

# PRIYA SHARMA & ASSOCIATES

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Rs. 30,000/- + GST

No. SBI (02/2022/34)-LO-22

Dated : 28.02.2022

To,  
Branch Head,  
STATE BANK OF INDIA  
Branch-Commercial Branch  
Nehru Place  
New Delhi/Delhi

Legal Opinion for Property - In the ownership of Yamuna Expressway Industrial Development Authority (A Govt. of U.P. Undertaking) First Floor, Commercial Complex, P-2, Sector- Omega I, Greater Noida, Gautam Budh Nagar, Uttar Pradesh- 201308

### PREMISES:

Land Measuring Area 107.6858 Hectares in The Revenue Estate Of Village Mohmaddpur Gujar, Near Yamuna Expressway in Tehsil Dankaur Sadar, District Gautam Budh Nagar, Uttar Pradesh.

Dear Sir,

This is in reference to the documents submitted to our office for conducting Title Investigation Search Report in respect of the abovementioned property. Upon reviewing the documents and the evidence on record, I hereby adduce my legal opinion as follows.

1.	a) Name of Branch/Business Unit/ Office seeking opinion.	STATE BANK OF INDIA Branch-Netaji Subhash Place New Delhi/Delhi
	b) Reference No. and Date of the letter under the cover of which the documents tendered for security are forwarded.	No. SBI (02/2022/34)-LO-22 Dated : 28.02.2022
	c) Name of the Borrower	Yamuna Expressway Industrial Development Authority (A Govt. of U.P. Undertaking) First Floor, Commercial Complex, P-2, Sector- Omega I, Greater Noida, Gautam Budh Nagar, Uttar Pradesh- 201308
2.	a) Name of the unit/concern/	Yamuna Expressway Industrial



	company/person offering the property/(ies) as security.	Development Authority (A Govt. of U.P. Undertaking) First Floor, Commercial Complex, P-2, Sector-Omega I, Greater Noida, Gautam Budh Nagar, Uttar Pradesh- 201308
	b) Constitution of the unit/ concern/person/body/ authority offering the property for creation of charge.	A Govt. of U.P. Undertaking.
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	As Borrower
3.	Complete or full description of the immovable property/(ies) offered as security including the following details.	Land Measuring Area 107.6858 hectares In the revenue estate of Village Mohmaddpur Gujar, Near Yamuna Expressway In Tehsil Dankaur Sadar, District Gautam Budh Nagar, Uttar Pradesh
	a) Survey No.	NA
	b) Door/House no. (in case of house property)	NA
	c) Extent/area including plinth/ built up area in case of house property.	107.6858 hectares
	d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	Village Mohmaddpur, Gujar, near Yamuna Expressway in Tehsil Dankaur Sadar, District Gautam Budh Nagar Uttar Pradesh.
4.	a) Particulars of the documents scrutinized - serially and chronologically.	<ol style="list-style-type: none"> <li>1. Gazette Notification 2530/77-3-10-15YA/10 dated 15.10.2010 regarding Land measuring 117.1600 hectares in the revenue estate of Village Mohmaddpur Gujar, near Yamuna Expressway in Tehsil Dankaur Sadar, District Gautam Budh Nagar, Uttar Pradesh in favour of M/s Yamuna Expressway Industrial Development Authority.</li> <li>2. Gazette Notification 526/77-3-11-15YA/10 dated 24.03.2011 regarding Land measuring 114.5782 hectares in the revenue estate of Village Mohmaddpur Gujar, near</li> </ol>



			<p>Yamuna Expressway in Tehsil Dankaur Sadar, District Gautam Budh Nagar, Uttar Pradesh in favour of M/s Yamuna Expressway Industrial Development Authority.</p> <p>3. Copy of Letter dated 18.07.2011 issued by SDM, Gautam Budh Nagar for Land measuring about 107.6858 hectares in the revenue estate of Village Mohmaddpur Gujar, near Yamuna Expressway in Tehsil Dankaur Sadar, District Gautam Budh Nagar, Uttar Pradesh for development of residential/commercial areas in proposed Sector 17B and 18 vide Letter dated 18.07.2011 in favour Yamuna Expressway Industrial Development Authority at Yamuna Expressway Industrial Development Authority (A Govt. of U.P. Undertaking) First Floor, Commercial Complex, P-2, Sector- Omega I, Greater Noida, Gautam Budh Nagar, Uttar Pradesh- 201308.</p> <p>4. Copy of Jamabandi</p>	
<p>1) Nature of documents verified and as to whether they are originals or certified copies or registrations extracts duly certified.</p> <p><b>Note:</b> Only Originals or Certified extracts from the registering/land/ revenue/other Authorities be examined.</p>			<p>No registered records/title deeds are available. We have verified Gazette Notification 2530/77-3-10-15YA/10 dated 15.10.2010 and Gazette Notification 526/77-3-11-15YA/10 dated 24.03.2011.</p>	
Sl. No.	Date	Name/ Nature of the Document	Original/Certified Copy/Certified Extract/Photocopy etc.	In Case of copies, whether the Original was Scrutinized by





