

# Surendra Singh Rawat

(MA. LLB)

**Advocate**

Cell : **9927420354**

E-mail-surendra313@Yahoo.com

Chamber No. 1, Block -3,

Court Compound,

Dehradun (Uttarakhand)

To,

Date: 29.11.2023

The Branch Manager  
Bank of Baroda  
Ajabpur Kalan, Dehradun.

Dear Sir,

Legal Opinion bill of **Smt. Ruchika Gupta**

Legal fee

Rs.

2500/=00

Certified copy & others Misc.

Rs.

500/=00

Total

Rs.

3000/=00

(Rs. *Three Thousand/ Rupee*)

(A/c No.: 30900100008386, Bank of Baroda, Patel Nagar, Dehradun)

Yours faithfully,

**(Surendra Singh Rawat)**

**Advocate**

  
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Advocate  
Court Compound, Dehradun

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Dehradun (Uttarakhand)

Ref.....

Date:- 29.11.2023

## SEARCH CUM NON-ENCUMBRANCE REPORT

To,

The Branch Manager  
Bank of Baroda  
Ajabpur Kalan, Dehradun.

Dear Sir/Madam,

**Sub:- Title Opinion Report Certifying non-encumbrance of the Property details in respect of all that property Khata No. 564 (fasli year 1416-1421) bearing Khasra No. 1327Ga measuring area 80 sq. mtr. and Khasra No. 1322 measuring area 28.31 sq. mtr total measuring area 108.31 Sq.mtr Situated at Mauza Mothrowala, Pargana Centraldoon, Tehsil and District Dehradun (morefully described in schedule) is belonging to Smt. Ruchika Gupta W/o Sh. Manav Manish R/o Madhur Vihar, Phase-II, Lane No. 4, Ajabpur Khurd, Dehradun, Uttarakhand.**

I refer to your letter no ..... dated.....  
Requesting me to furnish non encumbrances 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

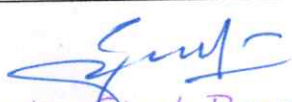
**Smt. Ruchika Gupta W/o Sh. Manav Manish R/o Madhur Vihar, Phase-II, Lane No. 4, Ajabpur Khurd, Dehradun, Uttarakhand (Borrower).**

1	Description and Area of the property proposed to be mortgaged Specific number(s) and address of property along with boundaries and measurements-	All that property Khata No. 564 (fasli year 1416-1421) bearing Khasra No. 1327Ga measuring area 80 sq. mtr. and Khasra No. 1322 measuring area 28.31 sq. mtr total measuring area 108.31 Sq.mtr Situated at Mauza Mothrowala, Pargana Centraldoon, Tehsil and District Dehradun and Butted as under : East: - Land of Sh. Lal Sing Pal, S.M. 42 Ft. West:- Land of Sh. Bhandari, S.M. 42 Ft. North:- 12 Ft. Wide Road S.M. 28 Ft 3 Inch. South: Partly 20 Ft. Wide Road and Land of Lal Singh Pal S.M. 27 Ft 3 Inch. According Sale Deed dated 15.06.2022
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2.	Nature of Property: (Whether Agriculture, Non Agriculture, Commercial, Residential or Industrial. If Non Agriculture, the reference and date of Conversion order from the competent authority should also be mentioned:-	Residential Property through MDDA Sanction Map No. R-2073/22-23 dated 10-09-2022
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 and Articles of Association/ Trust Deed etc Whether examined and verified"-	Smt. Ruchika Gupta W/o Sh. Manav Manish R/o Madhur Vihar, Phase-II, Lane No. 4, Ajabpur Khurd, Dehradun, Uttarakhand. (Mortgagor)
4.	Whether any minor, lunatic or un-discharged insolvent is involved. Confirm that the Mortgagor has sufficient capacity to contract. Precautionary steps to be taken:-	No. Yes, Mortgagor has sufficient capacity to contract.
5.	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:-	Free hold property  Urban Land Ceiling Act repealed in State of Uttarakhand.
6.	Source of Property i.e. Self acquired or Ancestral. If Ancestral then mode of succession and whether original Will/Probate is available:-	Self Acquired Property.
7.	Whether the Mortgagor is Co-owner/joint owner and/or any partition of the property is	No (Mortgagor is an absolute owner)


