

JASWINDER SINGH DHILLON

M.A.L.L.B, Advocate
Chamber no. 35
Civil Courts Batala

Resi : 1380, New Model Town
Batala, Distt Gurdaspur
Mobile No. 98554-61823
Email.advodhillon1@gmail.com

Ref.....

Date 10.06.2024

Annexure-5
TITLE SEARCH & LEGAL SCRUTINY REPORT

To

The Branch Manager
Indian Bank
Branch Parliament Street New Delhi.

Sub:- Title Search & Legal Scrutiny Report with respect of (Detail of Property)

One property/land 53 Kanal 2 Marla, out of Khasra no. 18//14(8-0), 7(8-0), 6(8-0), 1(7-12), 2(8-0), 3(8-0), 4(8-0), 117//1(8-0), 2(8-0), 9(8-0), 10(8-0) as per Jamabandi for the year 2013-14 situated at Village Kiri Afgana, Tehsil Batala, Distt. Gurdaspur and as per Sale deed dated 13.09.2010 bearing Wasika No. 1324, Jild No. 624 registered at Joint Sub Registrar Qadian. Ref: Your letter dated.....

Dear Sir,

As per your instructions, I/We **Jaswinder Singh Dhillon Advocate Batala** have conducted the Legal Scrutiny of the aforesaid property and investigated the Title of **Adie Browson Breweries Pvt Ltd (Now A B Grains Spirits Private)** over his/her/their immovable property as mentioned in the Schedule I & II and conducted a detailed investigation of Title since inception and also conducted the Search of available records (Search Fee receipt No. 62057088) of the Index II till Sub Registrar's Office **Batala** & Khasra Trade Record for Last 30 years with Revenue Departments to till date and submit my/our report as under:-

SCHEDULE-I (Land Owners Details)

S. No.	Particulars	Views/Comments/ Opinion of the Advocate
1	Name & Address of the Land owner (Present Owner of the Immovable Property)	Adie Browson Breweries Pvt Ltd (Now A B Grains Spirits Private)
2	Details & Address of the Mortgagor	A B Grains Spirits Private
3	Details of Sub Registrar's Office, where the property is registered with along with details of registration & Area of land registered under Title Document.	The property in question has been registered in the office of sub registrar Qadian vide registered sale deed/transfer deed dt. 13.09.2010 document No. 1324.

SCHEDULE-II


Advocate
P/1003/2022

ASWINDER SINGH DHILLON

A.L.L.B, Advocate

Number no. 35

Civil Courts Batala

Resi : 1380, New Model Town

Batala, Distt Gurdaspur

Mobile No. 98554-61823

Email.advodhillon1@gmail.com

Details of Immovable Property & Possession Status thereof

S. No.	Particulars	Views/Comments/Opinion of the Advocate
1	Plot No/Land Revenue Survey Nos. Kh. No. with its area covered under Title Deed.	land 53 Kanal 2 Marla, out of Khasra no. 18/ /14(8-0), 7(8-0), 6(8-0), 1(7-12), 2(8-0), 3(8-0), 4(8-0), 117/ /1(8-0), 2(8-0), 9(8-0), 10(8-0).
2	Detailed address of aforesaid Land/Plot (Village, Patwari Halka No., Khasra No. Block, Municipal Ward No. Tehsil, District, State, Pin code)	situated at Kiri Afgana Tehsil Batala Distt. Gurdaspur
3	Area of land/Building proposed to be mortgaged.	Property/ land 53 Kanal 2 Marla
4	Boundaries.	Not mentioned in sale deed
5	Nature/Type of Land/Plot	Commercial
6	Nature of Ownership of the Land Owner: a) Free Hold b) Lease hold. c) Sub Lessee d) License e) Undivided share/Interest (with % of share interest. f) Trust Property g) Title only by possession h) Any other Type (Please mention the nature thereof)	Free hold
7	Who is in possession of the Property? (If possessed by the mortgagor, state whether the Mortgagor is in unhindered Possession of the Property and if so, the Period for which he is in)	The Mortgagor Adie Browson Breweries Pvt Ltd (Now A B Grains Spirits Private) is in the unhindered possession of the property.
8	If possessed by the Tenant, please specify period of Tenancy & Document to be taken from the Tenant with a view take back possession from Tenant in case of default by the Borrower.	NA
9	Whether SARFAESI Act is applicable on the property/land?	YES

Description of Documents Scrutinized & Verified:

I/We have examined & verified the Documents as mentioned in the Schedule III attached herewith.

