

DHEERAJ SINGH

Advocate

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Panel Lawyer-Bank of India, ICICI Bank
Ghaziabad Zila Sehkari Bank Ltd., Ghaziabad.

Chamber No. 266, Civil Court Compound R. D. C. Raj Nagar, Ghaziabad.

Ref.....

Date: 27.08.2015

To,

The Senior Branch Manager,
BANK OF INDIA,
Dadri Branch,
District Gautam Budh Nagar

Handwritten signature and stamp
1-15
बॉम्बे प्रशासन प्रमुख
दादरी शाखा

Dear Sir,

SUB: Legal Opinion & Non Encumbrance Certificate in respect of the property- Residential house admeasuring area 96 sq. yards. Of khasra no. 719 situated at Mohalla Nai Abadi, Kasba Dadri, Pargana and Tehsil Dadri, District G.B. Nagar

Under your instructions on the basis of the original title deed forwarded to me pertaining to the said immovable property and the other information submitted by you, I have conducted the detailed search & investigation and submit my report as under:-

1. Name (s) and Address(es) of the Mortgagor(s)/Title Holder(s):-

Sh. Ved Prakash Garg son of Sh. Shyam Lal Garg R/o Mohalla Jarcha Road, Kasba Dadri,, Pargana and Tehsil Dadri, District G.B. Nagar.

2. Title deeds in original shown to me:-

1. Original sale deed dated 22.05.1995 executed by Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal in favour of Sh. Ved Prakash Garg registered with the office of Sub - Registrar Dadri, District G.B. Nagar at Book No. I, Zild no. 1021 at page no 102 and additional book no. I, zild no. 1043 at pages 363 to 366 serial no. 1682 dated 22.05.1995
2. Certified copy of sale deed dated 21.05.1993 executed by Smt. Neelam Rani in favour of Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal registered with the office of Sub - Registrar Dadri, District G.B. Nagar at Book No. I, Zild no. 901 at page no. 250 and additional book no. I, zild no. 972 at pages 134 to 137 in serial no. 1936 on dated 21.05.1993
3. Copy of House tax receipt issued by Nagar Palika Parisad Dadri, , Pargana and Tehsil Dadri, District G.B. Nagar

3. Description of immovable property:-
Residential house admeasuring area 96 sq. yards. Of khasra no. 719 situated at Mohalla Nai Abadi, Kasba Dadri, Pargana and Tehsil Dadri, District G.B. Nagar

4. Search in Sub Registrar's Office:-

(A) Location of property:-

Residential house admeasuring area 96 sq. yards. Of khasra no. 719 situated at Mohalla Nai Abadi, Kasba Dadri, Pargana and Tehsil Dadri, District G.B. Nagar

East -Plot of Sh. Ram Chander
West - Plot of Smt. Neelam Rani
North - Plot of sh. Baldev Raj
South - Rasta

(B) Search and Investigation:-

From the perusal of the documents, it is revealed that originally Smt. Neelam Rani was the actual owner and in physical possession of the aforesaid property. Thereafter Smt. Neelam Rani sold the aforesaid property to Smt. Neelam Rani wife of Sh. Somnath Thakral R/o Saheed Bahgat Singh Marg Dadri, Pargana and Tehsil Dadri, District G.B. Nagar through registered sale deed dated 04.05.1988. Thereafter Smt. Neelam Rani sold the aforesaid property to Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal boths sons of sh. Madan Lal both R/o Shaheed Bhagat Singh Marg. Rly. Road, Dadri, Tehsil Dadri, District G.B. Nagar through registered sale deed dated 21.05.1993. Thereafter Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal sold the aforesaid property to Sh. Ved Prakash Garg son of Sh. Shyam Lal Garg R/o Mohalla Jarcha Road, Kasba Dadri, Pargana and Tehsil Dadri, District G.B. Nagar through registered sale deed dated 22.05.1995. Thereafter Sh. Ved Prakash Garg construct the residential house over the aforesaid property. Thereafter Nagar Palika Parisad Dadri, District G.B. Nagar assess the house tax over the aforesaid property. I have verified the original sale deed dated 22.05.1995 with the certified copy issued by the office of Sub Registrar Dadri, Gautam Budh Nagar which is original and genuine. Sh. Ved Prakash Garg is having quite, clear perfect, marketable / mortgable title over the said property. Bank may mortgaged the aforesaid property through equitable mortgage by deposit of original title deed.

However, to ascertain any encumbrance over the aforesaid property from 1.1.1984 to 11.08.2015, I have searched the available records at the office of sub registrar Dadri, Gautam Budh Nagar after depositing the prescribed fee vide receipt no. 21791 dated 11.08.2015, I have been able to ascertain during the course of my investigation I could not find any encumbrance over the aforesaid property. Sh. Ved Prakash Garg is having quite, clear, perfect, marketable / mortgable title of the aforesaid property. The aforesaid property is free from any encumbrances.



(C) Confirm and state that the original title deeds submitted are the originals registered before the Registrar of Assurance:-

YES, I have tallied the original sale deed dated 22.05.1995 with the certified copy obtained from the sub registrar Dadri, District Gautam Budh Nagar and found the same to be tallied and genuine.

(D) Whether the property is ancestral and/or under joint ownership, If so, details of the Co-parceners/ karta and/ or the co-owners. The respective shares should be incorporated specifically.

N.A.

(E) Minor's interest

N.A.

(F) Documents pending for registration:

N.A.

