

*Dhirendra Singh*  
*Advocate*

*Res.Chamber:-*  
*A-601, Lalbagh Rajkiya*  
*Colony, Lucknow*  
*Mob: 9415020731*  
*Ph.2619111\**

Dated : 05.02.2022

**LEGAL SCRUTINY REPORT**

To,  
whom so may it concern

Regarding : **Sapphire Infraventure Pvt. Ltd. a residential Township developed on Khasra NO. 816 measuring 0.1316 Hectare, Khasra No. 806 measuring 0.1395 Hectare, Khasra No.815 measuring 0.21825 Hectare and Khasra No.822 measuring 0.44675 Hectare situate at Village Kasimpur Biruha, Pargana and Tehsil Mohanlalganj, Sultanpur Road, Lucknow.**

Dear Sir,

With reference to request of M/s Sapphire Developers I submit my Legal scrutiny report as hereunder:-

Owner's Name: **Ahmad Kamal Khan son of Late Nasar Jaleel Khan resident of 401, Sapphire Homes, 2 Fawn Brake Avenue, Sarojani Naidu, Lucknow and M/s Sapphire Developers through its Partner - Ahmad Kamal Khan son of Late Nasar Jaleel Khan resident of 401, Sapphire Homes, 2 Fawn Brake Avenue, Sarojani Naidu, Lucknow**

I. Details/description of the documents scrutinized:

Sl. No.	Date of documents	Name/Type of document	Regn./Ref No. the document with date	Whether Original/Certificate/True copy/Photostat
1.	07.09.2010	Sale Deed	Sub-Registrar Mohanlalganj Lucknow as bahi No.I, Jild No.2264 on pages 41 to 58 at serial No.5412 dated 07.09.2010.	Photocopy of sale

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- 2 -

2.	28.11.2014	Sale Deed	Sub-Registrar Mohangalganj Lucknow as bahi No.I, Jild No.5168 on pages 253 to 272 at serial No.19710 dated 28.11.2014.	Photocopy of sale
3.	24.09.2014	Sale Deed	Sub-Registrar Mohangalganj Lucknow as bahi No.I, Jild No.4972 on pages 187 to 204 at serial No.15544 dated 24.09.20214.	Photocopy of sale
4.	15.12.2014	Sale Deed	Sub-Registrar Mohangalganj Lucknow as bahi No.I, Jild No.5233 on pages 57 to 90 at serial No.21057 dated 15.12.20214.	Photocopy of sale

II. Details/Description of the Property/ies:

Sl. No.	Survey No., Khata No., House No., Site No.,	Extent/Area of Land/Building	Location Village/Municipality/Sub-District/District	Boundary
1.	Khasra NO. 816 measuring 0.1316 Hectare, Khasra No. 806 measuring 0.1395 Hectare, Khasra No.815 measuring 0.21825 Hecatere and Khasra No.822 measuring 0.44675 Hecatere	0.1316 hectare	Village Kasimpur Biruha, Pargana and Tehsil Mohangalganj, Sultanpur Road, Lucknow	Boundaries of Khasra No. 816 East-Khasra No. 816 West-Khasra No. 817 North-Khasra NO.814 South -Raiwaly Line  Boundaries of Khasra No. 806 East-Khasra No. 808

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- 3 -

	situate at Village Kasimpur Biruha, Pargana and Tehsil Mohanlalganj, Sultanpur Road, Lucknow			West-Part of Khasra No. 806 North-Khasra NO.807 South -Chakroad thereafter 835 Boundaries of Khasra No. 815 East-Chakroad West-Khasra No. 816 North-Khasra NO.814 South -Railway Line Boundaries of Khasra No. 822 East-823 & part of 814 West-Khasra No. 825, 826 and 827 North-Chakroad South -Khasra No.817
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### III. Opinion of Flow of Title:

1. Brief history of the property and how the owner/mortgagor has derived the title- Flow of title is to be given chronologically for a minimum period of 30 years (If space is found insufficient, please furnish information in an additional sheet)

That the 1/6th part of khasra NO.816 measuring 0.790 Hectare, was originally belong to one Sri Gyan Chandra son of Sri Mool Chandra who has sold his share to Sri Yadunath Singh son of Sri Amar Singh through registered sale deed dated 07.09.2010 which was executed and registered before the office of Sub-Registrar Mohanlalganj, Lucknow at bahi No.I, Jild No.2264 pages 41 to 58 at serial NO. 5412 dated 07.09.2010.

