



# SUNIL SEHRAWAT

Advocate & Legal Consultant

Mob.: 9212190624  
Ph : 011-45579536

Office : F-10/18, Sector-15, Rohini, Delhi-110089

Date: 23.03.2017

Ref. No. ....

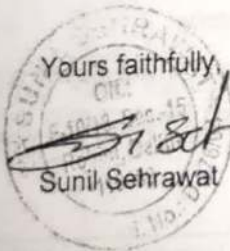
Date .....

To,  
The Chief Manager,  
State Bank of Mysore,  
Nehruplace Branch.

Dear Sir,

**M/S. KWALITY OVERSEAS P LTD- OBTENTION OF GUARANTEE OF MR RAJAT GOYAL TO MORTGAGE THE SOLE PROPRIETOR PROPERTY M/S GUPTA LOOM INDUSTRIES**

With reference to your request for legal opinion seeking obtaining personal guarantee of Mr Rajat Goyal (Proprietor of M/s. Gupta Loom Industries) instead of guarantee of the concern, we would like to inform you that "In case of Sole Proprietorship Firm proprietor is individually responsible towards all liabilities of himself as well as proprietary firm i.e., loan obtained by him or in the name of firm or given any property of the proprietary firm as guaranteeing to other company". So he is personally liable for all acts and deeds done by him either individually or on behalf of proprietorship firm. There is no separate legal status of Proprietary concern other than the individual.



56



# SUNIL SEHRAWAT

Advocate & Legal Consultant

Mob.: 92121906  
Ph : 011-4557951

Office : F-10/18, Sector-15, Rohini, Delhi-110089

Ref. No. : TSR-NP-DLN-560

Date : 24.02.2017

To,

The Chief Manager,  
State Bank of Mysore,  
Nehru Place Branch, Delhi.

**Title Search Report in respect of Property/Plot No.851, R.K Road ,Industrial Area A, Ludhiana Land area measuring 2140 Sq.Yds., Near HP Petrol Pump/Bhagwati which is bounded as under:- East: Plot No 852, West: Plot No.850, North: Road 40 ft. South: Plot No.864,on behalf of proposed borrower M/s Kwaliti Overseas Pvt. Ltd.**

Respected Sir,

With reference to your letter No. Adv/KOPL/2016-17 dated: 12-01-2017, Legal opinion for the above property, on the basis of Sale Deed and other documents forwarded to me pertaining to the said immovable property and the other information submitted by you, I have conducted a detailed search and investigation and submitted my report as under:

**Annexure-B : Report of Investigation of Title in respect of immovable Property.**

1	a) Name of the Branch/ Business Unit/Office seeking opinion.	The Branch Manager State Bank of Mysore, Nehru Place, Delhi.
	b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	Adv/KOPL/2016-17 dated: 12-01-2017
	c) Name of Borrower	M/s Kwaliti Overseas Pvt. Ltd.
2	a) Name of the unit / concern / company / person offering the property/(ies) as security.	M/s Gupta Loom Industries Proprietorship Firm, Proprietor: Sh. Rajat Goyal.
	b) Constitution of the unit/concern/person/body/authority offering the property for creation of charge.	Individual
	c) State as to under what capacity is security offered (Whether as joint applicant or borrower or as guarantor, etc.)	As a Guarantor
3	Complete or full description of the immovable property /(ies) offered as security including the following detail:-	Plot No.851, R.K Road ,Industrial Area A, Ludhiana Land area measuring 2140

58



Complete or full description of the immovable property /(ies) offered as security including the following detail:-	Plot No.851, R.K Road ,Industrial Area A, Ludhiana Land area measuring 2140 Sq.Yds., Near HP Petrol Pump/Bhagwati which is bounded as under:- East: Plot No 852, West: Plot No.850, North: Road 40 ft. South: Plot No.864.
a) Survey No.	Nil
b) Door/House no. (in case of house property)	Plot No.851
c) Extent/ area including plinth/ built up area in case of house property	2140 Sq. Yds.
d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	R.K. Road ,Industrial Area A, Ludhiana Land area measuring 2140 Sq.Yds., Near HP Petrol Pump/Bhagwati.
4 a) Particulars of the documents scrutinized serially and chronologically.	<p>(i) Copy of Sale Deed dated 05.03.1965 duly executed by Sh. Jasbir Singh S/o Baldev Singh in favor of M/S Gupta Loom Industireis, registered as Vasika No. 4913.</p> <p>(ii) Copy of Notarized public translation copy dated 04.02.2012 duly executed by Sh. Jasbir Singh S/o Baldev Singh in favor of M/S Gupta Loom Industireis, registered as Vasika No. 4913.</p> <p>(iii) Copy of Deed of Dissolution dated 31.12.1976 made between The Canon Steel Private Limited (A Company registered under the provisions of Indian Companies Act.1965), having its registered office at 109-Churchgate chambers,5-New Marine Lines, Bombay and Head Office at Ludhiana, and Shri Sat Parkash Goyal S/o Shri Jagat Ram Goyal; Shri Hira lal Goyal Goyal S/o Sh. Jagat Ram Goyal, Shri Gulshan Rai Goyal S/o Sh. Jagat Ram Goyal; Smt. Daya Goyal W/o</p>