				the Advocate
1.	Dated 15.10.2010	Gazette Notification 2530/77-3-10- 15YA/10	Photocopy	
2.	Dated 24.03.2011	Gazette Notification 526/77-3-11- 15YA/10	Photocopy	
3.	Dated 18.07.2011	Letter	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 and relevant fee receipts along with the TIR)		Not Applicable, The land is acquired through Gazette Notification and no title deeds that have been registered.	
	b) i) Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's Office have been verified page by page with the Original documents submitted?		Not Applicable, The land is acquired through Gazette Notification and no title deeds that have been registered.	
	ii) Where the certified copies of the title documents are not available, the copy provided should be compared with the Original to ascertain whether the total page numbers in the copy tally page by page with the Original produced		Not Applicable, The land is acquired through Gazette Notification and no title deeds that have been registered.	
	(In case originals title deed is not produced for comparing with the certified or ordinary copies should be handled more diligently & cautiously)			
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, online portal or computer system available for verification.	
	b) If such online/computer records are available, whether any verification or cross checking are made and the comments/findings in this regard.		Not Applicable.	



	c) Whether the genuineness of the stamp paper is possible to be got verified from any online portal and 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 (Sadar), Gautam Budh Nagar, Uttar Pradesh.
	b) Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/district registrar/registrar-general. If so, please name all such offices?	No.
	c) Whether search has been made at all the offices named at (b) above?	Search made in Authority Office Gautam Budh Nagar, Uttar Pradesh Presently the subject property falls under jurisdiction of Sub-Registrar (Sadar), Gautam Budh Nagar, Uttar Pradesh
	d) Whether the searches in the office of registering authorities or 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 the current title holder. And wherever Minor's interest or other clog on title is involved, search should be made for a 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 a period of not less than 30 years in mandatory. (Separate Sheets may be used)	Mentioned on separate sheet of Annexure-B
9.	Nature of Title of the intended Mortgagor over the property (Whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee /Allottee etc.	Full Ownership Rights
10.	If Lease Hold, Whether:	



	a) Lease Deed is duly stamped and registered	Not Applicable
	b) Lease is permitted to mortgage the Leasehold right	Not Applicable
	c) Duration of the Lease/ unexpired period of lease	Not Applicable
	d) If, a sub-lease, check the lease deed in favour of Lessee as to whether Lease Deed permits sub-leasing and mortgage by Sub-Lessee also.	Not Applicable
	e) Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	Not Applicable
	f) Right to get renewal of the leasehold rights and nature thereof.	Not Applicable
11.	If Govt. Grant/Allotment/Lease-cum Sale Agreement, whether;	Yes, The land is acquired through Gazette Notification.
	a) Grant/Agreement etc. provides for alienable rights to the mortgagor with or without conditions?	Not Applicable
	b) The mortgage is competent to create charge on such property?	Yes
	c) Any permission from Govt. or any other authority is required for creation of mortgage and if so, whether such valid permission is available?	No
12.	If occupancy rights, whether;	Not Applicable
	a) Such right is <u>heritable</u> and transferable	Not Applicable
	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, the modalities/ procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.	None No Minor interest involved
14.	If the property has been transferred by way of Gift/ Settlement Deed, Whether;	Not Applicable
	a) The Gift/Settlement Deed is duly stamped and registered?	Not Applicable
	b) The Gift/Settlement Deed has been attested by two witnesses?	Not Applicable
	c) The Gift/Settlement Deed transfers the property to Donee?	Not Applicable
	d) Whether the Donee has accepted the Gift by signing the Gift/ Settlement	Not Applicable





	Deed or by a separated writing or by implication or by actions?	
	e) Whether there is any restriction on the Donor in executing the Gift/ Settlement Deed in question?	Not Applicable
	f) Whether the Donee is in possession of the gifted property?	Not Applicable
	g) Whether any life interest is reserved for the Donor or any other person and whether there is a 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.	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.	Not Applicable
	b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.	Not Applicable
	c) Whether the partition made is valid in law and the mortgagor has acquired a mortgage able title thereon.	Not Applicable
	d) In respect of partition by a decree of court, whether such decree has become final and all other conditions/formalities are completed/complied with.	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 mortgage?	Not Applicable
16.	Whether the title documents include any testamentary documents/wills?	Not Applicable
	a) In case of wills, whether the will is registered will or unregistered will?	Not Applicable
	b) Whether will in the matter needs a	Not Applicable