That on the basis of the sale deed dated 07.09.2010 name of Sri Yadunath Singh was duly mutated in the revenue records.

That later on due to some financial needs Sri Yadunath Singh son of Sri Amar Singh has sold his share to the present owners



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- 4 -

Sri Ahmad Kamal son of Late Nasar Jaleel.

That the aforesaid sale deed in favour of Sri Ahmad Kamal son of Late Nasar Jaleel registered sale deed dated 18.11.2014 which was executed and registered before the office of Sub-Registrar Mohanlalganj, Lucknow at bahi No.I, Jild No.5168 pages 253 to 272 at serial NO. 19710 dated 18.11.2014.

That Khasra No. 806 measuring 0.1395 Hectare and Khasra No.815 measuring 0.21825 Hectare and Khasra No.822 measuring 0.44675 Hectare, total measuring 0.8045 Hectare was originally belong to M/s Anglo Developers Pvt. Ltd. through its authorized signatory Sri Vyas Verma son of T.P.Verma, company has purchased the aforesaid property by virtue of two sale deed dated 21.07.2014 and 24.09.2014 which were executed and registered before the office of Sub-Registrar Mohanlalganj, Lucknow at bahi No.I, Jild No.4796 pages 377 to 398 at serial NO. 11518 dated 21.07.2014. and bahi No.I, Jild No.4972 pages 187 to 204 at serial NO. 15544 dated 24.09.2014.

That later on M/s Anglo Developers Pvt. Ltd. through its authorized signatory Sri Vyas Verma son of T.P.Verma, has sold the aforesaid property in favour of M/s Sapphire Developers through its partner Ahmad Kamal son of Late Nasar Jaleel which was executed and registered before the office of Sub-Registrar Mohanlalganj, Lucknow at bahi No.I, Jild No.5233 pages 57 to 90 at serial NO.



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- 5 -

21057 dated 15.12.2014.

The names of Ahmad Kamal son of Late Nasar Jaleel in respect of Khasra No. 816, as a partner of M/s Sapphire Developers in respect of Khasra NO.806, 815 and 822 has been duly mutated in the Revenue Records and Ahmad Kamal son of Late Nasar Jaleel self and being the partner of M/s Sapphire Developers has exercise his ownership since 2014 and has every right to transfer or mortgage the same to anyone.

- Present owner has exercised Absolute ownership rights.**
2. Describe nature of title (viz., full ownership rights, leases hold rights, occupancy/ possessory rights or any other)  
If the title is lease hold rights, state  
a. Whether the lease deed has been registered as required under Law. **N.A.**  
b. The period of lease **No.**  
c. Whether any permission/NOC from lessor is required for creation of mortgage. **N.A.**
3. Mention minor's interest, if any is involved. If so, whether Court permission (except in case of HUF property) has been obtained for offering property as security **N.A.**
4. State here whether the mortgagor/title holder is in unhindered possession of the property and if so, the period for which he is in such possession. **Sale deed dated 07.09.2010, 28.11.2014, 24.09.2014, 15.12.2014**
5. Is/Are the property/lies free from **Yes**



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- 6 -

encumbrances.

6. Please give detailed account of creation of charge/mortgage or redemption for a minimum period of 13 years and also state the subsisting charge/mortgage if any, mentioned in the encumbrance certificate for the last 13 years. **No.**
- i. The period covered under Encumbrance Certificate issued by the sub-Registrar of Assurances/search made in the records/Registers of the office of sub-Registrar of Assurances Search fees receipt No 20223200067 dated 03.02.2022 for the searches made for the period from 01.01.2012 to 03.02.2022.
- ii. Search in respect of companies registered under the Companies Act.1956 **N.A.**
7. Whether Urban Land Ceiling Clearance is required to be obtained before the mortgage is created. If the ULC clearance has been obtained for creating the mortgage in favour of the Bank, please mention the number and dated of the proceedings. **N.A., Act is abolished.**
8. Whether permission of conversion of lands from Agricultural use to residential/ commercial use is obtained wherever necessary. If applicable state the reference of the proceedings. **N.A.**
9. If the property sought to be mortgaged is an agricultural lands. **No**
- i. Whether the land in within the **N.A.**



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- 7 -

ceiling limit, fixed as per the concerned State Land Reforms Law in force.

ii. Whether taking as collateral security for non-agri purposes is possible. **N.A.**

10. Whether from the documents produced, there exists any pending litigation with respect to the property offered as security. If yes, please furnish details. **as per best of my knowledge no litigation pending.**

**N.A.**

11. In case of Partition Deeds.

**N.A.**

i. Whether the same is registered under the Law of time being in force and original thereof if available for deposit. **N.A.**

ii. in case original is not available and the partition deed is made in more than one copy at the time of registration duly signed by all executants, whether.

