


Rajendra Kumar Agarwal Advocate	Phone: 0510- 2442501 Mobile: 9415179884 193, Civil Lines, {Behind Elite Cinema} Jhansi-284001 Email: rkagarwal.jhs@gmail.com
	Ref:- NEC 2017-18

Dated: 05-07-2017

Annexure-II

1.	Nature of title (ownership/Lease hold/ occupancy/ Govt. grant/ allotments etc.	Full ownership title
2.	If leasehold, whether a. Lease deed is duly stamped and registered. b. Lessee is permitted to mortgage the Lease hold right. c. Duration of lease/ unexpired period of lease, d. If, a sub-lease, check the lease deed in favour of Lessee as to whether lease deed permits sub-leasing and mortgage by Sub-Lessee also.	No. Property is not lease hold.
3.	If Govt. grant/allotment/Lease-cum sale Agreement whether: a. Grant/agreement etc. provides for alienable rights to the mortgagor with or without conditions. b. The mortgagor is competent to create charge on such property.	No. Property is not of Govt. grant/allotment/ lease cum sale agreement.
4.	If occupancy right, whether a. Such right is heritable and transferable. b. Mortgage can be created.	No. Property is not of occupancy right.
5.	a. Whether provisions of Urban Land Ceiling Act applicable/permission obtained. b. Whether, No objection certificate under the Income Tax Act is required/obtained. c. Whether records with the Registrar of Assurances verified (if applicable).	Provisions of Urban Land ceiling Act is not applicable therefore permission of mortgage is not required. No. N.A.
6.	Whether there are claims from Minor/s and his/their interest in the property/ies. Specify the share of minor/s with name.	In the above property, there is no interest or claim of minor.
7.	In case of Agricultural land, the positions regarding creation and enforceability with regard to local laws.	No. property is not agricultural land.
8.	In the case of conversion of Agricultural land for commercial purposes, whether requisite procedure / permission complied with/obtained.	No. Property is not agricultural land therefore conversion is not required.
9.	a) In case of partition/settlement deeds, whether original deed is available for deposit. If not the modality/procedure to be followed to create a valid mortgage. b) Whether mutation has been effected and the mortgagor is in possession and enjoyment of his share. c) Whether the partition is valid in law?	No. There is no partition/settlement deeds. No. There is no partition as such there is no need of any mutation. No. There is no partition therefore there is no question of its validity.
10.	a) In case of partnership firm, whether the property belongs to the firm and registered.	No. Property doesn't belong to firm.


Rajendra Kumar Agarwal

	b) Whether the person/s creating the mortgage has/have the authority to execute on behalf of the firm.	No. Property is not being mortgaged on behalf of firm.
11.	In case of Limited Companies, verify the Borrowing Power Resolution, authority to create mortgage/execution of documents, any prior charges with ROC, MOA/AOA, provision for common seal etc.	No. Property doesn't belong to a Limited company.
12.	In case of Societies/Associations, verify requisite resolutions, bye laws, power to borrow, encumbrances etc.	No. The property doesn't belong to societies.
13.	In case of POA holder, verify the genuineness of POA and the extent of power. Whether the POA is properly executed/stamped/authenticated/enforceable as per the Law of the place.	No. Mortgage is not being created by a power of attorney holder.
14.	If the property is a flat/apartment or residential/commercial complex, verify	Yes. The property is a flat/apartment
a.	Promoter's/Land owner's title to the land/building.	Title of land owner is clear.
b.	Whether the flats are developed by the Land owner or constructed on Joint development basis.	Flats are constructed on joint development basis.
c.	Development Agreement/Power of Attorney	Development Agreement dt. 25-04-16 executed between Arun Agarwal, Anoop Agarwal & M/s Pitambra Infra Projects LLP.
d.	Extent of authority of the Developer/ builder	Developer will construct the flat
e.	Whether the construction is approved by the competent authority.	Yes.
f.	Independent title verification of the Land and/or building in question.	Yes.
g.	Agreement for sale (duly registered)	No.
h.	Whether it is a second/subsequent sale.	No.
i.	Payment of proper stamp duty	N.A.
j.	Conveyance in favour of Society/ condominium concerned.	N.A.
k.	Occupancy certificate/ allotment letter/letter of possession.	N.A.
l.	Membership details in the society etc.	N.A.
m.	Share Certificate	N.A.
n.	No objection certificate from the Society.	N.A.
o.	Latest maintenance charges paid receipt from Society.	N.A.
P.	Whether proportionate share in land is transferred to the mortgagor.	N.A.
q.	Documents evidencing possession such as Telephone Bill, Electricity Bill, Tax paid receipt etc.	N.A.
r.	Other legal requirements under the local/municipal laws with regard to ownership of flats/apartments/building regulations, Society laws etc.	N.A.
15.	In case of joint family property and mortgage created for family benefit/legal necessity, verify whether major co-parceners have no objection, joined in execution, rights of female members, minor's shares etc.	No. Neither property belong to joint family nor mortgage is created for family benefit.
16.	Genealogical tree is to be drawn up wherever the title has been acquired by succession.	N.A. Title has not been acquired by succession.
17.	Pending litigations / court attachments / injunction / stay orders / acquisition by the Govt. / Local authorities etc. if any.	Please obtain affidavit from the owner of property on these points.
18.	Any other matters affecting the proposed creation of mortgage not covered elsewhere.	No other details required.