Sh. Prem Chand Goyal; Sh. Megh Raj Goyal S/o Sh. Jagat Ram Goyal.

(iv) Copy of Partnership Deed dated 02.04.2009 made between the Mr. Rajat Goyal, personal Capacity, S/o Sh. Rakesh Kumar Goyal, R/o 2-C, Sarabha Nagar, Ludhiana. AND m/s Cannon Industries Pvt. Ltd. Through its director, Smt. Geeta Goyal, 851-Industrial Area-A, Ludhiana in its proprietary concern m/s Gupta loom Industries, 851- Industrial Area, A, Ludhiana.

(v) Copy of the Resolution passed at the meeting of the Board of Directors of Cannon Industries Private Limited Held on 02.04.2009 At 11:00AM at the Registered office of the company situated at 109,Churchgate chambers ,5, New Marine Lines, Mumbai, Maharashtra-400020 "

(vi) Copy of the Resolution passed at the meeting of the board of directors of Cannon Industries Private Limited Held on 25<sup>th</sup> August,2009 AT 11:00AM at the Registered office of the company situated at 109,Churchgate chambers ,5, New Marine Lines, Mumbai, Maharashtra400020

(vii) Copy of Deed of Dissolution dated 26.08.2009 of M/s Gupta loom Industries,851, Industrial Area-A, Ludhiana, Amongst:M/s Cannon industries Pvt. Ltd., through its director, Smt. Geeta Goyal, 851, Industrial Area-A, Ludhiana



60



b) Nature of documents verified and as to whether they are original or certified copies or registration extracts duly certified.

Sarabha Nagar, Ludhiana.

(viii) Copy of Affidavit dated 10.06.2011 Sworn by Shri Rajat Goyal S/o Sh. Rakesh Kumar Goyal R/o 2-C, Sarabha Nagar, Ludhiana.

(IX) Copy Notary Attested Copy of IEC Code Certificate of M/s Gupta Loom Industries dated: 01.03.2011

All Original documents are in branch and verified along with photocopies (Except Deed of Dissolution dated 31.12.1976). Yes all the documents are exactly same with the Original copies.

5.	S N o	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.	05.03.1965	Sale Deed	Photocopy	Original held in Branch records
	2.	04.02.2012	Notarized Translation Copy	Photocopy	Original held in Branch records
	3.	31.12.1976	Deed of Dissolution	Photocopy	Photocopy is held in Branch records
	4.	02.04.2009	Partnership Deed	Photocopy	Original held in Branch records
	5.	02.04.2009	Board of Resolution of M/S Cannon Industries Private Limited	Photocopy	Original held in Branch records
	6.	25.08.2009	Board of Resolution of M/S Cannon Industries Private Limited	Photocopy	Original held in Branch records



and Mr. Rajat Goyal R/o 2-C, Sarabha Nagar, Ludhiana.

(viii) Copy of Affidavit dated 10.06.2011 Sworn by Shri Rajat Goyal S/o Sh. Rakesh Kumar Goyal R/o 2-C, Sarabha Nagar, Ludhiana.

(IX) Copy Notary Attested Copy of IEC Code Certificate of M/s Gupta Loom Industries dated: 01.03.2011

b) Nature of documents verified and as to whether they are original or certified copies or registration extracts duly certified.

All Original documents are in branch and verified along with photocopies. Yes all the documents are exactly same with the Original copies.

