

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

NEC

Date : 31.07.2014

The Branch Manager
Bank of Baroda
Virpurkhurd, Rishikesh

NON ENCUMBRANCE CERTIFICATE

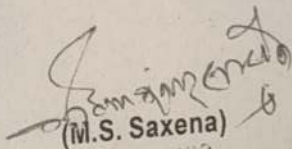
Property bearing Municipal No.43, Khasra No.298, area 83.94 sqm., covered area 70.50 sqm., situated at Virbhadra Marg, Rishikesh, Distt. Dehradun, which is bounded & butted as under:-

- East - 4ft. wide passage then wall of Sturdia, side 35'8"
- West - Property Sh. Harish Chandra, side 35'8"
- North - Property Smt. Shanti Devi, side 25'4"
- South - Property Sh. Dilip Singh Bhandari, side 25'4"

At present owned by Shri Neeraj Agarwal S/o Shri K.L. Agarwal, R/o 15/57, Laxmipurwa, Kanpur (U.P.)

I have inspected the Index Register Part-II of the office of the Sub Registrar, Dehradun Rishikesh (Registration) for the period 1.1.1984 to 1998 and 1998 to 31.07.2014 and I found no act of recorded encumbrance for the period 1.1.1984 to 31.07.2014.

Therefore the property mentioned above and owned by Shri Neeraj Agarwal is free from all recorded encumbrances for the period 1.1.1984 to 31.07.2014 as the records made available.


(M.S. Saxena)

Advocate
Advocate

Encl:

1. Receipt No. 211/78 dt. 30.07.2014 of the Office of Sub Registrar, Dehradun
2. Receipt No. 80/56 dt. 31.07.2014 of the Office of Sub Registrar, Rishikesh.
3. Original Sale Deed dt. 01.03.2011
4. Original Sale-Deed dt. 10.10.2008
5. Original Sale-Deed dt. 01.04.2008
6. Copy of Municipal Assessment 1992-97
7. Copy of Electricity & Water Bill
8. Copy of Asstt. order 18.01.2013

Date : 31.07.2014

LAWYER'S OPINION NOTE REGARDING EQUITABLE MORTGAGE

The Branch Manager
Bank of Baroda
Virpurkhurd, Rishikesh

Dear Sir
Sub: Title Opinion Report certifying non-encumbrance of the Property bearing Municipal No.43, Khasra No.298, area 83.94 sqm., covered area 70.50 sqm., situated at Virbhadra Marg, Rishikesh, Distt. Dehradun belonging to Shri Neeraj Agarwal S/o Shri K.L. Agarwal, R/o 85/57, Laxmipurwa, Kanpur (U.P.)

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 M/s Sri Satidadi Silk Store through Prop. Shri Neeraj Agarwal (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.43, Khasra No.298, area 83.94 sqm., covered area 70.50 sqm., situated at Virbhadra Marg, Rishikesh, Distt. Dehradun, which is bounded & butted as under:-

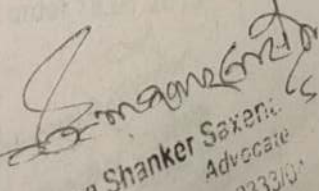
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North - Property Smt. Shanti Devi, side 25'4"
South - Property Sh. Dilip Singh Bhandari, side 25'4"

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.

Shri Neeraj Agarwal S/o Shri K.L. Agarwal,
R/o 85/57, Laxmipurwa, Kanpur (U.P.)
(Mortgagor).


Mahima Shankar Saxena
Advocate
Reg No UP 587992, UA 233310
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Whether any minor, lunatic or undischarged insolvent is involved. Confirm that the Mortgagor has sufficient capacity to contract. Precautionary steps to be taken.

No

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.

The mortgagor is owner with transferable rights. Urban Land Ceiling Act does apply to the property.

Source of Property i.e. Self acquired or Ancestral. If Ancestral then mode of succession and whether original Will/Probate is available.

Self acquired

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.

Absolute Owner

Whether the Mortgagor is in exclusive possession of the property or it is leased/rented out to third party.

Yes, in Exclusive possession

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 present owner.

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.

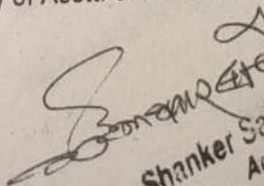
No

Whether all the original Title Deeds including antecedent Title Deeds and other relevant documents are available. Please given detailed list.

1. Original Sale Deed dt. 01.03.2011
2. Original Sale-Deed dt. 10.10.2008
3. Original Sale-Deed dt. 01.04.2008
4. Copy of Municipal Assessment 1992-97
5. Copy of Electricity & Water Bill
6. Copy of Asstt. order 18.01.2013

Whether the Advocate has personally visited the Sub Registrar/Revenue/Municipal office and examined the records.

Yes


Mahima Shanker Saxena
 Advocate
 Reg No UP 5679/92, UA 233304

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

Yes

1. Receipt No. 211/78 dt. 30.07.2014 of the Office of Sub Registrar, Dehradun
2. Receipt No. 80/56 dt. 31.07.2014 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.)

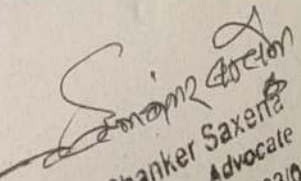
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15. Tracing of chain of title in favour of the Mortgagor/owner starting from the earliest document available. The nature of document/Deed conveying the title should be mentioned with description of parties along with the type of right it creates.

Brief history of the property is that Shri Neeraj Agarwal S/o Shri K.L. Agarwal, R/o 85/57, Laxmipurwa, Kanpur (U.P.) has purchased the said property from Sh. Balaji Gopinathrao Pensalwar S/o Sh. Gopinath Ganpatrao Pensalwar, R/o Warsi Road, Latoor, Distt. Lathur (Mh) through sale-deed dt. 01.03.2011, regd. with S.R. Rishikesh at Bk.No.1, zild 1188, pg. 1-30 at No.1326 on 01.03.2011. Sh. Balaji Gopinathrao Pensalwar had purchased the said property from Sh. Anand Dattatreya Harchirkar S/o Sh. Duttatreya Ganpati Harchirkar, R/o Gawegali, P.O. Pradhani Taluka, Joyeda, Distt. Karwar (Karnataka) through sale-deed dt. 10.10.2008, which is regd. with S.R. Rishikesh at Bk.No.1, zild 02, pg. 37, ADF Bk.No.1, zild 782, pg. 293-306 at No. 3427 on 10.10.2008. Sh. Anand Dattatreya Harchirkar had purchased the said property from Smt. Shanti Devi W/o Late Devidas, R/o Gali No.9, H.No.43, Virbhadr Marg, Rishikesh through sale-deed dt. 01.04.2008, which is regd. with S.R. Rishikesh at Bk.No.1, zild 02, pg. 89, ADF Bk.No.1, zild 737, pg. 391-362 at No. 1209 on 01.04.2008. Smt. Shanti Devi constructed resi. house thereon. When the aea came in Municipal limit first time in 1992, her name was mutated as owner in Municipal record as per Assesstt. 1992-97. The name of Sh. Neeraj Agarwal is mutated in Municipal record and electric & water connection are already in his name. The chain of title is complete.

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

No


Mahima Shanker Saxena
Advocate
Reg No UP 5679/92. UA 2333/0

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. 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.

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 dt. 01.03.2011
2. Original Sale-Deed dt. 10.10.2008
3. Original Sale-Deed dt. 01.04.2008
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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)
Mahima Shanker Saxena
Advocate

Reg No UP 5279/92. UA 2333/07