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. **N.A.**

b. the share holder or predecessor in title have been permitted to treat their



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- 8 -

copy of the partition deed as original for their share.

12. In case of inherited property, whether the family genealogy ascertained and flow of title considered in the light of such genealogy bearing in mind the provision of succession laws applicable to the parties. The genealogy must be sworn to by means of an affidavit by the party/parties. **N.A.**
13. In case the mortgage is sought to be created by agent under power of Attorney, please state whether. **N.A.**
- a. The Power of Attorney is registered **N.A.**
- b. It authorises 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. **N.A.**
- c. Whether Power of Attorney empowers the PA holder to borrow on behalf of the principal. **N.A.**
14. Whether up-to date tax/cist receipts have been verified and it is ensured that there are no arrears of land/Municipal Taxes, as the case may be over the property. **Yes as per the information received.**
15. In case of devolution of property by a will, whether the will has been probated or letter of administration **N.A.**



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- 9 -

is obtained.

16. i. Whether the title deed under which mortgager acquired title and parent title deed, are available in original. **Original Sale deed dated 07.09.2010, 28.11.2014, 24.09.2014, 15.12.2014**
- ii. In case the property purchased by mortgager is portion of larger extent of property, whether availability of original parent documents confirmed. **N.A.**
17. If owner is a company. Partnership Firm. Trust, or other legal person what are the documents to be obtained to create a valid mortgage (in terms of Memorandum and Article of Association Partnership Deed. Trust Deed or rules or by laws) **Yes.**
18. If property/ies to be mortgaged is/are flat/apartment in resident 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): **Given in the title detail in clause no. 1.**
- What are the documents of title available for creating mortgage? **N.A.**
- List out other Documents/records to be taken from builder/owners and their Bankers. **N.A.**
19. Whether search is made in the registers and the records maintained in the office of Collector and/ or Revenue authorities/Municipal Corporation/ Town and Planning Dept and the Civil Court (whichever is applicable) to ensure **Sub Registrar, Mohanlalganj, Lucknow**



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- 10 -

- a. necessary consent of Civil Body or authority to transfer the property was obtained. **Present owner having free hold rights.**
- b. No litigation in respect of the property to be mortgaged is pending before any Forum **As per best of my knowledge**
- c. Identity of the property has been established and there are no circumstances which would create doubts or suspicions, e.g., any material documents 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. **N.A.**
20. If the property is superstructure like building, house, flat, factory, shed, etc. **No.**
- i. Whether it is located/proposed to be located in an approved lay out. **Yes**
- ii. Whether the building is constructed/ proposed to be constructed as per the plan approved by the competent authorities (Corporation, Municipal Council, Cantonment Board etc.) **Yes**
- iii. Whether the plan is approved subject to any condition if so what are the conditions and whether the conditions have been **Yes**



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- 11 -

complied with.

iv. Whether superstructure is **N.A.**  
assessed to Tax (in the case of  
ready built superstructure)

v. Whether clearance/license/permit **N.A.**  
has to be obtained from  
authorities constituted under  
Special Acts, like 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/licence/permit the  
same has to be mentioned the  
report. The report should also  
mention whether the condition  
has been complied)

21. If the flat is owned/controlled by **N.A.**  
society, specify special  
requirements to be taken.

**IV. Opinion of Creation of  
Mortgage:**

22. Whether the mortgage by deposit **YES,**  
of original title deeds is possible on  
the strength of the title deeds  
scrutinised. If so, the list of



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- 12 -

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 bank may be stated.

23. If the equitable mortgage by deposit of title deeds is not possible, can there be a simple (registered) mortgage. If so, list out the documents to be held with the bank in addition to the registered mortgage deed. **N.A.**
24. 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. Karnataka etc. **N.A.**

I certify that M/s Sapphire Developers through its partner Ahmad Kamal son of Late Nasar Jaleel has valid clear, absolute, good, perfect and marketable title to the property shown above..

This legal opinion has been given without any interest direct or indirect after verifying all the necessary relevant papers. After seeing the original title deeds, Xerox copy of which is returned back duly authenticated.

Sincerely yours

  
(Dhirendra Singh)  
Advocate

Place  
Date: 05.02.2022