Date : 05-07-2017
Place: Jhansi

(Rajendra Kumar Agarwal)
Advocate

5-5-17

ANNEXURE – IV

LEGAL SCRUTINY REPORT

A. Description of the documents scrutinized:

S.No.	Date of Documents	Name of Documents	Whether original/certified/ True copy/Photo state
1.	20-10-1981	Sale deed	Certified Copy
2.	24-04-1984	Sale deed	Certified Copy
3.	24-07-2014	Tehsildar Certificate	Copy
4.	18-04-1991	Sale deed	Certified Copy
5.	1412-1417 Fasli	Khatauni	Certified Copy
6.	26-06-2016	Group Housing Map	Original
7.	25-04-2016	Development Agreement	Original
8.	15-06-2017	Developer-Buyer Agreement	Original

B. Description of Property/Properties

Item No.	Survey No.	Extent of Area/s (In acres/hectares)	Location	Boundaries
1.	Apartment No. 202 on second floor situated at Group Housing Project The Courtyard Mauja Taalpura, Kanpur Road, Near Bundelkhand University, Jhansi Distt. Jhansi	Built up area is 1642 Sq.ft	Housing Project The Court Yard Mauja Taalpura, Kanpur Road, Near Bundelkhand University, Jhansi Distt. Jhansi	East-Common Area and Main Medical-Kanpur Road West-Common Area and Apartment no. 205 North-Apartment No. 201 South-Common Area (Drive Way) and house of other.

C. That sale deed dt. 20-10-1981 was executed by Sri Sakir S/o Mazhar Ali Father and guardian of Khurshed Ali Minor S/o Shakir Ali and Smt. Mumtraz Begam W/o Shakir Ali R/o Civil Line, Jhansi in favour of Sri Arun Kumar Minor S/o Prem Narain through guardian Prem Narain R/o Cavalry Road, Jhansi and Braj Bhushan Agarwal Minor S/o Om Prakash Agarwal through guardian Om Prakash R/o 261, Sadar Bazar, Jhansi and Pradeep Kumar & Chandrakant Minor S/o Dwarka Das through guardian Dwarka Das R/o Subhash Ganj, Jhansi with regard to Araj No. 345/4, 337fe0 & 336/2fe0, Area 46 Dismal situated at Mauja Taalpura Distt. Jhansi. This sale deed is Registered in sub-registrar office, Jhansi on 20-10-1981 and entered in Bahi No.1; Zild No.-952, Page 227-229 at serial No.3723.

On the basis of this sale deed name of Arun Kumar & Braj Bhushan Agarwal & Pradeep Kumar & Chandrakant have been mutated in revenue records.