SCHEDULE-III

VINDER SINGH DHILLON

B.A., Advocate

House no. 35

Courts Batala

Resi : 1380, New Model Town
Batala, Distt Gurdaspur

Mobile No. 98554-61823

Email.advodhillon1@gmail.com

S. No.	Date of document	Name/Type of document	Regn. /Ref. No. of the document with date	Whether Original/Certified/True Copy/Photostate
1.	18.02.2014 11.02.2017	Jamabandi for the year 1998-99, 2003-04, 2008-09, 2013-14	document No. 1324	Original
2.	13.09.2010	Sale Deed bearing wasika no. 1342	Document no. 1342 dated 13.09.2010	Original
3.	26.02.2018	Index Inspection Receipt	NA	Original
4.	25.08.2023	Confirmation order of scheme of merger or Amalgamation	No. 233/T-1/MS/2023	Certified copy

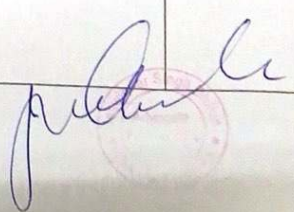
1. Brief History of the Property and how the Owner/mortgager has derived Title (If Possible please provide a flow chart also):

- Originally Karam Singh, Rachhpal Singh, Avtar Singh, Nishan Singh, Gurinderjit Singh, Nirmal Singh, Ajit Singh & Amrik Singh were the owners of above said land and they are sold their respective land to A. B. Grain Spirits Pvt. Ltd. Vide sale deeds dated 31.05.2006, 16.03.2006, 17.08.2006, 23.04.2007, 27.02.2006. The said A. B. Grain Spirits Pvt. Ltd. sold the same land i.e. 53K-2M in the favour of Adie Broswn Breweries Pvt. Ltd. vide sale deed dated 13.09.2010 bearing wasika no. 1324 registered with Joint Sub Registrar Qadian.
- Mutation of this sale deed has been sanctioned as mutation no. 3590 dated 18.12.2015 as per Jamabandi for the year 2013-14. Thereafter Amagamation order has been held between Adie Browson Breweries Pvt Ltd with AB Grain Siprits Pvt Ltd vide SRN AA1239795 DATED 23.01.2023.
- Thus chain of title is complete for 30 years , SARFAECI ACT is applicable to property and is fit for Equitable mortgage which is already mortgaged with Indian Bank.

2. Details of Searches and Investigation and findings:-

After scrutiny of the documents as mentioned in the Schedule III and searches of various records, viz., Revenue records and records available in the concern Sub Registrar's Office, findings are given below

S. No.	Particulars	Views/Comments/Opinion of the Advocate
1	How the present Land Owner acquired Title over the Property? Whether by purchase /Gift /Partition /Release / WILL /Inheritance / Allotment etc.	The present Land/property Owner/s acquired Title over the Property through purchase



INDER SINGH DHILLON

Advocate

no. 35

ts Batala

Resi : 1380, New Model To

Batala, Distt Gurdaspur

Mobile No. 98554-61823

Email, advodhillon1@gmail.co

	If the property as been transferred by way of Gift/Settlement Deed, whether:-	No
	The Gift/Settlement Deed is duly stamped and registered	
	The Gift-Settlement Deed has been attested by two witnesses;	NA
	The Gift/Settlement Deed transfers the property to Donee;	NA
4	Whether the Donee has accepted the gift by signing the Gifts/Settlement Deed or by a separated writing or by implication or by actions;	NA
5	Whether there is any restriction on the Donor in executing the gift/settlement deed in question;	NA
1.6	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
1.7	Any other aspect affecting the validity of the title passed through the gift/settlement deed.	NA
1.8	What is nature of Title of the Present Owner i.e. Tenancy Right, full ownership, occupancy right, possessory right, minor's right or any other type of right clarify.	Full ownership right
2.	If property is Lease Hold, then Tenure/un-expired period of Lease.	NA
2.1	Name of the Lessor & Lessee:	
2.2	Whether Lease deed is registered lease deed, as required under State law/law?	
2.3	Whether Terms and Conditions given in Lease deed complied with & Lease is valid and subsisting?	NA
2.4	Whether permission is/has been obtained by the Lessee for mortgage? (Please mention the details of permission)	NA
2.5	Whether the same is required as per Lease? Effects of Not obtaining?	
2.6	Any other detrimental Clause in the Lease Deed?	
3.	Whether Bank can Enforce the Mortgage against	
3.1	If Owner is Company, Partnership firm, Trust, Temple, Walkf or other Legal Person, how title is affected by its Memorandum and Articles of Association Partnership Deed or Rules of bye laws and what are the precautions to be taken under Rules or bye Laws?	No
3.2	Whether any resolution for creation of mortgage is necessary? If so, whether it was taken, given details	Mortgage already created
4.	Details of ROC Search with respect to Charge on Company's land.	Yes
	In case of Ownership devolve through Partition Deed.	NA
	i. Whether the same is registered under the Law for time being in force and Original thereof is available for deposit?	NA

