

25.07.2018

CERTIFICATE

To,

The Chief Manager
Punjab National Bank,
Paltan Bazar, Dehradun.

Sub - Opinion on investigation of title and obtaining of search report in respect of all that property forming part of Khasra No. 893 Min situated at Mauza East Hope Town, Tehsil Vikas Nagar, District Dehradun belonging to Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun

Dear Sir,

As requested, I have conducted the legal investigation of the title and made a search of records in the office of the Sub Registrar, Vikas Nagar and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed.

I hereby certify that the registration particulars, number, date and page particulars etc as shown in the copy /original title deed and contents thereof tally with the information as stated in the records of the Sub-Registrar/Registrar of assurances.

~~I further certify that the photograph of previous owner and of intending mortgagor affixed / seen in the title deed tally with records of registration office as well as certified copy of the title deed. (No. Since the original title deeds are deposited with Punjab National Bank, Dehradun the same could not be compared with the original title deed).~~

Chain of title relating to the property is complete as given in the annexure hereto.

I have verified, tallied and compared these documents from the record of the office of the Sub-Registrar/Registrar of assurances and also from the records of other appropriate authorities:

1. Sub-Registrar, Vikas Nagar.

I shall be liable/responsible, if any loss is caused to the Bank due to negligence on my part in making the search and Bank has the unqualified right to publish my name for including in the caution list being maintained by the INDIAN BANKS ASSOCIATION OR RESERVE BANK OF INDIA OR ANY OTHER SUCH BODY for circulation amongst Banks/Financial Institutions.

The search report of which is annexed hereto, conducted by me, for the period from 25.10.2011 till date does not disclose any encumbrances/disclose encumbrances as stated therein.

I have not given /have given opinion earlier on investigation of title relating to the same property as detailed hereunder:

- (a) Name of lender N.A.
- (b) Date of opinion & reference no.(if any) N. A.
- (c) Remarks N. A.

I find following defects/no defects in the title of the person offering mortgage:-

Nil

I hereby certify that Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun has a clear, valid and marketable title over the above said property and they/it/he/she is competent to create the mortgage.

The valid mortgage can be created by deposit of the following original title deed.


The provisions of Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest Act 2002 shall be applicable on the property since the same is not being used for agricultural purposes.

-2-

The said title deeds are ~~Original~~ (The original title deeds have not been verified by me) and ~~genuine and are not duplicate or fake as observed by me~~ (Give hereunder details of title deeds which are required to be deposited to create equitable mortgage)

1. Original sale deed dated 11.10.2002 executed by Shri Sagar Mall Goyal son of Late Shri Makhan Lal Goyal resident of Rampur Mandi, Chakrata Road, Dehradun through his attorney Shri Balvinder Jeet Sayal son of Shri Manohar Lal resident of 216, Indra Nagar Colony, Dehradun in favour of Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun and Smt. Nimit Berry, Shri Sanjog Berry sons of Shri Rajeev Berry resident of 24, Inder Road, Dehradun duly registered in the office of the Sub-Registrar, Vikas Nagar in book no. I volume 2 on page 187 and in additional file book no. I volume 273 on pages 653 to 668 at serial no. 3478 dated 10.10.2002.

2. Document as mentioned in my previous report dated 25.10.2011.


S. M. Joshi
Advocate

Encl :

1. Special Report
2. Chain of Title
3. Search Report

SPECIAL REPORT ON TITLE

Reg: All that property forming part of Khasra No. 893 Min situated at Mauza East Hope Town, Tehsil Vikas Nagar, District Dehradun

ASPECTS TO BE CONSIDERED

COUNSEL'S STATEMENT

A PARTICULARS

1. Name of the borrower with address: Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun
2. Name of the person offering Mortgage with parentage/ constitution & address. Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun
3. Details of the property to be mortgaged: As per title deed..... As No. 893 Min situated at Mauza East Hope Town, Tehsil Vikas Nagar, District Dehradun measuring 18000 Sq. Yards or 15049.80 Sq. Mts. bounded and butted as under :-
 - North : Land of Shri Sagar Mall Goyal, side measuring 510 ft.
 - South : Partly portion of the property fallen to the share of Shri Nimit Berry and Shri Sanjog Berry, side measuring 250 ft. and partly property of Smt. Shashi, side measuring 260 ft. total side measuring 510 ft.
 - East : Partly road and partly land of Shri Sagar Mall Goyal, side measuring 405 ft.
 - West : Chai Bagan, side measuring 227 ft.