That Kishori Lal Sharma S/o Murari Lal Sharma R/o Civil Line, Jhansi executed another sale deed dt. 24-04-1984 in favour of Prem Narain Agarwal S/o Hiralal Agarwal R/o Cavalry Road, Jhansi with regard to a plot measuring 6000 sq.ft. situated at Mauja Taalpura, Jhansi. This sale deed is Registered in sub-registrar office, Jhansi on 24-04-1984 and entered in Bahi No.1, Zild No.-1050, Page 34-49 at serial No.2241.

Tehsildar Jhansi has issued a certificate dt. 24-07-2014 which shows that above plot is part of Araj No. 345.

On the basis of this sale deed name of Prem Narain has been mutated in revenue records.

Thereafter Sri Pradeep Kumar Agarwal & Chandrakant Agarwal S/o Dwarka Das Agarwal R/o Subhash Ganj, Jhansi and Braj Bhushan Agarwal S/o Om Prakash Agarwal R/o Sadar Bazar, Jhansi sold their share of Araj No. 345/4, 337fe0, & 336/2 total no. 3 Area 0.46 Dismal Ka 2/3 part situated at Mauja Taalpura, Jhansi through sale deed dt. 18-04-1991 to



Anoop Agarwal S/o Prem Narain Agarwal R/o Cavalary Road, Jhansi. This sale deed is Registered in sub-registrar office, Jhansi on 27-05-1991 and entered in Bahi No.1, Khand-291, Page 195-114 at serial No.3962.

That Khatauni of Mauja Taalpura Distt. Jhansi for 1418-1423 Fasli shows that after the death of Prem Narain S/o Heera Lal, name of his legal heirs Arun Agarwal & Anoop Agarwal have been mutated in revenue records on 07-01-2012.

As such Sri Arun Kumar Agarwal & Anoop Agarwal became joint owner of entire land mentioned above.

On the above land a group housing residential project is being developed in the name of "The Court Yard" for which construction map no. 041100415 has been approved by Jhansi Development Authority, Jhansi on 26-06-2016.

That for development and construction of above group housing residential multi storied building Sri Arun Agarwal & Anoop Agarwal signed a development agreement dt. 25-04-2016 with M/s Pitambra Infra Project LLP a partnership firm through partner Sri Aditya Sharma & Mukul Kalani as partners.

In the above group housing multi storied building flat no. 202 on second floor is proposed to be sold to Smt. Shikha Suri W/o Sri Prashant Suri and Smt. Shilpi Suri W/o Piyush Suri R/o 95/96, Kailash Residency, Jhansi for Rs. 58.75 Lacs only. M/s Pitambra Infra Project LLP and Anoop Agarwal & Arun Agarwal have executed an developer-buyer agreement dt. 15-06-2017 in favour of Smt. Shikha Suri & Smt. Shilpi Suri in this regard. Hence Smt. Shikha Suri & Smt. Shilpi Suri are prospective purchasers of above flat.

D. I have searched the book Index No. II in the office of Sub-Registrar (Registration) Jhansi for 02 preceding years from 2004 to 2017 (Upto 31.05.2017) and no encumbrance is found on the above property.

E. Evidence of possession – **At present property is in possession of builder/developer.**

F. a- The documents to be deposited (original/certified) :
for creation of valid and enforceable mortgage.

1. Copy of Sale deed dt. 20-10-81
2. Copy of Sale deed dt. 24-04-84
3. Copy of Tehsildar Certificate dt. 24-07-14
4. Copy of Sale deed dt. 18-04-91
5. Copy of Khatauni dt. 1412-17 F
6. Copy of Group Housing Map dt. 26-06-16
7. Copy of Development Agreement dt. 25-05-2016
8. Original Developer-Buyer Agreement dt. 15-06-2017
9. Original sale deed proposed to be executed in favour of prospective purchasers

b- The specific persons who are required to create mortgage/ to deposit documents creating the mortgage:-

: Smt. Shikha Suri W/o Sri Prashant Suri and Smt. Shilpi Suri W/o Piyush Suri R/o 95/96, Kailash Residency, Jhansi



