

Special Report on Title

Reg:

Property situate at: Plot No 6Ka area 0.200 Hect and Plot No 7Min area 0.2250 Hect and 6Kha area 0.060 Hect and Plot no 6Ka area 0.200 Hect and Plot no 7Min area 0.225 Hect situated at Village Khyora Kachar Tehsil and District Kanpur Nagar

Belonging to: M/S SKY LINE INFRA HEIGHTS P LTD

ASPECTS TO BE CONSIDERED**COUNSEL'S STATEMENT**

A. PARTICULARS	
<p>1. Name of the Borrower with address</p> <p>2. Name of the person offering Mortgage with parentage /constitution and address</p>	<p>M/S SKY LINE INFRA HEIGHTS P LTD</p> <p>M/S SKY LINE INFRA HEIGHTS P LTD</p>
<p>3. Details of the property to be mortgaged:</p> <p>As per title deed:</p> <p>As per present Position:</p>	<p>Plot No 6Ka area 0.200 Hect and Plot No 7Min area 0.2250 Hect and 6Kha area 0.060 Hect and Plot no 6Ka area 0.200 Hect and Plot no 7Min area 0.225 Hect situated at Village Khyora Kachar Tehsil and District Kanpur Nagar</p> <p>As Above</p>
<p>B. <u>INVESTIGATIONS</u></p> <p>1. Details of the title deeds/documents(including Link Deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of documents, date of execution and details of registration):</p>	<p>1.Please refer to the Sale Deed Dt 07/11/12 executed by M/S SMILE CONSTRUCTION P LTD through Authorised Signatory Sri Raghvendra Singh regarding Plot No 6Ka area 0.200 Hect and Plot No 7Min area 0.2250 Hect and 6Kha area 0.0600 Hect situated at Village Khyora Kachar Tehsil and District Kanpur Nagar in favour of M/S SKY LINE INFRA HEIGHTS P LTD through Managing Director Sri Sharad Agarwal registered in the office of Sub-Registrar Kanpur in Book No 1 Vol 5705 at Serial No 6322 at Pages 105 to 180 on 07/11/12.</p>

2. Please refer to the Sale Deed Dt 12/10/11 executed by Smt Reeta Jalan regarding Plot no 6Ka area 0.200 Hect and Plot no 7Min area 0.225 Hect situated at Village Khyora Kachar Tehsil and District Kanpur Nagar in favour of M/S SKY LINE INFRA HEIGHTS P LTD through Managing Director Sri Sharad Agarwal registered in the office of Sub-Registrar Kanpur in Book No 1 Vol 5705 at Serial No 6322 at Pages 105 to 180 on 07/11/12.

From the perusal of the aforesaid Sale Deed at serial No 1 it reveals that Sri Devi Prasad was bhumidhar with transferrable rights of Arazi No 6Ka and 7 of Village Khyora Kachar Kanpur and he has transferred $\frac{1}{2}$ part area 0.425 Hect vide Sale Deed Dt 19/04/06 in favour of Sri Deepak Sehgal and Sri Deepak Sehgal had got Arazi no 6Kha area 0.060 Hect vide Sale Deed Dt 02/12/2009 executed by Buddha. M/S SMILE CONSTRUCTION P LTD had got Arazi no 6Ka Min area 0.200 Hect 6Kha Min area 0.060 Hect and 7 area 0.225 Hect vide Sale Deed Dt 12/05/11 executed by Sri Deepak Sehgal as such Sri Raghvendra Singh was competent to transfer Arazi no 6Ka Min area 0.200 Hect 6Kha Min area 0.060 Hect and 7 area 0.225 Hect in favour of M/S SKY LINE INFRA HEIGHTS P LTD Hence by virtue of aforesaid Sale Deed M/S SKY LINE INFRA HEIGHTS P LTD became owner in possession of Arazi no 6Ka Min area 0.200 Hect 6Kha Min area 0.060 Hect and 7 area 0.225 Hect of Village Khoyra Kachar Kanpur.