VINDER SINGH DHILLON

B, Advocate

er no. 35

courts Batala

Resi : 1380, New Model Town

Batala, Distt Gurdaspur

Mobile No. 98554-61823

Email.advodhillon1@gmail.com

	a) to get an affidavit/declaration from the holder of the original partition deed confirming the availability with him and the original not deposited with anybody as security over the share of the prospective mortgagor.	NA
	b) The shareholder or predecessor in title have been permitted to treat their copy of the partition deed as original for their share	NA
5.	If property to be mortgaged is a Flat/Apartment, in residential or commercial complex, how far, independent title is ensured and how the enjoyment of common areas and facilities are ensured to the Flat owner (Mortgagor)? What are the documents available for creating mortgage? What are the documents / records to be taken from Builders/ Owners / their bankers?	NA
6.	In case of inherited property, whether the Family genealogy ascertained and flow of Title considered in the light of such generalogy bearing in mind the provisions of Succession laws as applicable to the Parties.	NA. as property is self purchased
7.	The genealogy must be sworn to by means of an affidavit by the Party/Parties Whether property belongs to HUF? If yes, whether major co-parceners have no objections/join in execution, minor's share if any. Rights of female members etc. & effect thereof on the mortgage.	NA NA
8.	In case of devolution of property by a WILL, whether the Will has been probated or Letters of Administration is obtained?	NA. as property is self purchased
9.	In case of Purchase through Sale deed:- Whether the Seller is/was competent to sell?	YES
9.1	How the Seller/mortgagor acquired the Property?	The mortgagor acquired the property through purchase
9.2	Whether all the previous deeds * link documents till in the name of Present landowner is available? If not available then what is the effect and what is required to be done to make the title perfect? Please specify.	Yes
9.3	Whether Seller has transferred clear, legal, marketable & free from all encumbrances "title In favour of Present Land Owner?	YES
10.	In case of Transferor is POA Holder *Whether the validity & genuineness of the POA verified. *Whether the POA is properly executed /stamped/authenticated/Enforceable as per the Law of the Place. *Whether, it authorizes the Agent to deposit the Title deeds for creation of mortgage over the properties of the Principal for the loan to be given to the prospective borrower.	NA

INDER SINGH DHILLON

B, Advocate

er no. 35

Courts Batala


Resi : 1380, New Model Town

Batala, Distt Gurdaspur

Mobile No. 98554-61823

Email.advdhillon1@gmail.com

* Whether Power of Attorney empowers the PA holder to borrow on behalf of the Principal	
1. If the property is acquired from Govt/Local Authorities, whether the conveyance deeds are verified with Government records as to its genuineness and whether executed by Competent Authority?	NA
12. Whether minor's interest is involved in the property? if yes Precautions/ Permission to be taken to make mortgage perfect/Date of Court permission for mortgage. If permission is already taken (Please provide certified copy of the order also)	NA
13. Whether search is made in the registers and the records maintained in the Office of Collector/Town and Planning Department and the Civil Court (Whichever is applicable) to ensure	Search has been made in the office of Sub registrar Qadian.
a) Necessary consent of Civic Body or authority to transfer the property was obtained.	NA
b) No litigation in respect of the property to be mortgaged is pending before any forum.	No litigation is pending
c) Identity of the property has been established and there are no circumstances which would create doubts or suspicions, e.g. any material document is alleged to be lost or any document bears any marks or endorsement indicative of having been earlier tendered in evidence in a Court or produced as Surety.	YES
d) Whether any Revenue Authority attachment/ Statutory dues attachment/Court attachment is reflected.	No attachment is reflected
e) Whether Certified copy of the Title deeds and Parent document tracking back to at least last 13 years from the Title document are obtained from the Sub Registrar's Office by the Panel Advocate and compared with the Original one submitted by the borrower for the LSR for its correctness?	No
f) Whether "No Objection certificate" and other documents issued by builders or other organizations Department/ Institutions are carefully examined for their genuineness?	NA
14. Period upto which you have verified all the current & previous deeds, chain documents, revenue records, khasra, Nakal/Khatoni & Rin-Pushika (at least for the 13 years. In case of all original title chain is available or 30 years in case of any previous Owners? Whether same is found correct and title from person to person have been legally transferred till present owners?	The tracing of title for 30 years has been carried out