  
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	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:-	
8.	Whether the Mortgagor is in exclusive possession of the property or it is leased/rented out to third party:-	As per information mortgagor (s) have an exclusive possession in said property.
9.	Whether the Property is mutated in municipal/revenue records and Mortgagor's name is reflecting and if not, the reason thereof:-	The name of mortgagor (s) have been duly mutated in the Revenue Records.
10.	Whether any restriction for creation of Mortgagee is imposed under Central/State/Local Laws. If Yes, then specify whose consent or permission would be required for creation of mortgage:-	No restriction for creation of Mortgagee is imposed under Central/State/Local Laws.
11.	Whether all the original Title Deeds including antecedent Title Deeds and other relevant documents are available. Please give detailed list:-	<ol style="list-style-type: none"> <li>1. Certified Copy of Sale Deed dated 15-06-2022 bearing document no. 5002</li> <li>2. Certified Copy of Sale Deed dated 20-02-2020 bearing document no. 1803</li> <li>3. Copy of MDDA Sanction Map No. R-2073/22-23 dated 10-09-2022</li> <li>4. Certified copy of Khatauni Fasli year 1416 to 1421.</li> <li>5. Affidavit of Borrower (s).</li> <li>6. Search receipt.</li> </ol>
12.	Whether the Advocate has personally visited the sub-Registrar/Revenue/Municipal Office and examine the records:-	Yes personally visited in the office of sub-Registrar Dehradun.
13.	Whether the search is being made for the period of 30 years. If no, reason thereof:-	Yes completed the chain of title the period of 30 years.


  
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14	Details of Documents examined/scrutinized (this should be in chronological order with serial numbers, type/nature of documents, date of execution, parties, date of registration details including the details of revenue/society records etc):-	<ol style="list-style-type: none"> <li>1. Certified Copy of Sale Deed dated 15-06-2022 bearing document no. 5002</li> <li>2. Certified Copy of Sale Deed dated 20-02-2020 bearing document no. 1803</li> <li>3. Copy of MDDA Sanction Map No. R-2073/22-23 dated 10-09-2022</li> <li>4. Certified copy of Khatauni Fasli year 1416 to 1421.</li> <li>5. Affidavit of Borrower (s).</li> </ol>
15.	<p>Tracing of the chain of title in favour of 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:</p> <p>I have inspected the following records:</p> <ol style="list-style-type: none"> <li>1. The index registers kept in the office of sub registrar Dehradun for year 01.01.1993 to 29.11.2023 [as indexed up-to-date- as available &amp; legible].</li> </ol> <p>a) Previous the land owners (1) Sh. Tilak Singh S/o Sh. Darshan Lal (2) Sh. Prithvi Singh (3) Sh. Narendra Singh both S/o Sh. Nandu Singh (4) Sh. Raj Kumar (5) Sh. Vijay Kumar (6) Sh. Madan Kumar (7) Sh. Ashok Kumar &amp; (8) Sh. Dinesh Kumar All S/o Sh. Phool Singh (9) Sh. Sukhpal S/o Sh. Molu Singh (10) Sh. Rajnish (11) Sh. Rajesh both S/o Sh. Kirti Singh (12) Smt. Vimla Devi W/o Sh. Kirti Singh (13) Smt. Kamla Devi W/o Sh. Manjeet (14) Sh. Umesh Kumar &amp; (15) Sh. Ramesh Kumar Both S/o Sh. Manjeet Singh all R/o Mothrowala, Dehradun bearing Khasra No. 1322 measuring area 0.3040 Hect.and Khasara No. 1327Ga measuring area 0.0200 Hect. alongwith other Khasra Number Situated at Mauza Mothrowala Pargana Centraldoon, Tehsil and District Dehradun Since Fasli year 1384 i.e.1976</p> <p>b) Court of Astd. Collector 1<sup>st</sup> Class, Parganadhikari Dehradun vide case 08/06-07/07-03-2009 Mauza Mothrowala U/s 176/178 UPZA above mentioned case Hon'ble court passed the order on 27.02.2009 and allotted khasra no. 1322 measuring area 0.3040 and Khasra No. 1327Ga Measuring area 0.0200 Hect alongwith other khasra numbers in the favour of (1) Sh. Rajnish Kumar (2) Sh.</p>	