B. INVESTIGATION

1. Details of the title deeds/ documents (including link deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of document, date of execution and details of registration)
 - Sale deed dated 11.10.2002 executed by Shri Sagar Mall Goyal son of Late Shri Makhan Lal Goyal resident of Rampur Mandi, Chakrata Road, Dehradun through his attorney Shri Balvinder Jeet Sayal son of Shri Manohar Lal resident of 216, Indra Nagar Colony, Dehradun in favour of Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun

-2-

and Smt. Nimit Berry, Shri Sanjog Berry sons of Shri Rajeev Berry resident of 24, Inder Road, Dehradun duly registered in the office of the Sub-Registrar, Vikas Nagar in book no. I volume 2 on page 187 and in additional file book no. I volume 273 on pages 653 to 668 at serial no. 3478 dated 10.10.2002.

2. Whether documents given to the Original title deeds has not been perused. counsel are original one or mere copies of documents.
3. Whether documents given as original No. title deeds raise any doubt or suspicion?
4. Whether the registration particulars Yes. number and date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated in records of the registrar's office?
5. Whether the registration particulars *The the certified copy has not been* number & date and page particulars as *obtained since the property is already* given in the title deed tally with the *equitably mortgaged with the bank and* particulars as stated in the certified *hence, the same could not be compared.* copy as obtained from the registrar's office?
6. Whether the photographs of parties as *The the certified copy has not been* affixed in conveyance deed/ Title deed *obtained since the property is already* tally with the photograph seen in the *equitably mortgaged with the bank and* certified copy as obtained from the *hence, the same could not be compared.* registrar's office?
7. Whether the contents as given in the *The the certified copy has not been* title deed tally verbatim with the *obtained since the property is already* contents as stated in the certified copy *equitably mortgaged with the bank and* obtained from the registrar's office? If *hence, the same could not be compared.* not, variations be specified. What is its effect?.

Joshi

-3-

8. Whether the property has been mutated in the name of the person offering the mortgage? Yes.
9. Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated. Yes
10. Whether there is any bar under any local law for creation of the mortgage of the property to be mortgage? (In come States, there are legal restrictionson creation of the mortgage of agricultural property for non agricultural purpose). No, there is no legal restriction on creation of the equitable mortgage.
11. Where there are restrictions regarding sale of the property to be mortgaged? (In some States, there are restriction for sale of property residents outside the State). No
12. Whether all the approvals, clearance/ sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanction; approvals and clearances yet to be obtained. No approvals/ clearance/ sanction is required from any department for creation of security mortgage/ equitable mortgage of the property by way of deposit original title deed.
13. Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property ? If so, its effect thereof. N. A.
14. Whether the property to be mortgaged has been acquired under Land Acquisition Act, 1894? N. A.
15. Whether Urban Land Ceiling Act is applicable in the State where the property is located? N. A.

Sanjeev

Date: 25/07/2013

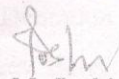
Place: Dehradun

-4-

16. In case of leasehold property, whether permission/ NOC from the lessor is required for creation of mortgage? No permission is required.
whether permission of the lessor/NOC is obtained? N. A.
17. What is the rate of sharing of unearned income with lessor, in the event of sale of the property? N. A.
18. Whether copy of title deed favouring lessor (other than Govt.) is made available to examine the validity of the lease? N. A.
19. Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof. N. A.
20. Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax Department? N. A.
21. In respect of agriculture land, whether land is declared surplus or under consolidation of holdings? N. A.
22. Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor? N. A.
(Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation.)

Date : 25.07.2018

Place : Dehradun


S. M. Joshi
Advocate

25.07.2018

CERTIFICATE OF NON ENCUMBRANCE

To,
The Chief Manager
Punjab National Bank,
Paltan Bazar,
Dehradun.

It is certified that on careful inspection of the available index registers, as indexed upto the date in the office of the Sub Registrar, Vikas Nagar from 25.10.2011 till date of inspection, no recorded encumbrances has been found in respect of the property mentioned here-in-below.

DESCRIPTION OF THE PROPERTY

All that property forming part of Khasra No. 893 Min situated at Mauza East Hope Town, Tehsil Vikas Nagar, District Dehradun measuring 18000 Sq. Yards or 15049.80 Sq. Mts. bounded and butted as under :-

- North : Land of Shri Sagar Mall Goyal, side measuring 510 ft.
South : Partly portion of the property fallen to the share of Shri Nimit Berry and Shri Sanjog Berry, side measuring 250 ft. and partly property of Smt. Shashi, side measuring 260 ft. total side measuring 510 ft.
East : Partly road and partly land of Shri Sagar Mall Goyal, side measuring 405 ft.
West : Chai Bagan, side measuring 227 ft.