5. Whether Urban Land (Ceiling and Regulation) Act 1976 is applicable in the state where the property is located. If applicable whether the immovable property(ies) fall(s) within the purview of the Act, verification and investigation should be made under sections 26, 27 and 28 of the Act to ensure that mortgagor(s) has/ have obtained necessary perMission from the competent authority under the Act. Documentary evidences showing such perMission is obtained have to be attached with the report:-

-N.A.

6. Whether the property is acquired under Land Acquisition Act, 1894 and applicability of other State Legislations:-

Yes, but the other state legislations are applicable as usual.

7. Lease hold immovable property (Where land and any perMission/ NOC from the lessors/competent authority is required for creation of mortgage of such leasehold property and advice the precaution to be take while obtaining such property in mortgage:-

The property is free hold property.



8. Investigation under Income Tax Act 1961:-

N.A.

9. Investigation in regard to agriculture land:-

(Investigate and search the necessary records etc. with specific reference to the land if it is surplus, self- cultivated, if consolidation of holding/ acquisition proceedings etc. is in progress in the area, whether Government loan/ any loan raised against the land and details about the charges/ encumbrances may be specified, specifically with reference to the Agriculture Land Laws.

N.A. property in question is free hold property.

10. The details of the certified copies of the revenue records obtained to confirm that no dues are outstanding by the Mortgagor:-

N.A. property in question is free hold property.

11. Any other special enactment is applicable to the property proposed to be mortgaged and affects the title:-

No.

12. If it is a property owned by the Company the additional safeguards like search before the Registrar of Companies to be obtained be stated:-

N.A.

Certificate:-

I hereby certify that I have searched and verified the information furnished in this report and have compared the original sale deed dated 22.05.1995 given to me with the copy of it in the office of the Sub Registrar Dadri, Gautam Budh Nagar and has found both tallying with each other. Sh. Ved Prakash Garg is having quite, clear, perfect, marketable / mortgable title over the aforesaid property. The statements and other information given in the report are correct and true based upon the records submitted to me.

I hereby return the document forwarded to us vide your above said letter.

1. Original sale deed dated 22.05.1995 executed by Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal in favour of Sh. Ved Prakash Garg registered with the office of Sub - Registrar Dadri, District G.B. Nagar at Book No. 1, Zild no. 1021 at page no 102 and additional book no. 1, zild no. 1043 at pages 363 to 366 serial no. 1682 dated 22.05.1995

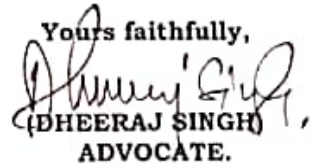


2. Certified copy of sale deed dated 21.05.1993 executed by Smt. Neelam Rani in favour of Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal registered with the office of Sub - Registrar Dadri, District G.B. Nagar at Book No. 1, Zild no. 901 at page no. 250 and additional book no. 1, zild no. 972 at pages 134 to 137 in serial no. 1936 on dated 21.05.1993
3. Copy of House tax receipt issued by Nagar Palika Parisad Dadri, , Pargana and Tehsil Dadri, District G.B. Nagar

The following documents in original have to be obtained for creation of valid equitable mortgage by deposit of title deed.

1. Original sale deed dated 22.05.1995 executed by Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal in favour of Sh. Ved Prakash Garg registered with the office of Sub - Registrar Dadri, District G.B. Nagar at Book No. 1, Zild no. 1021 at page no 102 and additional book no. 1, zild no. 1043 at pages 363 to 366 serial no. 1682 dated 22.05.1995
2. Certified copy of sale deed dated 21.05.1993 executed by Smt. Neelam Rani in favour of Sh. Sanjay Kumar Agarwal and Sh. Manoj Kumar Agarwal registered with the office of Sub - Registrar Dadri, District G.B. Nagar at Book No. 1, Zild no. 901 at page no. 250 and additional book no. 1, zild no. 972 at pages 134 to 137 in serial no. 1936 on dated 21.05.1993
3. Copy of House tax receipt issued by Nagar Palika Parisad Dadri, , Pargana and Tehsil Dadri, District G.B. Nagar
4. Affidavit of Sh. Ved Prakash Garg son of Sh. Shyam Lal Garg R/o Mohalla Jarcha Road, Kasba Dadri,, Pargana and Tehsil Dadri, District G.B. Nagar.

Thanking you.

Yours faithfully,

(DHEERAJ SINGH)
ADVOCATE.

27.08.2015

Enclosures:-

- 1-Original receipt no. 21791 dated 11.08.2015 issued by the Office of Sub Registrar Dadri, G.B. Nagar
2. Certified copy of sale deed dt.22.05.1995 Issued by Sub- Registrar Dadri, District G. B. Nagar.

Office of Dheeraj Singh, Advocate
Ch. No. 266, Civil Court Comp. Ghaziabad.
BILL FOR PAYMENT

Dated 27.08.2015

To,

The Senior Branch Manager,
BANK OF INDIA,
Dadri Branch,
District GB Nagar

Srl no.	Particulars	Fee paid	Amount
	<i>Search Report and NEC in Favour of Sh. Ved Prakash Garg</i>	Counsel Fee	4000.00
		Misc. Expenses	
	<i>Please pay the bill in the A/C No. 711310110002695 Bank of India, Navyug Market, District Ghaziabad (U.P.)</i>		
Rs. in words- Four Thousand Only			

Yours faithfully

[DHEERAJ SINGH]

ADVOCATE.

27.08.2015