5.	S N o	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.	05.03.1965	Sale Deed	Photocopy	Original held in Branch records
	2.	04.02.2012	Notarized Translation Copy	Photocopy	Original held in Branch records
	3.	31.12.1976	Deed of Dissolution	Photocopy	Original held in Branch records
	4.	02.04.2009	Partnership Deed	Photocopy	Original held in Branch records
	5.	02.04.2009	Board of Resolution of M/s Cannon Industries Private Limited	Photocopy	Original held in Branch records
	6.	25.08.2009	Board of Resolution of M/S Cannon Industries Private Limited	Photocopy	Original held in Branch records



62



7.	26.08.2009	Deed of Dis-solution	Photocopy	Original held in Branch records
8.	10.06.2011	Affidavit of Sh. Rajat Goyal	Photocopy	Original held in Branch records
9.	01.03.2011	Notary At-tested Copy of IEC Code Certificate of M/S Gupta Loom Industries	Photocopy	Original held in Branch records
6	a) Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any on-line portal or computer system?			No, as per sub-registrar office this record is vanished in flood in year 1970. We have obtain this in writing from concern office.
	b) If such online / computer records are available, whether any verification or cross checking are made and the comments / findings in this regard			No, as per sub-registrar office this record is vanished in flood in year 1970. We have obtain this in writing from concern office.
	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, Ludhiana, Punjab.
	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 all the offices named at (b) above?			NA
	d) Whether the searches in the offices 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.			As per description given in the documents We have searched the record of last 52 years. Initially the subject property was owned by Sh. Jasbir Singh S/o Baldev Singh in favor of M/S Gupta Loom Industries Through its Partner Sh. Sat Prakash.  Thereafter, The Cannon Steels



63

Pvt.Ltd. (Private Limited Company) and Shri Sat Parkash Goyal S/o Shri Jagat Ram Goyal, Shri Hira Lal Goyal, S/o Sh. Jagat Ram Goyal, Shri Gulshan Rai Goyal S/o Sh. Jagat Ram Goyal, Smt. Daya Goyal W/o Sh. Prem Chand Goyal; Sh. Megh Raj Goyal S/o Sh. Jagat Ram Goyal which, carried on partnership business under the name and style M/s Gupta Loom Industries, which was later on dissolved vide Deed of Dissolution dated: 31.12.1976 and the said company took over the business, moveable and immovable properties of M/s Gupta Loom Industries and other partners had been retired after withdrawing their respective capitals.

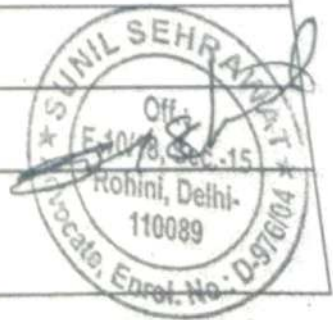
Thereafter, Mr. Rajat Goyal, personal Capacity, S/o Sh. Rakesh Kumar Goyal, R/o 2-C, Sarabha Nagar, Ludhiana and m/s Cannon Industries Pvt. Ltd. Through its director, Smt. Geeta Goyal, 851-Industrial Area-A, Ludhiana in its proprietary concern m/s Gupta loom Industries, 851- Industrial Area, A, Ludhiana, entered into partnership vide Deed of Partnership dated: 02.04.2009 and business of this partnership was carried out at subject property in name of M/S Gupta Loom Industries and the company had authorize Smt. Geeta Goyal vide Resolution dated: 02.04.2009 in this regard.

Thereafter, the said M/S Cannon Pvt. Ltd., through its Di-





		<p>rector, Smt. Geeta Goyal and Sh. Rajat Goyal, dissolved the partnership vide execution of Deed of Dissolution dated: 26.08.2009 and Smt. Geeta Goyal, was authorize by the company vide Resolution dated: 25.08.20098 in this regard. After execution of said deed of dissolution dated: 26.08.2009, the Company became the retiring partner and Sh. Rajat Goyal, was left as surviving partner who has taken over the business, moveable and immovable of M/s Gupta Loom Industries.</p> <p>Thereafter, the said Sh. Rajat Goyal, becomes the proprietor of the said Gupta Loom Industries which evident from Certificate of Importer-Exporter Code(IEC) issued by Ministry of Commerce and Industries.</p> <p>As on date M/s Gupta Loom Industries Proprietorship Firm, through its Proprietor: Sh. Rajat Goyal, is the absolute owner of the subject property.</p>
	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 is mandatory (separate sheets may be used)	
9.	Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder of Govt. Grantee/ Allottee, etc.)	Ownership Rights
10	If leasehold, whether;	NA
	a) Lease Deed is duly stamped and registered	NA
	b) Lease Deed is permitted to mortgage the Leasehold right	NA
	c) Duration of the Lease / unexpired period of lease	NA
	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.	NA
	e) Right to get renewal of the leasehold rights and nature thereof	NA
	f) If Govt. grant/allotment/ Lease-cum/Sale Agreement, whether;	NA
11	Grant/agreement etc. provides for alienable rights to the mortgagor with or without conditions	NA



