

ARVIND PRAKASH

ADVOCATE

Panel Advocate Bank of Baroda

Ref No.....

Mob: 9412139415

Res: Gashtiyar Street

AMROHA-244221

Date 24.03.2022

TO WHOM IT MAY CONCERN

I, Arvind Prakash Advocate, do hereby certify that my enrollment number of Bar Council of Uttar Pradesh is 1718 of 1979.

Arvind Prakash
24/3/2022
(Arvind Prakash)
Advocate
Arvind Prakash
Advocate
Ch No '06
Enrl. No. 1718/79
Dist. Court Compound, J.P. Nagar

ARVIND PRAKASH
ADVOCATE
Panel Advocate Bank of Baroda

Mob: 9412139415
Res: Gashtyan Street
AMROHA-244221

Ref No.....

Date- 11.01.2022

**The Sr. Branch Manager,
Bank of Baroda,
AMROHA**

Re: Legal opinion in respect of the property of Sh. Yogesh Kumar Jain S/o Sh. Mukut Bihari Lal Jain R/o Bazar Jat, Amroha Partner M/S Sh. Paras Developers (Amroha Noorpur Road) Amroha.

Dear Sir,

With reference to your letter No.....Dated.....requesting me to furnish Non Encumbrance and certify submit the title cum opinion report about the clear and marketable title to the property belonging to the above person to be Mortgaged for securing the credit facility granted to M/S Sh. Paras Developers through Partners Sh. Yogesh Kumar Jain, Nirupma Jain, Yash Jain, Smt. Bhavana Jain, Ram Naval Singh & Sh. Ajay Vikram Singh (Borrower).

1. Description and area of the property proposed to be mortgaged, specific number(s) and address of property along with boundaries and measurements.

Residential Plot measuring 0.190 Hect. Part of Khasra No. 229/2 Area 1.522 Hect. Situated at (Amroha Noorpur Road) Kasba Amroha Bahar Chungi, Amroha bounded as below:

East: Plot Yash Jain 0.452 Hect.

North: Amroha Noorpur Road.

West: Plot Nirupma Jain 0.440 Hect.

South: Chak Road Land.

2. Nature of property (whether Agriculture, Non Agriculture, Commercial, Residential or Industrial, if Non Agriculture, the reference & date of conversion order from the competent authority should also be mentioned.

The above noted property is a Residential/Non Agriculture which has been declared non agriculture by the SDM Amroha vide order dated 16.04.2021.

3. Name of the Mortgagor/Owner and status in the account i.e. borrower of gurantor and whether individual, sole proprietor, Partner, Director, Karta of 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 & Articles of Association /Trust deed etc, whether examined and verified.

Sh. Yogesh Kumar Jain. (Mortgagor).

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11.1.22

4. Whether any minor, lunatic or un-discharged insolvent, confirm that the Mortgagor has sufficient capacity to contract. Precautionary steps to be taken.

No, **Sh. Yogesh Kumar Jain (Mortgagor)** has sufficient title and capacity to contract to for creation of **EQUITABLE MORTGAGE**.

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.

The above noted property is free hold and Provisions of **URBAN LAND CEILING ACT** do not apply in respect of the said property.

6. Source of property i.e. self acquired or Ancestral, if Ancestral then mode of succession and whether original Will/Probate is available.

The above noted property is Self acquired through the sale deed dated 07.09.2018 Deed No. 15175.

7. Whether the Mortgagor is co-owner/joint owner and/or any partition of the property is 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.

The mortgagor **Sh. Yogesh Kumar Jain** is absolute owner of this property through the sale deed dated 07.09.2018 Deed No. 15175.

8. Whether the property is in exclusive possession of the property or it is leased/rented out the third party.

The mortgagor **Sh. Yogesh Kumar Jain** is in exclusive possession of the above noted property on the basis of sale deed dated 07.09.2018 Deed No. 15175.

9. Whether the property is mutated in municipal/revenue records and Mortgagor's name is reflecting in not, the reason thereof.

Yes, the name of the owner is duly mutated in Revenue Records.

10. Whether any restriction for creation of mortgage is imposed under central/state/local laws. If yes then specify whose consent or permission would be required for creation of mortgaged.

No.

11. Whether all the original title deeds including No. photocopy of sale deed dated antecedent. The title deed and other relevant documents are available. Please give detailed list.

Yes, Original Sale Deed dated 07.09.2018 Deed No. 15175 is available with previous sale deed deeds & certified copies of Khatoni.