  
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	<p>Rajesh Kumar both S/o Sh. Kirti Singh and (3) Smt. Vimla Devi W/o Sh. Kirti Singh all R/o- Mothrowala, Dehradun.</p> <p>c) (1) Sh. Rajnish Kumar (2) Sh. Rajesh Kumar both S/o Sh. Kirti Singh both R/o- Mothrowala, Dehradun has execute a sale deed in the favour of Smt. Savitri Bhandari W/o Sh. Jayendra Bhandari R/o- Chaudahbiga, Dhalwala, Munikireti, Tehri Garhwal khasra no. 1322 measuring area 28.31 Sq.mtr and Khasra No. 1327Ga Measuring area 80 Sq.mtr. total measuring area 108.31 Sq.mtr. vide sale deed dated 20-02-2020 which is duly registered in the office of Sub- Registrar, Dehradun at Book No. 1 Volume 3566 Pages 209 to 232 bearing document no. 1803 dated 20-02-2020</p> <p>d) Smt. Savitri Bhandari W/o Sh. Jayendra Bhandari R/o- Chaudahbiga, Dhalwala, Munikireti, Tehri Garhwal with consent of Smt. Vimla Devi W/o Sh. Kirti Singh R/o- Mothrowala, Dehradun.has executed a Sale Deed in the favour of Smt. Ruchika Gupta W/o Sh. Manav Manish R/o Madhur Vihar, Phase-II, Lane No. 4, Ajabpur Khurd, Dehradun, total measuring area 108.31 Sq.mtr vide sale deed dated 15-06-2022 which is duly registered in the office of Sub- Registrar, Dehradun at Book No. 1 Volume 6371 Pages 95 to 122 bearing document no. 5002 dated 15-06-2022</p> <p>e) Smt. Ruchika Gupta W/o Sh. Manav Manish R/o Madhur Vihar, Phase-II, Lane No. 4, Ajabpur Khurd, Dehradun sanctioned a house map from MDDA Dehradun vide Map No. R-2073/22-23 dated 10-09-2022</p>	
16.	Whether there is any doubt/suspicion about the genuineness of the original documents. If yes, the specify:-	No.

  
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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:-	<p style="text-align: center;"><u>OPINION</u></p> <p>I am of definite opinion that the aforesaid Borrower's title to the property is clear, the said property already mortgage in Bank of Baroda, Dehradun. The property can safely be mortgaged in favour of Bank by deposit of title deed i.e. Sale Deed dated 15.06.2022 bearing document no. 5002 to secure its advance.</p>
18.	List of document to be deposited for creation of Mortgage by the Mortgagor including any additional document required in addition to the document available:-	<ol style="list-style-type: none"> <li>1. Original Sale Deed dated 15-06-2022 bearing document no. 5002</li> <li>2. Certified Copy of Sale Deed dated 15-06-2022 bearing document no. 5002</li> <li>3. Original Sale Deed dated 20-02-2020 bearing document no. 1803</li> <li>4. Certified Copy of Sale Deed dated 20-02-2020 bearing document no. 1803</li> <li>5. Copy of MDDA Sanction Map No. R-2073/22-23 dated 10-09-2022</li> <li>6. Certified copy of Khatauni Fasli year 1416 to 1421.</li> <li>7. Affidavit of Borrower (s).</li> <li>8. Search receipt.</li> </ol>
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-operative Society, whether allotment letter, possession letter, share certificate possession letter, share certificate affidavit, power of attorney is required:-	No
20.	Comments on enforceability of property under SARFAESI Act, 2002.	The property is residential Property and used as residential and SARFAESI Act 2002 is applicable over this property