65

	The mortgagor is competent to create charge on such property	NA
	Whether any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available	NA
12	If occupancy right, whether	NA
	Such right is heritable and transferable	NA
	Mortgage can be created	NA
13.	Nature of Minor 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.	NA
14	If the property has been transferred by way of Gift/ Settlement Deed , whether	NA
	a) The Gift /Settlement Deed is duly stamped and registered	NA
	b) The Gift /Settlement Deed has been attested by two witnesses;	NA
	c) The Gift /Settlement Deed transfers the property to Donee;	NA
	d) Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions	NA
	e) Whether there is any restriction on the Donor in executing the Gift /Settlement Deed in question	NA
	f) Whether the Donee is in possession of the gifted property	NA
	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;	NA
	h) Any other aspect affecting the validity of the title passed through the gift/Settlement Deed.	NA
15	a) In case of partition /family 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.	NA
	b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.	NA
	c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.	NA
	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.	NA
	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?	NA
16.	Whether the title documents include any testamentary documents /Wills?	NA
	a) In case of wills, whether the will is registered will or unregistered will?	
	b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	NA
	c) Whether the property is mutated on the basis of will?	NA
	d) Whether the original will is available?	NA
	e) Whether the original death certificate of the testator is available?	NA
	f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testator? (Comments on the circumstances such as the availability of a declaration by all the beneficiary about the genuineness / validity of the will, all parties have acted upon the will, etc., which are relevant to rely on the will, availability of Mother. Original title deeds are to be explained)	NA
17.	a) Whether the property is subject to any <del>walk</del> rights?	NA
	b) Whether the property belongs to church/ temple or any religious / other institutions having any restriction in creation of charges on such properties?	NA
	c) Precautions / permissions, if any in respect of the above cases for creation of mortgage?	NA
18.	a) Where the property is a HUF/joint family property, mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor's share if any, rights of female members etc.	NA
	b) Please also comment on any other aspect which may adversely affect the validity of security in such cases?	NA
19.	a) Whether the property belongs to any trust or is subject to rights of any trust?	NA
	b) Whether the trust is a private or public trust and whether trust deed specially authorizes the mortgage of the property?	NA
	c) If so additional precautions/permissions to be obtained for creation of valid mortgage?	NA
	d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter	NA
20.	a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for	NA



	creation /enforcement of mortgage.	
	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?	NA
	c) In case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed /permission obtained.	NA
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, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.)	NA
22	a) Whether the property is subject to any pending or proposed and acquisition proceedings?	NA
	b) Whether any search/enquiry is made with Land Acquisition Office and the outcomes of such search/enquiry	NA
23.	a) Whether the property is involved in or subject matter of any litigation which pending or concluded?	No
	b) If so, whether such litigation would adversely affect the creation of valid mortgage or have any implication of its future enforcement?	NA
	c) Whether the title documents have any court seal/markings 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.	No
24.	a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered.	Yes
	b) Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	Yes
	c) Whether the person(s) creating mortgage has /have authority to create mortgage for and on behalf of the firm	Yes
25.	Whether the property belongs to a Limited Company, check the Borrowing power, Board of Resolution, authorization to create mortgage/execution of documents, Registration of any prior charges with company Registrar (ROC), Articles of Association / provision for common seal, etc.	NA
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.	NA
27.	a) Whether any POA is involved in the chain of title?	No
	b) Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, Please clarify whether	NA