Name and Address of the Present Owner:

Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun.

Title Verification:

All that property forming part of Khasra No. 893 Min situated at Mauza East Hope Town, Tehsil Vikas Nagar, District Dehradun measuring 7.427 Acre or 30057 Sq. Mts. was purchased by Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun and Smt. Nimit Berry, Shri Sanjog Berry sons of Shri Rajeev Berry resident of 24, Inder Road, Dehradun from Shri Sagar Mall Goyal son of Late Shri Makhan Lal Goyal resident of Rampur Mandi, Chakrata Road, Dehradun through his attorney Shri Balvinder Jeet Sayal son of Shri Manohar Lal resident of 216, Indra Nagar Colony, Dehradun vide sale deed dated 11.10.2002 duly registered in the office of the Sub-Registrar, Vikas Nagar in book no. I volume 2 on page 187 and in additional file book no. I volume 273 on pages 653 to 668 at serial no. 3478 dated 10.10.2002.

Subsequently, the land was partitioned vide partition deed dated 23.11.2010 executed between Smt. Bimal Goyal wife of Shri N. R. Goyal resident of 32/10, E. C. Road, Dehradun on the one part and Shri Nimit Berry and Shri Sanjog Berry sons of Shri Rajeev Berry resident of 24, Inder Road, Dehradun on the other part and duly registered in the office of the

Sub-Registrar, Vikas Nagar in book no. I volume 1514 on pages 69 to 118 at serial no. 6941 dated 29.11.2010, whereby the land mentioned in the Schedule above had fallen to the share of Smt. Bimal Goyal.

The chain of title is given in my earlier report dated 25.10.2011.

Regarding Encumbrance:-

I have inspected the available records in the office of the Sub Registrar, Vikas Nagar have found that the said property is free from all charges, liens and encumbrances. The records maintained by the Sub-Registrar are in poor condition. However, the said property is at present equitably mortgaged with the Bank.

I hereby confirm and certify that:-

- 1- I have inspected the relevant available records in the office of Sub Registrar, Vikas Nagar with regards to the immovable property proposed to be equitably mortgaged/ creates security for mortgage with the bank and I verify the title.
- 2- I have inspected the available records and on the basis of such inspection I am of the opinion that the borrower has a clear marketable title over the said immovable property.
- 3- I further certify that the documents tendered by the borrower for the purpose of creation of mortgage/charge/security are genuine and original documents of title to the said immovable property.

Search report relates to searches made in :-

- | | | |
|--|---|------|
| a) Sub-Registrar Office | : | Yes. |
| b) Registrar of Companies. | : | No. |
| c) Courts | : | No. |
| d) Other Offices | : | No. |
| i) Office of the Co-operative Society | : | |
| ii) Mussoorie Dehradun Development Authority | : | |
| e) Any others Documents | : | |
| i) Receipt for payment of Municipal Taxes etc. | : | |

Sub Registrar/ Registrar of Assurance Office

The encumbrance certificate was obtained from the Sub-Registrar/ Registrar, Vikas Nagar for the period from 25.10.2011 till date of inspection and the same disclosed following encumbrances:-

N.A.

Sanjeev

-3-

There is a system of issue of encumbrances certificate in the office of the Sub-Registrar, however personal search was carried out for the purpose as per bank instructions, inspection was made for the period from 25.10.2011 till date of inspection at the following Sub-Registrar/ offices:-

- i) Vikas Nagar.

The search report disclosed the following encumbrances:-

NIL

The owner of the property being a company, search was conducted in the following offices of the registrar of companies:-

NA

The search made out in the office of Registrar of Companies disclosed :-

NA

Inspection of Court records disclosed :-

It is not possible to verify the pendency of the litigation.

Searches made / Inspections carried out in the following offices disclosed

Office Date of search : 25.07.2018

Inspection : For the period from 25.10.2011 till date

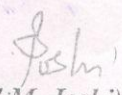
Information : No recorded encumbrances found.

A study of the following documents disclosed :

Details of documents perused information

On the perusal of the above mentioned documents and inspection of the available records in the office of the Sub Registrar, Vikas Nagar, I am of the opinion that the borrower has a clear marketable title over the said property and it is entitled to create an equitable mortgage in favour of the bank by deposit of original title deed subject to the conditions mentioned above.

Encls: As above.


(S.M. Joshi)
Advocate