(Surendra Singh Rawat)  
Advocate

  
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 Court Compound, Dehradun

(भाग-1)

क्रम संख्या

363 / 16

(प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला)

लेख या प्रार्थना-पत्र प्रस्तुत करने का दिनांक

29-Nov-2023

प्रस्तुतकर्ता या प्रार्थी का नाम

SURENDRA SINGH RAWAT ADV

लेख का प्रकार

मुआयना

31

वर्ष

( 1,993 - 2,023 )

प्रतिफल की धनराशि

0.00

1 रजिस्ट्रीकरण शुल्क

0.00

2 प्रतिलिपि करण शुल्क

0.00

3 इलैक्ट्रॉनिक शुल्क

0.00

4 निरीक्षण या तलाश शुल्क

100.00

5 मुख्तारनामा के अभिप्रणालोकरण के लिए शुल्क

0.00

6 कमीशन शुल्क

0.00

7 नकल शुल्क

0.00

8 विविध

5.00

9 यात्रिक भत्ता

0.00

10 कम रजिस्ट्रीकरण शुल्क

0.00

11 योग

105.00

शुल्क वसूल करने की दिनांक

29-Nov-2023

Application No 16,694

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर उपनिबन्धक, देहरादून, द्वितीय





**Affidavit**

**Before – The Branch Manager Bank of Baroda Ajabpur Kalan, Dehradun**

**Affidavit of - Smt. Ruchika Gupta W/o Sh. Manav Manish R/o Madhur Vihar,  
Phase-II, Lane No. 4, Ajabpur Khurd, Dehradun, Uttarakhand**

**Deponent( s)**

I/We the above name deponent (s) do hereby solemnly affirm and state on oath as under :

- 1- That the above name deponent(s) is/are the permanent residents of the aforesaid address (es) and is/are well conversant with the matter in reference.
- 2- That the deponent(s) is/are the legal owner(s) of the property (ies)/land(s) covered and described in sale deed) s) Sale Deed dated 15-06-2022 bearing document no. 5002 in the office of the Sub Registrar, Dehradun.
- 3- That the said sale deed (s) (along with other relevant and necessary documents) is intended to be deposit with the bank with the intention to secure a loan for the deponent.
- 4- That the stamp sheets used in the said Sale deed(s) are genuine and the deed (s) is/are free from any sort of tampering, manipulation and forgery.
- 5- That the deponent(s) has/have neither lost any right, title, interest and possession in the subject property (ies) by any order or decree of a competent court or otherwise, nor any litigation regarding any right, title, interest and possession of the said property (ies) is/are pending in any court/tribunal/forum.
- 6- That the deponent(s) has/have not transferred his/their right, title, interest and possession in the subject property (ies) to anyone by way of agreement, contract etc or by any other mode, Moreover, he/they has/have not transferred his/their right, title interest and possession in the subject property (ies) to anyone under his/their personnel or customary law.
- 7- That the subject property (ies) is in actual and complete possession of the deponent (s) and the same has not been let out or leased to anyone nor has the same been encumbered in any way.





- 8- That the deponent(s) covenants that he/they shall not let out, lease or encumber the subject property(ies) without the prior written consent of the bank, On such a written consent been given by the bank, the deponent (s) also state(s) that he/they shall strictly bind himself/themselves to fulfill and comply with all the term & conditions which may be imposed by the bank while according sanction to such letting out, leasing or encumbrances.
- 9- That the deponent (s) has already mortgage said property and deponent has not sale said property till date.

**Deponent(s)**

That the contents of para 1 to 9 of this affidavit are true to my/our knowledge nothing material has been concealed and nothing false has been stated herein.

Verified on 29<sup>th</sup> day of November, 2023 at Dehradun.

**Deponent(s)**



**ATTESTED**  
**(RAJENDER SINGH NEGI)**  
Advocate & NOTARY  
Chamber No. 92, 1st Floor  
Opposite Bar Office  
Collectorate Court Compound  
Dehradun (Uttarakhand)