	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 document 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, NOCs, Agreement of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builders's POA) or (ii) Other type of POA (Common POA)	NA
	d) In case of Builder's POA, whether a certified copy of POA is available and the same has been certified /compared with the original POA.	NA
	e) In case of Common POA, (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA. (i) Whether original POA is verified and the title investigation is done on the basis of original POA? (ii) Whether the POA is a registered one? (iii) Whether the POA is a special or general one? (iv) Whether the POA contains a specific authority for execution of title documents in question?	NA
	f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the documents in question?( Please clarify whether the same has been ascertained from the office of sub-registrar also?)	NA
	g) Please comment on the genuineness of POA	NA
	h) The unequivocal opinion on the enforceability and validity of the POA?	NA
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 same is properly executed/ stamped /authenticated in terms of the Law of the place, where it is executed.	No
29.	If the property is a flat/apartment or residential/commercial complex, check and comment on the following:  (a) Promoter's/ Land owner's 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 for sale (duly registered) (f) Payment of proper stamp duty; (g) Requirement of registration of sale agreement, development agreement, POA ,etc.	No  NA NA NA NA NA NA NA




	(h) Approval of building plan, permission of appropriate/local authority, etc.;	NA
	(i) Conveyance in favor of Society / Condominium concerned;	NA
	(j) Occupancy Certificate/allotment letter/ letter of possession;	NA
	(k) Membership details in the Society, etc;	NA
	(l) Share Certificates;	NA
	(m) No objection letter from the Society;	NA
	(n) All legal requirements under the local/ Municipal laws, regarding ownership of flats/apartments/ building Regulation, Development Control Regulations, Co-operative Societies, etc.;	NA
	(o) Requirements, for noting the Bank Charges on the records of the Housing Society, if any;	NA
	(p) If the property is a vacant land and construction is yet to be made, approval of layout and other precautions, if any;	NA
	(q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	NA
30.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	Nil
31.	The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrances is created and if so, satisfaction of charge, if any	NA
32.	Details regarding property tax or land revenue or other statutory dues paid/ payable as on date and if not paid, what remedy?	Nil
33.	(a) Urban land ceiling clearance, whether required and if so, details thereon. (b) Whether No Objection Certificate under the Income Tax ACT is required/ obtained	NA NA
34.	Details of RTC extracts / mutation extracts / Katta extracts pertaining to the property in question. * The original sale deed is in the name of Owner.	NA
35.	Whether the name of mortgagor is reflected as owner in the revenue / Municipal / Village records?	NA
36.	a) Whether the property offered as security is clearly demarcated?	Yes
	b) Whether the demarcation /partition of the property is legally valid?	Yes
	c) Whether the property has clear access as per documents?	Yes
37.	(a) Whether the property can be identified from the following documents, and discrepancy/doubtful circumstances, if any revealed on	No





	such scrutiny? (a) Document in relation to electricity connection;	NA
	(b) Document in relation to water connection;	
	(c) Document in relation to Sales Tax Registration, if any applicable;	NA
	(d) Other utility bills, if any	
38.	In respect of the boundaries of the property, whether there is a difference /discrepancy in any of the title documents or any other documents (such as valuation report, utility bills,etc.) or the actual current boundary? If so please elaborate/comments on the same.	No
39.	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.	NA
40.	Whether the Bank will be able to enforce SAR-FESI Act, if required against the property offered as security?	Yes
41.	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, 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.	NA
42.	Whether the governing law/ constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions. if any to be taken in such cases.	NA
43.	Additional aspects relevant for investigation of title as per local laws.	Nil
44.	Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security	Nil
45.	The specific persons who are required to create mortgage/ to deposit documents creating mortgage.	M/s Gupta Loom Industries Proprietorship Firm, Proprietor: Sh. Rajat Goyal

Dated:24/02/2017

  
(Sunil Sehrawat)  
Advocate  
Rohini, Delhi.  
110039  
Advocate, Enrol. No.: D-37604

  
SUNIL SEHRAWAT  
Off.:  
F-10/18, Sec.-15  
Rohini, Delhi-  
110039  
Advocate, Enrol. No.: D-37604

70



# SUNIL SEHRAWAT

Advocate & Legal Consultant

Mob.: 92121906  
Ph : 011-455795

Office : F-10/18, Sector-15, Rohini, Delhi-110089

Ref. No. ....

Date .....  
**Annexure -B1**

## SEARCH REPORT

I have undertaken search of the property indicated at clause no. 3 of my Title Investigation Report dated: 24-02-2017 (Legal opinion) in the office of the sub-registrar, Ludhiana, Punjab having jurisdiction in respect of the property.

Title search was conducted on 20-01-2017.