	mortgage?	
	d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter	Not Applicable
20.	a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage?	No, the subject property is not an agriculture land as per records.
	b) In case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage?	Yes, The land is acquired through Gazette Notification.
	c) In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained?	Yes, The land is acquired through Gazette Notification. ✓
21.	Whether the property is affected by any local laws or other regulations, having a bearing on the creation security (viz. Agricultural Laws, weaker sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.)?	Not Applicable.
22.	a) Whether the property is subject to any pending or proposed land acquisition proceedings?	There is no uniform centralized portal or system to verify the same. Borrowers may be asked to submit a declaration on oath. Draft declaration on oath is annexed herewith.
	b) Whether any search/inquiry is made with the land Acquisition Office and the outcome of such search/enquiry?	Not Applicable
23.	a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No litigation found in the records.
	b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	Not Applicable
	c) Whether the title documents have any court seal/marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please comment on such seal/marking.	Not Applicable
24.	a) In case of partnership firm, whether the property belongs to the firm and	Not Applicable





	the deed is properly registered?	
	b) Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	Not Applicable
	c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm?	Not Applicable
25.	a) Whether the property belongs to a Limited Company, check the Borrowing Powers, Board resolution, authorization to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association/Provision for common seal etc.	Not Applicable.
	b) i) Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) Firm? Yes/No	Not Applicable.
	ii) If Yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (RoC) in respect of such vendor company/LLP (Seller) and the vendee company (purchaser)?	Not Applicable.
	iii) Whether the above search of charges reveals any prior charges/encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller)? Yes/No	Not Applicable
	iv) If the search reveals encumbrances/charges, whether such charge/encumbrances have been satisfied? Yes/No	Not Applicable
26.	In case of Societies, Association, the required authority/power to borrower and whether the mortgage can be created, and the requisite resolutions, bye-laws.	Not Applicable
27.	a) Whether any POA is involved in the chain of title? —	Not Applicable ✓
	b) Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power	Not Applicable



	of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.	
	c) In case the title documents is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour of their Partners/Employees/ Authorized Representatives to sign Flat Allotment Letters, NOC's, Agreements of Sale, Sale Deeds, 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 POA, whether a certified copy of POA is available and the same has been verified/ compared with original POA	Not Applicable
	e) In case of common POA (i.e. POA other than Builder's POA), please clarify the followings clauses in respect of POA.	Not Applicable
	i) Whether the original POA is verified and the title investigation is done on the 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 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 the genuineness of POA?	Not Applicable
	h) The unequivocal opinion on the enforceability and validity of the POA?	Not Applicable
28.	Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the	Not Applicable



	same is properly executed/stamped/authenticated in terms of the Law of the place, where it is executed.	
29.	If the property is a flat/ apartment or residential/ commercial complex, check and comment on the following:	Not Applicable.
	<p>a) Promoter's/Land owner's title to the land/building;</p> <p>b) Development Agreement/ Power of Attorney;</p> <p>c) Extent of authority of the Developer/Builder;</p> <p>d) Independent title verification of land and/or building in question;</p> <p>e) Agreement for sale (duly registered);</p> <p>f) Payment of proper stamp duty;</p> <p>g) Requirement of registration of sale agreement, development agreement, POA etc.;</p> <p>h) Approval of building plan, permission of appropriate/ local authority etc.;</p> <p>i) Conveyance in favour of Society/Condominium concerned,</p> <p>j) Occupancy Certificate/ Allotment Letter/Letter of Possession;</p> <p>k) Membership details in the Society etc.;</p> <p>l) Share Certificates;</p> <p>m) No Objection Letter from the Society;</p> <p>n) All legal requirements under the local/Municipal laws, regarding ownership of Flats/Apartments/ Building Regulations, Development Control Regulations, Co-Operative Societies Laws etc.;</p>	<p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p> <p>Not Applicable</p>





	o) Requirements, for noting the Bank charges on the records of the Housing Society, if any;	Not Applicable
	p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any;	Not Applicable
	q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	Not Applicable
30.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Lines etc. and details thereof.	No encumbrance registered in the Sub-Registrar Office.
31.	The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	Period covered under Non-Encumbrance Certificate is 13 years i.e. from 2010 to 2022 as the Gazette Notification was released in year 2010.
32.	Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Not Applicable
33.	a) Urban land ceiling clearance, whether required and if so, details thereon.	Not Applicable
	b) Whether No Objection Certificate under the Income Tax is required/obtained?	Not Applicable
34.	Details of RTC extracts/ mutation extracts/Katha extracts pertaining to the property in question.	Not Applicable
35.	Whether the name of mortgagor is reflected as owner in the Revenue/Municipal/Village records?	Yes
36.	a) Whether the property offered as security is clearly demarcated?	Demarcation/boundaries of the property are to be ascertained by the approved Valuer of the Bank.
	b) Whether the demarcation/partition of the property is legally valid?	Demarcation/boundaries of the property are to be ascertained by the approved Valuer of the Bank as a pool of land came through the Gazette Notification.