



Off : Chamber No. 137, First Floor, Rampurawala Building, in front of District Court, M.G. Road, Indore
E-Mail ID : inanivashishtha@gmail.com

Law Division Circular No. 8/Law/2020 Dt. 26.03.2020 in super session of Law Division Circular
No. : 04/Law/2017 Dated 19.04.2017

ANNEXURE - IV

To,
The Manager,
Punjab National Bank,
Branch INDORE (M.P.).

SPECIAL REPORT ON TITLE

Re: The immovable Property Flat No. 305, "ATISHA APARTMENT" Part No. 4 of Plot No. 160 and Part No. 2 of Plot No. 161/2, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P) having Super Buildup area 570 sq.ft. (52.97 sq.mtr.)

Belonging to : Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal, R/o 304, Atisha Apartment, 160-161, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P)

Prospective Purchaser - Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.)

	ASPECTS TO BE CONSIDERED	COUNSEL'S STATEMENT
(A)	PARTICULARS	
1.	Name of the Borrower with address :	<u>Prospective Purchaser:</u> Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.) <u>Belonging to:-</u> Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal
2.	Name of the person offering Mortgage with parentage/constitution and address	<u>Prospective Purchaser:</u> Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.) <u>Belonging to:-</u> Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal
3.	Details of the property to be mortgaged (A) As per title deed. (B) As per present Position	Flat No. 305, "ATISHA APARTMENT" Part No. 4 of Plot No. 160 and Part No. 2 of Plot No. 161/2, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P) having Super Buildup area 570 sq.ft. (52.97 sq.mtr.) <u>Boundaries:</u> East : Flat No. 302 West : Flat No. 304 North : Common Passage of Building





Registration and Stamp Department
(Commercial TAX) MP



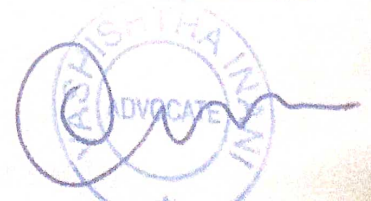
Receipt

Reference ID	34010620233686529
Payment Transaction ID	PTID0106202352847602
Service	Document Search fee - Manual Process
Revenue Major Head	0030
Revenue Sub major head	03
Revenue Minor head	800
Mode of Payment	SP CREDIT LIMIT
Amount paid	650
Payment done by	pooja inani
Date of payment realized in Sampada	01-06-2023 09:42 am
Consumption Status	NOT CONSUMED
Case Number	NA
Party Name	VASHISHTHA INANI ADVOCATE
Consumed Office Name	NA
Consumed By User	NA
No of years	13
Duration	2010-2011 To 2022-2023



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		South : MOS of Building Boundaries and area should be verified by the bank valuer.
(B)	INVESTIGATIONS	
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 document, date of execution and details of registration)	
1.	Original Sale Agreement executed in between borrower and seller.	
2.	Original Regd. Sale Deed execution in between borrower and seller	
3.	Original and Certified copy of Regd. Sale Deed No. 1A/II-4-554 dt. 30-05-2012	
4.	Original Regd. Power of Attorney No. 4A/1216 dt. 23-03-2011.	
5.	Photocopy of Building Construction Permission Sanctioned Map No. 128 dt. 29-04-2002.	
6.	Photocopy Regd. Declaration No. 1A/60(Ga) dt. 30-04-2002.	
7.	Latest Property Tax Receipt year 2022-23	
8.	Affidavit of Mortgagor/Borrower	
2.	Whether certified copies have been obtained from the Registrar's office.	Yes
3.	Whether the documents in hand are compared with the certified copies and whether the documents given raise any doubt or suspicion?	Yes compared with the certified copies and raise no doubt or suspicion.
4.	Whether the registration particulars number & date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated in the records of the registrar's office?	Yes.
5.	Whether the registration particulars number & date and page particulars as given in the title deed tally with the particulars as stated in the certified copy as obtained from the registrar's office?	Yes.
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?	Yes.
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 its effect?	Yes.
8.	Whether the property has been mutated in the name of the person offering the mortgage?	The property mutated in the name of title holder.
9.	Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?	Yes.
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	No.





