

Rcet Kumar Agarwal
Advocate
office: Kemri Road
Bilaspur Distt. Rampur

ANNEXURE C

LEGAL SCRUTINY REPORT

The Real Estate Regulatory Authority

Dt: 09.08.2017

Dear Sir,

With reference to your letter dated I submit my Legal Scrutiny

Report as here under :-

Name and address of the Mortgagor (s) : Pegasus township Ltd. Head Office 131
Civil Line Bareilly.

Details & Description of the document scrutinized

S.No	Date of Document	Nature of Document	Whether Original / Certified/ True Copy/Photo to Stat	Description of
1.	24.08.2009	Sale deed	True Copy	Title deed viz. the sale deed executed on 24.08.2009 and registered in the office of the Sub Registrar at Bilaspur Distt. Rampur

भाग 1

प्रस्तुतकर्ता अथवा प्रार्थी द्वारा रखा जाने वाला।

उप निबन्धक बिलासपुर उप निबन्धक कम सं० 6341

लेख या प्रार्थना पत्र प्रस्तुत करने का दिनांक 09-Aug-2017

प्रस्तुतकर्ता या प्रार्थी का नाम रीतु कुमार अग्रवाल एड०

लेख का प्रकार तलाश/मुआयना 1990 वर्ष से 2017 वर्ष तक

प्रतिफल की धनराशि 100

1. रजिस्ट्रीकरण शुल्क
2. प्रतिलिपिकरण शुल्क
3. निरीक्षण या तलाश शुल्क 100
4. मुख्तारनामा के अधिप्रमाणीकरण के लिए शुल्क
5. कमीशन शुल्क
6. विविधि / स्टाम्प 0.00
7. यात्रिक भत्ता

1 से 6 तक का योग

शुल्क वसूल करने का दिनांक 09-Aug-2017

दिनांक जब लेख प्रतिलिपि या तलाश प्रमाण पत्र

09-Aug-2017

वापस करने के लिए तैयार किया

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर

उप-निबन्धक
बिलासपुर-राजपुर

भाग 1 की प्रतिलिपि

उप निबन्धक बिलासपुर

अधिनियम 16 19

प्रस्तुतकर्ता या प्रार्थी

के लिए प्रार्थी का

निष्पादक का नाम

लेख का प्रकार

प्रतिफल की धनराशि

प्रार्थना पत्र प्रस्तुत

दिनांक जब लेख

वापस करने के

रजिस्ट्रीकरण अधिकारी

भाग 2

3- Details /Description of the property /Property

As per sthe contents of the title deed viz.sale deed:

Khata No. Survey No. Presently Plot No. Khata Site No. No.	Location/Pargana Tehsil-Sub-District /District./P.S.	Boundary/ies
Stock Company In Chak No.426 and 134	Revenue village Dibdiba Tehsil Bilaspur Distt. Rampur	East : Others Land West : C-Block Seller North: Road 18 Fit South: Chak No.250

The above mentioned immovable property situated at **Dibdiba** Tehsil Bilaspur Distt. Rampur.

4. Brief history and how the owner has acquired/derived the Title in Land i.e. By Purchase

Sir,

The Above named **Pegasus township Ltd.**Head Office 131 Civil Line Bareilly.has derived the title of the said immovable property, of an measuring 3344.48 sq. meters through purchase from the vender **Reetu kumar agarwal s/o Late shri Rajesh kumar agarwal through attorney Prem chand Bansal and Pawan kumar and Amit Agarwal and Subhash Gandhi** for a sale consideration of Rs. 12,00,000/- vide sale deed was registered in the office of Sub Registrar at Bilaspur Distt.Rampur U.P. on **24.08.2009 Bahi No.1 Khand 1091 in Pages No 01/88 and at Serial No. 3921.**

4.1 Whether Chain of Title of Owner is Complete, If So How?

Yes Sir,

That the Balance Stock was recorded in the name of **Pegasus township Ltd.** under class 1 K with transferable rights

That the Property in question is declared as Non Agriculture land U/s 5C Ch Act. by the order of SOC Rampur Distt. Rampur Order duly entered in present khatoni.

4. Search and Investigation 01.01.1990 to 09.08.2017

Property in question is free from all registered encumbrances.

I have been furnished with certain documents evidencing the title of said Pegasus township Ltd. abovenamed, in the above referred immovable property and the same have been perused by me at length.

Investigation and search in records of offices at Bilaspur District Rampur from 1.1.90 to 09.08.2017 has also been conducted.

The requisite search for last 27 proceeding years has been made in the office of Sub Registrar of Assurances at Bilaspur.

The Index Registers have been found maintained in the office. I have inspected the record thoroughly and found the said property unencumbered.

5.1 Name of persons who is/are the present Pegasus township Ltd.
Owners of the property/ies.

5.2 Whether the Party has absolute, clear and
Marketable Title over the property/ies proposed
To be Mortgaged and can create to valid Mortgage
In the property/ies.

Yes Sir

5.3(a) What is the nature of Title of the owner i.e. tenancy right
Full ownership, occupancy right, possessory right, minors right
Or any other type of right ?

Ownership right

(b) Leasehold immovable property/ies N/A

(c) Leasehold immovable property/ies (whether the land /Buildings N/A

Names and address of the Lessor(s)

Whether any permission /N.O.C from the Lessor is required.