12. Whether the advocate has personally visited the Sub Registrar/Revenue/Municipal office and examined the records.

Yes, Receipt No. 202118800 dated 14.12.2021 S.R. office, Amroha.

Receipt No. 202218800 dated 11.01.2022 S.R. office, Amroha.

13. Whether the search is being made for the period of 30 years. If no, reason thereof.

Yes, Search is made for 30 Years i.e. 1990 to 10th Jan. 2022 in S.R. Office Amroha.

14. Details of documents examined/scrutinized (This should be in chronological order with serial number, type/nature of document, date of execution, parties, date of registration details including the details of revenue/society records etc.)

S No.	Type/Nature Of document	Date of Execution	No & Date of Registration	Parties
1.	Original previous Sale Deed Dated 11.06.2010	11.06.2010	Bahi No.I Jild No.4249 Page No.391/454 At No. 8811 Regd. On 11.06.2010	Smt. Zahira Khatoon W/o Babban Khan R/o Moh. Gher Pachayan Amroha. (Executant) Mohd. Muzammil S/o Abdul Rahim R/o Moh. Nal Amroha. (Purchaser)
2.	Original previous Sale Deed Dated 17.06.2010	17.06.2010	Bahi No.I Jild No. 4260 Page No. 151/232 at No.9181 Regd. On 17.06.2010	Shujat Ali, Arshad Ali, Khurram Ali, Asim Ali Ss/o Sakhavat Ali & Smt. Haseen Begum W/o Sakhavat Ali R/o Moh. Kat Kui Amroha. (Executant) Sh. Abdul Qayoom S/o Abdul Rahim R/o Moh. Nal Amroha. (Purchaser)
3.	Original previous Sale Deed Dated 25.06.2010	30.06.2010	Bahi No.I Jild No. 4726 Page No. 347/416 at No.9610 Regd. On 30.06.2010	Shujat Ali, Arshad Ali, Khurram Ali, Asim Ali Ss/o Sakhavat Ali & Smt. Haseen Begum W/o Sakhavat Ali R/o Moh. Kat Kui Amroha. (Executant) Mohd. Tahir S/o Abdul Rahim R/o Moh. Nal Amroha. (Purchaser)
4.	Original previous Sale Deed Dated 15.06.2011	15.06.2011	Bahi No.I Jild No. 4824 Page No. 105/132 at No.8691 Regd. On 15.06.2011	Shujat Ali, Arshad Ali, Khurram Ali, Asim Ali Ss/o Sakhavat Ali & Smt. Haseen Begum W/o Sakhavat Ali R/o Moh. Kat Kui Amroha. Smt. Zahira Khatoon W/o Babban Khan R/o Gher Pachayan Amroha. Nausha Nabi S/o Mohd. Nabi R/o Moh. Sarai Kohna Amroha. (Executant) Mohd. Yunus S/o Abdul Rahim R/o Moh. Nal Amroha. (Purchaser)
5.	Original previous Sale Deed Dated 18.07.2013	18.07.2013	Bahi No.I Jild No. 6155 Page No. 377/392 at No.11109 Regd. On 18.07.2013	Mohd. Iqbal and on behalf of his minor Brother Mohd. Bilal as Guardian appointed by the Distt. Judge, Amroha. (J.P Nagar) and Mohd. Kamal Ss/o Late Akthar Nabi R/o Moh. Sarai Kohana Amroha. (Executants) Mohd. Yunus S/o Abdul Rahim R/o Moh. Nal Amroha. (Purchaser)

Accepted
11-12-12

6.	Original Sale Deed Dated 07.09.2018	07.09.2018	Bahi No.I Jild No. 6155 Page No. 377/392 at No.11109 Regd. On 18.07.2013	Abdul Qayoom S/o Abdul Rahim R/o Moh. Nal Amroha. (Executant) Sh. Yogesh Kumar Jain S/o Sh. Mukut Bihari Lal Jain R/o Bazar Jat Amroha. (Purchaser)
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7. Certified copy of Khatoni from 1396-1401, 1402-1407, 1408-1413, 1414-1419, 1420-1425 and 1426-1431 Fasli.