	agricultural property for non-agricultural purposes).	
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).	Not Applicable.
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?	Yes.
13.	Whether the property is ancestral/ or under joint ownership or the minor is having interest in the property? If so, its effect thereof.	No.
14.	Whether the property to be mortgaged has been acquired under Land Acquisition Act, 1894?	Not Applicable.
15.	Whether Urban Land Ceiling Act is applicable in the State where the property is located?	Not Applicable in M.P.
16.	In case of leasehold property, whether permission/ NOC from the lessor is required for creation of mortgage? Whether permission of the lessor/NOC is obtained?	No.
17.	What is the rate of sharing of unearned income with lessor, in the event of sale of the property?	Not Applicable.
18.	Whether copy of title deed favouring lessor (other than Govt.) is made available to examine the validity of the lease?	No
19.	Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	No.
20.	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?	No.
21.	In respect of agriculture land, whether land is declared surplus or under consolidation of holdings?	Not Applicable.
22.	Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor? (Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation.)	Yes
23.	Whether the mortgaged property is enforceable under SARFAESI Act - 2002	Yes

Place : Indore.
Date : 01.06.2023

Yours faithfully,
(VASHISHTHA INANI)

CERTIFICATE

ANNEXURE - V

ENTRY SERIAL NO. /REGISTER NO. OF YEAR

(Counsel to give serial no. to the certificate as entered in register of searches maintained by him)

To,
The Manager,
Punjab National Bank,
Branch **INDORE (M.P.)**.

DATE : 01.06.2023

Opinion on investigation of title and obtaining of search report in respect of Flat No. 305, "ATISHA APARTMENT" Part No. 4 of Plot No. 160 and Part No. 2 of Plot No. 161/2, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P) having Super Buildup area 570 sq.ft. (52.97 sq.mtr.)

Belonging to : Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal, R/o 304, Atisha Apatment, 160-161, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P)

Prospective Purchaser - Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.)

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. I hereby certify that the registration particulars- number, date and page particulars etc., as shown in the Original 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 this Certificate.

I further certify that the photograph of previous owner and of present owner 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.

I shall be liable/responsible, if any loss is caused to the Bank due to negligence on my part in making the search and Bank has the unqualified right to publish my name for including in the caution list being maintained by the INDIAN BANKS' ASSOCIATION OR RESERVE BANK OF INDIA OR ANY OTHER SUCH BODY for circulation amongst Banks/Financial Institution.

The search report of which is annexed hereto, conducted by me, for the period of 13 YEARS from 2010-11 to till my search date 01.06.2023 does not disclose any encumbrances/disclose encumbrances.

I have not given /have given opinion earlier on investigation of title relating to the same property as detailed hereunder: **Not Applicable**



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- (a) Name of lender-
(b) Date of opinion & reference no. (If any)
(c) Remarks -

I find no defects in the title of the person offering mortgage :-

I hereby certify that Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal, has a clear, valid and marketable title over the above said property and after registry - Shri Deepak S/o Shri Omprakash Bansal, & he/she is competent to create the mortgage.

The valid mortgage can be created by deposit of the following original title deed. The said title deeds are original and genuine and are not duplicate or fake as observed by me -

(Give hereunder details of title deeds which are required to be deposited to create equitable mortgage.)

1. Original Sale Agreement executed in between borrower and seller.
2. Original Regd. Sale Deed execution in between borrower and seller
3. Original and Certified copy of Regd. Sale Deed No. 1A/II-4-554 dt. 30-05-2012
4. Original Regd. Power of Attorney No. 4A/1216 dt. 23-03-2011.
5. Photocopy of Building Construction Permission Sanctioned Map No. 128 dt. 29-04-2002.
6. Photocopy Regd. Declaration No. 1A/60(Ga) dt. 30-04-2002.
7. Latest Property Tax Receipt year 2022-23
8. Affidavit of Mortgagor/Borrower

Place : Indore.
Date : 01.06.2023

Yours faithfully,

(VASHISHTHA INANI)
Advocate

- Encl:**
1. Special Report
 2. Chain of Title
 3. Certified Copy of Title Deed and link deeds.
 4. Search Report
 5. Search Fee Receipt.



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SEARCH REPORT

Annexure V-B

Account: Prospective Purchaser - Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.).

BRANCH OFFICE : Branch INDORE (M.P.).

Search report relates to searches made in:		
(a)	Sub Registrar Office	Office of the Sub-Registrar, Indore.
(b)	Registrar of Companies	Not Applicable
(c)	Courts	Not Applicable
(d)	Other offices	Not Applicable
	(a) Office of the Co-operative Society	--
	(b) _____ Development Authority (DDA/HUDA/and the like)	--
(e)	Any other documents	
	(i) Receipt for payment of Municipal Taxes etc.	Property Tax Payment Receipt for current year should be obtained.
1.	Sub Registrar /Registrar of Assurance Office	
	The encumbrance certificate was obtained from the Sub Registrar, Indore for the period 13 YEARS from 2010-11 to till my search date 01.06.2023 and the same disclosed following encumbrances (Certificate enclosed): (If there is no system of issue of encumbrance certificate in the office of Sub registrar, it be stated accordingly)	Not obtained. Search has been carried out personally.
2.	Besides obtaining encumbrance certificate from the Sub Registrar, personal search was carried out by me for the purpose. Inspection was made on 01.06.2023 for the period of 13 YEARS from 2010-11 to till my search date 01.06.2023 at the following sub registrar / offices:- (a) Sub-Registrar, Office, Indore.	Search Fee Receipt enclosed.
	The search report disclosed the followings encumbrances: -	