5.4 Whether there is any restriction prohibition under personal laws of the owner/mortgagor to hold the property/ies under the Title Deeds through which he has derived the Title . No Sir

5.5 Whether the latest Title Deeds and the chain of previous Title Deed/s in originals are available . Yes Sir

5.6 Whether the Building Tax/Land Revenue has been
Paid, upto date. Yes Sir

5.7 Whether any dues recoverable as Land revenue are outstanding. N/A

5.8 In case the facility is sought for construction purpose Whether the Land has been converted under the Land revenue laws ? If not required to be converted, give reasons. No Sir

5.9 Whether the Land is affected by any Revenue and Tenancy legislations? if so, how and to what extent and the remedy , if any . No Sir

5.10 Whether the permission under the urban Land (Ceiling and Regulation) Act 1976
Is necessary or not ? Not affected by ceiling

5.11 Is there any other special enactments like Land Acquisition Act and other State Legislations Provisions of which is any applicable to the property/ies and affecting the Title .
Not affected

5.12 Is/are the property/ies free from encumbrances. Yes Sir

5.13. Whether the proposed Mortgage by deposit of Title Deeds Is possible ? If so, what is/are the documents to be deposited? Yes Sir
Equitable mortgage can be

If deposit is not possible, can there be a simple mortgage or by a created by way of deposit

Registered mortgage or by any other mode of mortgage ? of the original title deed
viz.the sale deed in the custody of the Bank.

5.14. Whether the property/ies is /are free hold or leasehold or self Free hold property
Occupied or tenanted? If tenanted whether the property/ies can be taken
As Mortgage and what precautions to be taken.

5.15 If owner is company,Partnership firm,Trust, Temple Wakf or other legal persons and how the Title is affected by its Memorandum and Articles of Association ,Partnership deed Trust deed or rules or bye-laws and what is are the precautions to be taken under rules or bye-laws and also how the right to create mortgage is affected by Hindu Religious and Endowment Laws and/or Wakf Deed or Wakf Act,as the case may be. Bye laws

5.16 . If property/ies to be mortgaged is/are flat/apartment is residential Or commercial complex,how far independent.Title is ensured and how the, enjoyment of Common is/areas and facilities is/are ensured to the owner(Mortgagor) what is/are the Document of title available for crating Mortgage? Documents records to be taken from builder

/owners and their Bankers.

Owners

5.17 Flats owned/controlled by societies Special requirements to be taken

If society refuses to note bank lien/interest.

Builder

5.18 Please state the names of the persons who should join in the creation of Mortgage of the properties either by deposit of Title deed/s or by registered Mortgage .etc :

Equitable mortgage can be created by way of deposit of the original title deed viz the sale deed in the custody of the Bank by Pegasus township Ltd.

5.19 Any Additional documents/precautions ,required to be taken As stated above

6. Investigation under Income Tax Act 1961

N/A

7. Search in respect of companies registered under the Companies Act 1956 **Yes**

(i) Search in respect of companies registered under the Companies Act 1956. **Yes**

(please search the Index and the register of charges/file or folder containing form 6 to 13) and provide information on charges subsisting on the property and undertaking of the company and

the brief particulars of the documents creating the charge. **N/A**

(ii) The date/s of creation, nature (Mortgage/Hypothecation etc. whether first/second or Panpassu charge) and the extent (i.e. the amount covered) of each charge. **N/A**

(iii) The specific property/ies on which any charge subsists. **N/A**

(iv) The particulars for each charges holder. **N/A**

(v) Modifications (if any) in each charge and the dates thereof. **N/A**

(vi) Satisfaction of charge, if any, recorded give details thereof. **N/A**

(vii) Whether any Receiver or Manager of Company has been appointed under section 137 of the Companies Act 1956 and **N/A**

(viii) Whether any debentures have been issued by the company and the nature and value of the charge securing them as well as the details the property/ies on which such charge has been created. Please obtain certified copies of the relevant documents, also please investigate whether any form 8/13 along with the relevant documents have been received in the ROC's office which is pending for registration. If so, full particulars thereof should be proved, further, please verify whether any application is pending with the ROC seeking his condonation of delay for filing the charges. **N/A**

CERTIFICATE

I have scrutinized the original Title deed viz the sale deed intended to be deposited relating to the schedule property to be offered as security by way of equitable mortgage and that the documents of the title referred to in the opinion are perfect evidence of right, Title and interest that if the said equitable mortgage is created in the manner required by law, it will satisfy the requirements of creation of equitable mortgage and I further certify that :-

1. There are no mortgages/charges whatsoever as could be seen from the encumbrance record for the period from 01.01.1990 to 09.08.2017 pertaining to the immovable property/ies.
2. The mortgage if created will be perfect and available to the bank for the liability of the intending mortgagor **Pegasus Township Ltd.** above named.

I certify that above named Vendee/intending mortgagor **Pegasus Township Ltd.** can create and equitable mortgage of the said property by way of deposit of the original title deed viz. the sale deed in the custody of the Bank.

Place : Bilaspur

Dated : 09.08.2017

signature of the Advocate

24/08/2017
Reetu Kumar Agarwal

Advocate

Bilaspur (Rampur)

Enclosed:

1. Certified title deed viz the sale deed dt. 24.08.2009, in favour of Pegasus township Ltd.
2. Certified copy of sale deed No. 3921, in favour of Pegasus township Ltd.
3. Certified Khatoni .
4. Search receipt Nos 6341.....dt..09.08.2017 (Bilaspur)