8. Certified copy of order of SDM Amroha Dated 10.04.2017 & 16.04.2021.

15. Tracing of chain of title in favour of the 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.

The above noted property Khasra No. 229M/3.104 formerly owned by Shujat Ali, Arshad Ali, Khurran Ali, Asim Ali & Haseen Begum, Zahira Khatoon and Mohd. Nabi. It was their ancestral property. Their names are duly mutated in revenue record. After the death of Mohd. Nabi, the name of his sons Akthar Nabi & Naushey Nabi have been duly mutated in Revenue record and after the death of Akthar Nabi, the name of his sons Mohd. Iqbal, Mohd. Kamal & Mohd. Bilal (Minor) & Smt. Mehzabi Khatoon have been duly mutated in revenue records in place of Akthar Nabi. Further Shujat Ali, Arshad Ali, Khurran Ali, Asim Ali & Haseen Begum executed a sale deed of 0.738 Hect in favour of Mohd Tahir and 0.738 Hect in faavour of Abdul Qayoom on 17.06.2010 and Smt. Zahira Khatoon executed a sale deed of 0.738 Hect in Khasra No. 231 in favour of Mohd Muzammil on 11.06.2010. Further Shujat Ali, Arshad Ali, Khurran Ali, Asim Ali & Haseen Begum executed a sale deed of 0.358 Hect. in khasra No. 229M and Naushey Nabi & Zahira Khatoon executed a sale deed of 0.222 Hect in Khasra No. 231 in favour of Mod Yunus on 15.06.2011. Further Mohd Iqbal, Mohd Kamal & Mohd Bilal (Minor) through guardian Mohd Iqbal executed a sale deed of 0.158 Hect in favour of Mohd Yunus. Their names are duly mutated in revenue records. The land has been divided by the SDM Amroha U/S 176 UPZA & LR Act in case No. 159/2016 Mohd Yunus Vs Mohd Tahir & Ors. Kura No.2 (1.522 Hect) came to the share of Abdul Qayoom & Kura No.3(1.522 Hect) came to the share of Mohd. Muzammil. Further Abdul Qayoom executed a sale deed of 0.190 Hect in favour of Yogesh Kumar Jain and two sale deeds of 0.880 Hect(0.440+0.440) in favour of Smt. Nirupma Jain & 0.452 Hect in favour of Yash Jain. Their names are duly mutated in revenue records. Land has been declared non agriculture by the SDM Amroha. Now Sh. Yogesh Kumar Jain, Smt. Nirupma Jain & Sh. Yash Jain are the owner of this property.

16. Whether there is any doubt/suspicion about the genuineness of the original documents, if yes, then specify:

No.

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11.1.2022

17. The final certificate of the advocate conforming that the title of the property (s) to be mortgaged is examined by him and the same is/are clear and marketable.

I further certify that I have carefully searched the books in the office of Sub Registrar, Amroha for the proceedings of last 30 Years. i.e. 1990 to 10th Jan. 2022 in respect of the above noted property. From the perusal of the record available in S.R Office Amroha for inspection, I found that the above noted property is free from all encumbrances and has clear marketable title. In my opinion the above noted property can be mortgaged by Sh. Yogesh Kumar Jain in favour of the Bank by way of EQUITABLE MORTGAGE by deposit the original sale deed dated 07.09.2018 deed no. 15175 with certified copies of the order of SDM Amroha dated 10.04.2017 regarding division and order dated 16.04.2021 regarding Non agriculture and affidavit of Borrower.

18. List of document to be deposited for creation of mortgage by the Mortgagor including any additional document required to the document available.

1. Original Previous Sale Deed dated 07.09.2018 deed no. 15175.
2. Copy of Order of SDM Amroha dated 10.04.2017.
3. Copy of Order of SDM Amroha dated 16.04.2021.
4. Affidavit of Borrower & Mortgagor.
5. Certified copy of Khatoni mentioned in Para No. 14.

19. Whether additional formalities to be completed by the proposed mortgagor. If yes state specifically in case of flat(s)/property(s) in co-op societies, whether allotment letter, possession letter, Share certificate, affidavit, power of attorney etc is required.

As above

20. Whether provisions of SARFAESI ACT 2002 are applicable over the property.
Yes, the provisions of SARFAESI ACT 2002 are applicable over the property.

21. Certificate for verification of Genuineness of original Title Deed/Agreement/Lease Deed/WILL etc.

Certified that I have examined the Original Sale Deed dated 07.09.2018 Deed No.15175 & copies of khatoni and order of SDM Amroha dated 16.04.2021. The above noted papers/documents are valid Genuine and enforceable for legal proceedings.

Submitted

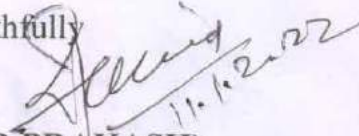
Encls: Receipt No.202118800

Dated: 14.12.2021 &

Receipt No.202218800

Dated: 11.01.2022 S.R Office, Amroha

Yours faithfully


(ARVIND PRAKASH)
ADVOCATE