C.B, Advocate
Number no. 35
Courts Batala

Resi : 1380, New Model Town
Batala, Distt Gurdaspur
Mobile No. 98554-61823
Email.advodhillon1@gmail.com

5.	Whether you have verified the contents of the Title deeds? Whether any defect is found in the same?	No defect if found in the title deed
15.1	Whether the chain of the deeds is original, complete and genuine?	YES
15.2	Whether title deed contains any restrictive clause in respect of the free transfer	No
15.3	In case of property purchased by mortgagor is portion of larger extent of property, whether availability of original parent documents confirmed	NA
16.	Whether property is demarcated and site plan is available, can it be identified from the Schedule of the Title Documents? Pl. specify. Whether any acquisition proceedings is in progress in the area of proposed to initiate Whether the same will affect the mortgage or transfer of title of units in favour of prospective buyers	Yes No
17.	Whether property is mutated in the name of present Land owners/ Transferor & if yes, where? (Pl. specify/below)	YES
17.1	With revenue authority/Municipal Corporation. DA/MPHB/Nazul (Mention the name of the Document by which it is ascertain).	As per Jamabandi for the year 2013-14
17.2	If non mutated, effect of non mutation	Mutated
18.	Have the provisions of the Indian Registration Act and the Indian stamps Act been complied with in the transactions?	YES
19.	Whether Ownership in the name of present land owner is legal, clear, marketable and free from all encumbrances?	YES
20.	Whether upto date diversion Rent/Tax, property Tax, lease rent and other government Taxes are paid? If paid, whether upto date tax receipts have been verified?	NA
21.	If the property is a superstructure like buildings house, flat factory shed etc. a) Whether it is located/proposed to be located in an approved Layout? b) Whether the building is constructed/Proposed to be constructed as per the Plan approved by the Competent authorities (Corporation, Municipal Council cantonment Board etc). c) Whether the Plan is approved subject to any condition. If so what are the conditions and whether the conditions have been complied with? d) Whether superstructure is assessed to Tax (In case of ready built superstructure)? e) Whether clearance/License/Permit have to be obtained from Authorities constituted under Special Acts lie Environment Protection act 1986. The Air Crafts Act 1934 etc. and if so, whether the same has been obtained (If any conditions are stipulated while giving clearance/license/Permit the sale has to be mentioned in	NA YES Yes Yes NA NA

Resi : 1380, New Model Town
Batala, Distt Gurdaspur
Mobile No. 98554-61823
Email.advodhillon1@gmail.com

	the report. The report should also mention whether the condition has been complied.)	
22.	Whether provisions of Urban Land Ceiling Act applicable/ULC clearance/ Permission obtained (Please mention Number & date of permission) or any restriction in transfer of title by the present Landowner?	No
23.	Income Tax Clearance Certificate, if required to be obtained or not required to be obtained in the present case, please specify.	NA
24.	Whether all the legal requirements/ permission, under various act/laws viz. local laws. Municipal law. Colonization Act, Town & Country Planning Act, apartment Ownership Act land laws, Laws applicable for development of land & construction of building. Building Regulations. Development Control Regulations, Co-Operate Societies Act etc. in order to develop the project land and or project have been completed and complied.	NA
25.	Whether RERD Act 2016 (Reat Estate Regulation & Development) is Applicable? a) If so, Whether Registration was done by Developer/Promoter as per RERD. The details. b) Whether dedicated/Escrow account was opened by Development/Promoter as per RE RD Act 2016? c) Whether all the applicable provisions were complied with?	No
26.	Investigation in regard to Agricultural Land. * Whether the land is under self-cultivation * If land is owned in different Khatas or is Under Joint share, give specific share in each Khata. * If consolidation of holdings/ acquisition proceedings etc is in progress in the area whether transfer of land is possible under state enactments. * Whether any prior charge/hidden charge/revenue charge exists against the land, non-encumbrances should be of 13 years preceding the date of the NEC report. If agricultural land is being offered for mortgage * Whether permission for conversion of lands from agricultural use to residential/commercial use is obtained as per local state law (specify date of order/permission and provide a copy of thereof) * Whether taking for non-agricultural purposes is possible as per local law.	NA, as property is non agri land NA NA There is no prior charge/hidden charge/ revenue charge exists against the land, non-encumbrances certificate for 30 years is attached NA
27	* Whether three is any hindrance in applicability of SARFAESI Act of the property.	Yes No, SARFAESI Act is fully applicable