From the perusal of the aforesaid Sale Deed at serial No 2 it reveals that Sri Devi Dayal and Jamuna Prasad were bhumidhar with transferrable rights of Arazi No 6Ka and 7 of Village Khyora Kachar Kanpur and he has transferred $\frac{1}{2}$

part area 0.425 Hect in Arazi no 6Ka and 7 vide Sale Deed Dt 19/04/06 in favour of Sri Deepak Sehgal and Sri Jamuna Prasad had transferred his ½ part area 0.425 Hect in said Arazi land in favour of Smt Reeta Jalan vide Sale Deed Dt 21/03/07 and She became owner of Arazi no 6ka area 0.200 Hect and Arazi No 7Min area 0.225 Hect as such Smt Reeta Jalan was competent to transfer Arazi no 6ka area 0.200 Hect and Arazi No 7Min area 0.225 Hect in favour of M/S SKY LINE INFRA HEIGHTS P LTD Hence by virtue of aforesaid Sale Deed M/S SKY LINE INFRA HEIGHTS P LTD became owner in possession of Arazi no 6ka area 0.200 Hect and Arazi No 7Min area 0.225 Hect of Village Khoyra Kachar Kanpur.

From the perusal of the aforesaid Sale Deeds it reveals that Sri Devi Dayal and Sri Jamuna Prasad were bhumidhar with transferrable rights of Arazi No 6Ka area 0.4000 Hect and 7Min area 0.4500 Hect having equal shares. Sri Devi Dayal transferred his ½ share in favour of Sri Deepak Sehgal vide Sale Deed Dt 19/04/06 and Sri Deepak Sehgal transferred the same in favour of M/S SMILE CONSTRUCTION P LTD vide Sale Deed Dt 12/05/11 and M/S SMILE CONSTRUCTION P LTD through Authorised Signatory transferred the same in favour of M/S SKY LINE INFRA HEIGHTS P LTD vide aforesaid Sale Deed. Sri Jamuna Prasad transferred his ½ share in favour of Smt Reeta Jalan vide Sale Deed Dt 21/03/2007 and Smt Reeta Jalan has transferred the same in favour of M/S SKY LINE INFRA HEIGHTS P LTD vide aforesaid Sale Deed at Sr No 2 As such M/S SKY LINE INFRA HEIGHTS P LTD became owner in possession of Arazi No 6ka area 0.4000 Hect and Arazi no 7min area 0.4500 Hect.

Sri Buddha was bhumidhar with transferrable rights of Arazi No 6kha area 0.060 Hectare and he transferred the same in favour of Sri Deepak Sehgal vide Sale Deed Dt 02/12/09 and Sri Deepak Sehgal has transferred the same in favour of M/S SMILE CONSTRUCTION P LTD vide Sale Deed Dt 18/05/2011 and M/S SMILE CONSTRUCTION P LTD transferred the said property in favour of M/S SKY LINE INFRA HEIGHTS P LTD vide aforesaid Sale Deed. It is also told that the Sale Deed Dt 02/12/09 is lost regarding which a FIR Dt 02/09/13 is lodged at Police Station Swaroop Nagar Kanpur and publication regarding the said Fact has been published in daily news paper

Certified copy:

1. Sale Deed Dt 07/11/12
2. Sale Deed Dt 12/10/11
3. Sale Deed Dt 18/05/11
4. Sale Deed Dt 21/03/07
5. Sale Deed Dt 19/04/06
6. Sale Deed Dt 02/12/09

2. Whether documents given to the counsel are original one or mere copies of documents?

3. Whether documents given as original Title deeds raise any doubt or suspicion?

NO

<p>4. Whether the registration particulars number & date and page as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office?</p>	<p>YES</p>
<p>5. Whether the registration particulars number & date and page as given in the title deed shown to the counsel tally with the particulars as stated in the certified copy as obtained from the registrar's office?</p>	<p>YES</p>
<p>6. Whether the Photographs of parties as affixed in conveyance deed /title deed tally with the Photograph seen in the certified copy as obtained from the registrar's office?</p>	<p>YES</p>
<p>7. Whether contents of the as given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the registrar's office ? If not Variations be specified What is the effect?</p>	<p>YES</p>
<p>8. Whether the property has been mutated in the name of the person offering the mortgage?</p>	<p>YES</p>
<p>9. Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?</p>	<p>YES</p>
<p>10. Whether there is any bar under any local law for creation of the mortgage of the property to be mortgaged? (in some States, there are legal restrictions on creation of the mortgage of agricultural property for non-agricultural purposes)</p>	<p>Building plan approved by KDA</p>

