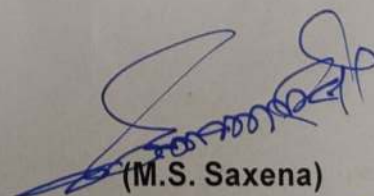
Sub : Property bearing Municipal No. 104/14 (Old No.208), Khasra No. 74, area 167.40 sqm., covered area 83.61 sqm., situated at Dehradun Road, Rishikesh, Distt. Dehradun, which is bounded & butted as under:-

East	-	25ft. wide road, side 20 ft.
West	-	Other's Property, side 20 ft.
North	-	Property of Mr. Satish Kr. Agarwal, side 90 ft.
South	-	Property of purchaser, side 90 ft.

At present owned by **Smt. Sarika Garg W/o Shri Ajay Garg, R/o 104/14, Dehradun Road, Rishikesh, Distt. Dehradun.**

I have inspected the Index Register Part-II of the office of the Sub Registrar, Dehradun and Rishikesh (Registration) for the period 1992 to 1998 and 1998 to 14.03.2022 respectively and I found no act of recorded encumbrance for the period 01.01.1992 to 14.03.2022 **except BOB, Rishikesh.**

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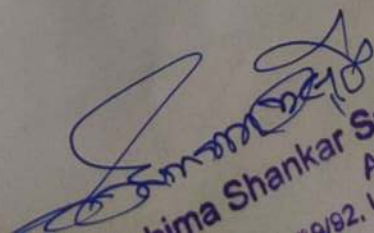
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Dear Sir

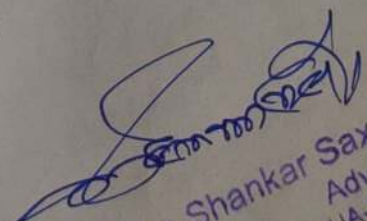
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11. Whether all the original Title Deeds including antecedent Title Deeds and other relevant documents are available. Please given detailed list.
 1. Original sale-deed No. 5576 dt. 01.11.2010
 2. Original sale-deed No. 2110 dt. 04.10.1983
12. Whether the Advocate has personally visited the Sub Registrar/Revenue/ Municipal office and examined the records. Yes


Mahima Shankar Saxena
Advocate
UP5679/92, UA-2333/04

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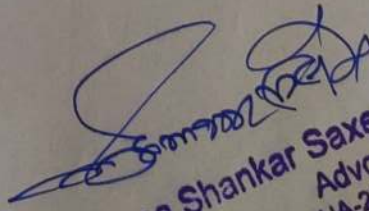
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16. Whether there is any doubt/suspicion about the genuineness of the original documents. If yes, then specify.

No


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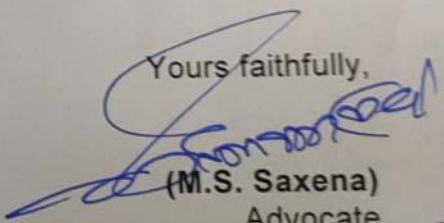
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