CERTIFICATE TO BE ISSUED BY THE ADVOCATE WHO SCRUTINISED THE DOCUMENTS


I have gone through the certified copy of title deed intended to be deposited relating to the property and offered as security by way of equitable mortgage and that the documents of title referred to above are perfect evidence of title and that if the said equitable mortgage is created are deposited in the manner required by law, it will satisfy the requirement of creation of equitable mortgage and I further certify that:

1. I have made a search in the land/revenue records and do not find any adverse features, which would prevent the titleholders from creating a valid mortgage.--
N.A.
2. I have visited the Sub Registrar's Office on05-07-2017..... and verified the records/details of the property belonging to **Anoop Agarwal & Arun Agarwal** (in case of third party property).
3. There are no prior mortgages/charges whatsoever as could be seen from the encumbrance certificate for the period from **01-01-2004 to 31-05-2017** pertaining to the immovable property/ies covered by the above said title deeds.
4. There are prior mortgages/charges to the extent of **NIL** which are liable to be cleared or satisfied by complying with the following:
5. There are claims from minor/s and his/their interest in the property/ies is to the extent of (specify the share of the minor/s with name)-**There is no claim of minor in the above property.**
6. The undivided share of the minor/s is (whether there is a claim or not) **NIL** (specify the share of minor/s).
7. The property/ies is/are subject to the payment of Rs. **NIL** (specify the liability that is fastened or could be fastened on the property/ies).
8. Provisions of Urban Land Ceiling Act are not applicable/permission obtained...**N.A.**
9. Holding/acquisition is in accordance with the provisions of the land Reforms Act. --
N.A.
10. The mortgage if created will be available to the Bank for the Liability of the intending borrower **Smt. Shikha Suri and Smt. Shilpi Suri**

I certify that **Arun Agarwal & Anoop Agarwal S/o Late Sri Prem Narain Agarwal R/o Cavalry Road, Jhansi** have an absolute, clear and marketable title over the above property **Smt. Shikha Suri W/o Sri Prashant Suri and Smt. Shilpi Suri W/o Piyush Suri R/o 95/96, Kailash Residency, Jhansi** are prospective purchasers of above apartment and they will acquire the same right after execution of sale deed in their favour. I further certify that the documents of title referred to under the opinion are perfect evidence of right, title and interest of the borrower/ mortgagor and that if the said equitable mortgage by deposit of title deed created in the manner required by law, it will satisfy the requirements of creation of equitable mortgage

Encl.:- Sub-Registrar Office, Receipt No. 7783 dt.05-07-2017

Place: Jhansi
Date: 05-07-2017


Signature of the Advocate

भाग 2

उत्कर्ता अथवा पार्थी द्वारा रखा जाने वाला।

उपनिबंधक डॉसी प्रथम डॉसी कम सं० 7783

लेख या प्रार्थना पत्र पस्तुत करने का दिनांक 05-Jul-2017

पस्तुतकर्ता या पार्थी का नाम राजेन्द्र कुमार अग्रवाल एड.

लेख का प्रकार तलाश/मुआयना 2004 वर्ष से 2017 वर्ष तक

प्रतिफल की धनराशि

भाग 2 की प्रतिलिपि पर फिर से लगाया जाने वाला

1. रजिस्ट्रीकरण शुल्क 100
 2. प्रतिलिपिकरण शुल्क
 3. निरीक्षण या तलाश शुल्क 100
 4. मुस्तागनामा के अधिपमाणा करण के लिए शुल्क
 5. कर्माशन शुल्क
 6. विविधि / स्टाम्प 0.00
 7. यात्रिक भत्ता
- 1 से 6 तक का योग

शुल्क वसूल करने का दिनांक 05-Jul-2017

दिनांक जब लेख प्रतिलिपि या तलाश पमाण पत्र

वापस करने के लिए तैयार किया 05-Jul-2017

रजिस्ट्रीकरण अधिकारी के हस्ताक्षर

— / —