<p>11. Whether there are any restrictions regarding Sale of the property to be mortgaged –(in Some States, there are restrictions for sale of property to residents outside the State).</p>	<p>NO</p>
<p>12. Whether all the approvals clearance /sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained?</p>	<p>Yes</p>
<p>13. Whether the property is ancestral /or under joint ownership or the minor is having interest in the property? If so its effect thereof</p>	<p>NIL</p>
<p>14. Whether the property to be mortgaged has been acquired under Land Acquisition Act 1894?</p>	<p>NIL</p>
<p>15. Whether Urban Land Ceiling Act is applicable in the state where the property is located?</p>	<p>NIL</p>
<p>16. In case of lease hold property:</p>	<p>NIL</p>
<p>A. Whether permission/NOC from the Lessor is required for creation of mortgage? Whether permission of the lessor/NOC is obtained?</p>	<p>NIL</p>
<p>B. What is the rate of sharing of unearned income with lessor in the event of sale of property?</p>	<p>NIL</p>

<p>C. Whether Copy of title deed favouring lessor (Other than Govt.) is made available to examine the validity of the Lease?</p>	<p>NIL</p>
<p>D. Whether terms and conditions given in the Lease deed have been complied with? If any condition is violated effect thereof?</p>	<p>NIL</p>
<p>17. Whether any permission of Income Tax Authorities /Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax Department?</p>	<p>NIL</p>
<p>18. In respect of agriculture land Whether land is declared surplus or consolidation of holdings?</p>	<p>NIL</p>
<p>19. Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor?</p>	<p>NIL</p>

From the perusal of the aforesaid documents I am of the opinion that M/S SKY LINE INFRA HEIGHTS P LTD is owner in possession of the aforesaid property and is competent to create Mortgage over the said Property by deposit of title Deed in favour of Bank for the purposes of Collateral Security subject to papers/documents given here:

1. Original Sale Deed Dt 07/11/12 aforesaid
2. Original Sale Deed Dt 12/10/11 aforesaid
3. Original Sale Deed Dt 18/05/11 aforesaid
4. Original Sale Deed Dt 21/03/07 aforesaid
5. Original Sale Deed Dt 19/04/06 aforesaid
6. Certified Copy of Sale Deed Dt 02/12/09
7. Mutation Order/Current Extract of Khatauni in the name of M/S SKY LINE INFRA HEIGHTS P LTD, regarding Plot No 6Ka area 0.200 Hect and Plot No 7Min area 0.2250 Hect and 6Kha area 0.060 Hect and Plot no 6Ka area 0.200 Hect and Plot no 7Min area 0.225 Hect situated at Village Khyora Kachar Tehsil and District Kanpur Nagar
8. Approved building plan approved by KDA
9. Copy of FIR Dt 02/09/13 at Police Station Swaroop Nagar Kanpur
10. Copy of Publication of Daily News paper regarding lost of Sale Deed Dt 02/12/09 aforesaid
11. Affidavit of Authorised signatory of M/S SKY LINE INFRA HEIGHTS P LTD stating the fact that the original Sale Deed Dt 02/12/09 has been lost and it has not misused and no charge has been created on the basis of aforesaid Sale Deed
12. Copy of Board Resolution of M/S SKY LINE INFRA HEIGHTS P LTD for mortgage of the captioned property in favour of Bank

DATE: 22/12/14
PLACE: Kanpur

ALOK KUMAR
(Consultant & Advocate)

Alok Kumar

(Consultant & Advocate)
Chamber – 43
Collectorate Compound
Kanpur.