**Book /s perused :** Vasika No. 4913 with SR-Ludhiana, Punjab.

**Period of search :** 52 years from 1965 to 2017.

The particulars of registered documents are as ascertained and listed hereunder:

S.No.	Nature of documents	Date of execution	Parties to the document	Registration particulars
	A	B	C	D
1	Sale Deed	05.03.1965	Sale Deed dated 05.03.1965 duly executed by Sh. Jasbir Singh S/o Baldev Singh in favor of M/S Gupta Loom Industries	Vasika No. 4913, with Sub-Registrar, Ludhiana, Punjab.

I certify that there are no other documents registered in respect of the property for the period of search undertaken by me. The description of property as regards location, extent and boundaries is verified and found correct.

Receipt no.00113324, 00113086 & 00113283 dated: 20.01.2017 paid as search fee is enclosed.

Date: 24-02-2017

Place: Delhi





Mob.: 9212190624  
Ph : 011-45579536



# SUNIL SEHRAWAT

## Advocate & Legal Consultant

Office : F-10/18, Sector-15, Rohini, Delhi-110089

Date .....

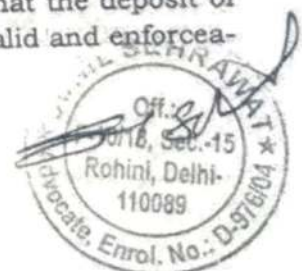
Annexure-C

Ref. No. ....

### Certificate of title

I have examined the Original Sale Deed and other documents intended to be deposited relating to the schedule property and offered as security by way of Equitable 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 records 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, to the Immovable Property / (ies) covered by above said registered perpetual lease. The property is free from all Encumbrances.
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.
6. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrower, M/s Kwality Overseas Pvt. Ltd.
7. I certify that M/s Gupta Loom Industries Proprietorship Firm, Proprietor: Sh. Rajat Goyal, has / have an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above documents are genuine and a valid mortgage can be created and the said Mortgage would be enforceable, in the name of proposed borrower, M/s Kwality Overseas Pvt. Ltd.
8. In case of creation of Mortgage by Deposit of perpetual lease, we certify that the deposit of Original of documents copies of which have been examined would create a valid and enforceable mortgage:-





- (i) Original of Sale Deed dated 05.03.1965 duly executed by Sh. Jasbir Singh S/o Baldev Singh in favor of M/S Gupta Loom Industries, registered as Vasika No. 4913.
- (ii) Original of Notarized public translation copy dated 04.02.2012 duly executed by Sh. Jasbir Singh S/o Baldev Singh In favor of Sat Prakash, registered as Vasika No. 4913.
- (iii) Original of Deed of Dissolution dated 31.12.1976 made between The Canon Steel Private Limited (A Company registered under the provisions of Indian Companies Act.1965), having its registered office at 109-Churchgate chambers,5-New Marine Lines, Bombay and Head Office at Ludhiana, and Shri Sat Parkash Goyal S/o Shri Jagat Ram Goyal; Shri Hira lal Goyal Goyal S/o Sh. Jagat Ram Goyal, Shri Gulshan Rai Goyal S/o Sh. Jagat Ram Goyal; Smt. Daya Goyal W/o Sh. Prem Chand Goyal; Sh. Megh Raj Goyal S/o Sh. Jagat Ram Goyal.
- (iv) Original of Partnership Deed dated 02.04.2009 made between the Mr. Rajat Goyal, personal Capacity, S/o Sh. Rakesh Kumar Goyal, R/o 2-C, Sarabha Nagar, Ludhiana. AND m/s Cannon Industries Pvt. Ltd. Through its director , Smt. Geeta Goyal , 851- Industrial Area-A, Ludhiana in its proprietary concern m/s Gupta loom Industries, 851- Industrial Area, A, Ludhiana.
- (v) Original of the Resolution passed at the meeting of the Board of Directors of Cannon Industries Private Limited Held on 02.04.2009 At 11:00AM at the Registered office of the company situated at 109,Churchgate chambers ,5, New Marine Lines, Mumbai, Maharashtra-400020
- (vi) Original of the Resolution passed at the meeting of the board of directors of Cannon Industries Private Limited Held on 25<sup>th</sup> August,2009 AT 11:00AM at the Registered office of the company situated at 109,Churchgate chambers ,5, New Marine Lines, Mumbai, Maharashtra400020
- (vii) Original of Deed of Dissolution dated 26.08.2009 of M/s Gupta loom Industries,851, Industrial Area-A, Ludhiana, Amongst:M/s Cannon industries Pvt. Ltd., through its director, Smt. Geeta Goyal, 851, Industrial Area-A, Ludhiana and Mr. Rajat Goyal R/o 2-C, Sarabha Nagar, Ludhiana.
- (viii) Original of Affidavit dated 10.06.2011 Sworn by Shri Rajat Goyal S/o Sh. Rakesh Kumar Goyal R/o 2-C, Sarabha Nagar, Ludhiana.
- (ix) Original Notary Attested Copy of IEC Code Certificate of M/S Gupta Loom Industries dated: 01.03.2011