SWINDER SINGH DHILLON

A.L.L.B, Advocate
Chamber no. 35
Civil Courts Batala

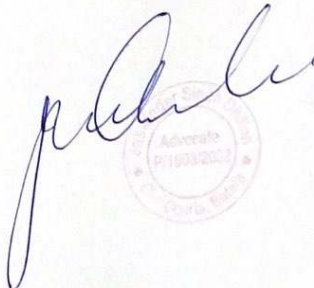
Resi : 1380, New Model Town
Batala, Distt Gurdaspur
Mobile No. 98554-61823
Email.advodhillon1@gmail.com

28.	Whether from the documents produced, there exists any pending litigation with respect to the property/offered as security, if yes, please furnish the details.	NA
29.	Whether certified copy of title documents obtained and compared with the original title deeds a) If no, the reasons thereof b) If yes, whether any discrepancy observed. The details	Yes No discrepancy observed

(A) CONCLUSION & OPINION

Accordingly chain of title is complete and legally passed from person to person and accordingly thereby said **A B Grains Spirits Private** derived legal, valid marketable title over the said land/Plot/Flat/property.

S. No.	Queries	Opinion of Creation of Mortgage
1.	Whether the mortgage by deposit of original title deeds is possible on the strength of the title deeds scrutinized. If so, the list of documents to be deposited for creation of equitable mortgage over the property offered as security. The person (s) who shall deposit the title deeds with the bank may be stated.	Yes the mortgage by deposit of original title deeds is possible on the strength of the title deed is scrutinized.
2.	If the equitable mortgage by deposit of the deeds is not possible, can there be simple (registered) mortgage. If so, list out the documents to be held with the bank in addition to the registered mortgage deed.	Yes a legal equitable mortgage is possible by depositing original title deed
3.	Any other opinion on simplified procedure/remission of stamp duty for creation of charge over agricultural/other properties in favour of Commercial Banks as in some states like U.P. Kamataka etc.	NA


Advocate
P11003/2023
Civil Courts, Batala

Resi : 1380, New Model Town

SWINDER SINGH DHILLON

LL.B, Advocate
number no. 35
Courts Batala

Resi : 1380, New Model Town
Batala, Distt Gurdaspur
Mobile No. 98554-61823
Email.advodhillon1@gmail.com

CERTIFICATE OF TITLE

1. I Jaswinder Singh Dhillon Advocate certify that **Adie Browson Breweries Pvt Ltd (Now A B Grains Spirits Private)** has/have a valid clear, absolute, good, perfect and marketable title to the property/ies shown above and the tile deeds to the property concerned being original and not duplicate of fake.
2. That, the title document mentioned in the chain of title were executed, stamped and registered in accordance with the law. They have the effect of conveying lawful title in favour of the said present owners.
3. I hereby certify that actual search was conducted on the date as mentioned herein the report with respect to the land/revenue records /Municipal Record and I do not find anything adverse which prevent the title holders from creating a valid mortgage.
4. This legal opinion has been given without any interest direct or indirect after verifying all the necessary relevant papers, Xerox copy of which is returned back duly authenticated.

Details of enclosure of report:
Ref SCHEDULE-III

DOCUMENTS TO BE COLLECTED BY BANK FOR CREATION OF EQUITABLE MORTGAGE OF THE SAID PROPERTY

1. Original sale deed 13.09.2010 bearing document no.1324.
2. Certified Copy of sale deed dated 13.09.2010 document no. 1324.
3. Jamabandi for the year 1998-99, 2003-04, 2008-09, 2013-14, 2018-19.
4. Index Inspection Receipt.

Jaswinder Singh Dhillon
Advocate Batala
Enrolment No. P1803/2002