Residence:
15/58 "Friends Enclave"
Civil Line Kanpur
Cell No 9839119255 9935083939
Email: alokkumaradv@Yahoo.Co.in

CERTIFICATE

To
Chief Manager Punjab National Bank
Swaroop Nagar
Kanpur

DATE: 22/12/14

Reg: Opinion on investigation of title and obtaining of search report in respect of Plot No 6Ka area 0.200 Hect and Plot No 7Min area 0.2250 Hect and 6Kha area 0.060 Hect and Plot no 6Ka area 0.200 Hect and Plot no 7Min area 0.225 Hect situated at Village Khyora Kachar Tehsil and District Kanpur Nagar owned by M/S SKY LINE INFRA HEIGHTS P LTD

As requested, I have conducted the legal investigation of the title and made a search of records in the registration office and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed.

Chain of title relating to the property is complete as given in the Annexure hereto.

I hereby certify that the registration particulars number date and page particulars etc as shown in the original /Certified/Photocopy of title deed and contents thereof tally with the information as stated in the records of Office of Sub Registrar /Registrar of assurances as well as with certified copy of the title deed which was obtained by me is enclosed with certificate

I further certify that the photograph of previous owner and of intending mortgagor affixed/seen in the title deed tally with records of registration office as well as certified copy of the title deed.

Chain of title relating to the property is complete as given in the annexure hereto.

I have verified tallied and compared these documents from the record of the Office of Sub Registrar/Registrar of assurances and also from the records of other appropriate authorities

The search report of which is annexed hereto conducted by me and Certificate of Search Form 29 obtained from Sub Registrar Office Kanpur Nagar, for the period from **2003 to 2014** do not disclose any encumbrances/disclose encumbrances as stated therein.

As given in Search Report

I have not given/have opinion earlier on investigation of title relating to the same property

I hereby certify that **M/S SKY LINE INFRA HEIGHTS P LTD** has a clear, valid and marketable title over the above said property and he/she is competent to create the mortgage.

The valid mortgage can be created by deposit of the following original title deeds. The said title deeds are genuine and are not duplicate or fake as observed by me: I have returned the title deeds /Photocopy and other documents shown to me to branch/person offering mortgage against receipt.

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Advocate

- Enclosure: 1. Special Report
2. Chain of Title
3. Certified Copy of title deed
4. Search Report

SEARCH REPORT

To,

**Chief Manager
Punjab National Bank
Swaroop Nagar
Kanpur**

Search report relates to searches made in

- | | |
|---------------------------|-----|
| a) Sub Registrar Office | Yes |
| b) Registrar of Companies | Nil |
| c) Courts | Nil |
| d) Other Offices | Nil |

- a) Office of the Cooperative Society
b) ...NIL.....Development Authority (DDA/HUDA and the like)

e) Any other documents

- i) Receipt for payment of Municipal Taxes etc:

1. Sub Registrar /Registrar of Assurance Office

The encumbrance certificate was obtained from the Sub Registrar Kanpur for the period from **2003 to 2014** and the same disclosed following encumbrance (Certificate enclosed):

2. Besides obtaining encumbrance certificate from the Sub Registrar search was carried out by me for the purpose. Inspection was made for the period from **2003 to 2014** at the following Sub registrar /office **Kanpur**

The search report disclosed the following encumbrances:- **As Enclosed**

3. The ownership of the property being of a company search was conducted in the following offices of the registrar of companies

The Search made out in the office of Registrar of companies disclosed:

ROC

Information

NIL

2. Inspection of Court records disclosed:

Name of Court	Date of Order	Nature of Order
	NIL	

3. Searches made/Inspections carried out if the following offices disclosed:

Office	Date of Search/Inspection	Information
	NIL	

4. A study of the following documents disclosed:

Details of documents perused	information
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As above

Defects noticed are indicated in the certificate given by me

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ADVOCATE

Enclosure:

1. **Certified Copy of aforesaid title deed**
2. **Certificate of Search of Sub Registrar Office Kanpur**
3. **Inspection Receipt of Sub-Registrar Office Kanpur**