9. There are no legal impediments for creation of the Mortgage under any applicable Law / Rules in force.

**Schedule of the Property:-** Property / Plot No.851, R.K Road, Industrial Area A, Ludhiana Land area measuring 2140 Sq.Yds., Near HP Petrol Pump/Bhagwati which is bounded as under:- East: Plot No 852, West: Plot No.850, North: Road 40 ft. South: Plot No.864.

Place : New Delhi

Date :24/02/2017

73





Designated Officer:  
ਨਾਮਜ਼ਦ ਅਧਿਕਾਰੀ:

Issuance of certified copy of Registry No. 2539

ਸਬ ਰਜਿਸਟਰ ਨੰ. 2539



ਪੰਜਾਬ ਸਰਕਾਰ, ਲੁਧਿਆਣਾ

Subject:

Issuance of certified copy of Registry No. 2539

Dated 5-3-1965

ਵਿਸ਼ਾ:

ਵਸੀਕਾ ਨੰ. 2539 ਮਿਤੀ: 5-3-65 ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਨਕਲ ਜਾਰੀ ਕਰਨ ਬਾਰੇ।

It is to submit that I want a certified copy of above said registry Stamp paper for this purpose has also been enclosed here with. So, it is Kindly requested to issue me a certified copy of this registry.

ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਨੂੰ ਉਕਤ ਦਰਜ ਵਸੀਕੇ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਨਕਲ ਦੀ ਜ਼ਰੂਰਤ ਹੈ। ਇਸ ਲਈ ਲੋੜੀਂਦਾ ਆਟਮਾ ਖਾਇਲ ਹੈ। ਇਸ ਲਈ ਆਪ ਜੀ ਨੂੰ ਬੇਨਤੀ ਕੀਤੀ ਜਾਂਦੀ ਹੈ ਕਿ ਮੈਨੂੰ ਉਕਤ ਵਸੀਕੇ ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਨਕਲ ਜਾਰੀ ਕੀਤੀ ਜਾਵੇ ਜੀ।

ਧੰਨਵਾਦ ਸਹਿਤ/Thanking You

ਮੋਹਿਤ

ਬਿਨੋਕਾਰ ਦੇ ਹਸਤਾਖਰ / Applicant's Signature

ਨਾਮ/Name ਮੁਖਿਤ ਕੁਮਾਰ

ਪਿਤਾ/ਪਤਨੀ ਦਾ ਨਾਮ / Father's / Husband's

Name ਗੁਰੂ ਗੋਬਿੰਦ ਸਿੰਘ

ਪਤਾ / Address ਪਿੰਡ 9, ਮਾਧੋਗੜ੍ਹ, ਲੁਧਿਆਣਾ

ਮੁਹਾਲਾ

ਟੈਲੀਫੋਨ ਨੰਬਰ/Telephone No. 9015767695



48

11679

ਸ੍ਰੀ ਮਾਧੋਗੜ੍ਹ. ਬੇਨਤੀ ਹੈ ਕਿ ਮੈਨੂੰ 2539 ਨੰ. 5-3-65 ਦੀ ਤਸਦੀਕਸ਼ੁਦਾ ਨਕਲ ਜਾਰੀ ਕਰਨ ਬਾਰੇ,  
ਮੁਖਿਤ ਕੁਮਾਰ ਸਿੰਘ, ਮੁਹਾਲਾ 9, ਮਾਧੋਗੜ੍ਹ, ਲੁਧਿਆਣਾ

PB-041-00124-0048

SEVIA LENDRA

District & Sessions Officer

Signature

Date

Operator

Signature

LUDHIANA

8

74