FLOW OF TITLE





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The present owner derives her title over property (to be mortgaged) as under:

1. That, the, House No. 160 and 161, Chitawad Road (Seth Jagannath ki Chaal), Indore (M.P.) was purchased by Shri Hemant Kumar S/o Shri Shyamdas Agrawal, R/o 07th Floor, Silver Ork Plaza, 20/1, New Palasia, Indore (M.P.) by Regd. Sale Deed No. 1A/1668/1965 from its previous owner.
2. That the, Shri Hemant Kumar S/o Shri Shyamdas Agrawal, R/o 07th Floor, Silver Ork Plaza, 20/1, New Palasia, Indore (M.P.) had sold Part No. 4 of Mu. House No. 160 and 161,, Chitawad Road (Seth Jagannath ki Chaal), Indore (M.P.) in favour of (1) Smt. Mamta W/o Shri Anil Khandelwal, (2) Smt. Kavita W/o Shri Girish Khandelwal, R/o 56, Prakash Nagar, Indore (M.P.) by Regd. Sale Deed No. 1A/853 dt. 08-09-2001 with Site Plan.
3. That the, Smt. Kavita W/o Shri Girish Khandelwal, R/o 56, Prakash Nagar, Indore (M.P.) had executed a Notarized Power of Attorney No. 5630/2000 in favour of Shri Girish S/o Shri Girdharilal Khandelwa, R/o 56, Prakash Nagar, Indore (M.P.).
4. That the, Smt. Mamta W/o Shri Anil Khanelwal, R/o R/o 56, Prakash Nagar, Indore (M.P.) had executed a Notarized Power of Attorney No. 3254/2000 in favour of Shri Anil S/o Shri Girdharilal Khandelwa, R/o 56, Prakash Nagar, Indore (M.P.).
5. That the, (1) Smt. Mamta W/o Shri Anil Khanelwal, R/o R/o 56, Prakash Nagar, Indore (M.P.) through POA Holder Shri Anil S/o Shri Girdharilal Khandelwa, R/o 56, Prakash Nagar, Indore (M.P.) and (2) Smt. Kavita W/o Shri Girish Khandelwal, R/o 56, Prakash Nagar, Indore (M.P.) through POA Holder Shri Girish S/o Shri Girdharilal Khandelwa, R/o 56, Prakash Nagar, Indore (M.P.) had sold Part No. 4 of Mu. House No. 160, Chitawad Road (Seth Jagannath ki Chaal), Indore (M.P.) having area 3894 sq.ft. (361.76 sq.mtr.) in favour of Shri Devendra S/o Shri Ramechandra Sharma, R/o 10, Khatipura, Indore (M.P.) by Regd. Sale Deed No. 1A/1498 (Chha) dt. 21-01-2002.
6. That the, Shri Hemant Kumar S/o Shri Shyamdas Agrawal, R/o 07th Floor, Silver Ork Plaza, 20/1, New Palasia, Indore (M.P.) had sold Part No. 2 of Mu. House No. 161/2, Chitawad Road (Seth Jagannath ki Chaal), Indore (M.P.) having area 1584 sq.ft. in favour of (1) Shri Anil S/o Shri Girdharilalji Khandelwal, (2) Shri Girish S/o Shri Girdharilalji





- Khandelwal, R/o 56, Prakash Nagar, Indore (M.P.) by Regd. Sale Deed No. 1A/1548(Chha) dt. 29-01-2002.
7. That the, (1) Shri Anil S/o Shri Girdharilalji Khandelwal, (2) Shri Girish S/o Shri Girdharilalji Khandelwal, R/o 56, Prakash Nagar, Indore (M.P.) had sold Part No. 2 of Mu. House No. 161/2, Chitawad Road (Seth Jagannath ki Chaal), Indore (M.P.) having area 1584 sq.ft. in favour of Shri Devendra S/o Shri Ramechandra Sharma, R/o 10, Khatipura, Indore (M.P.) by Regd. Sale Deed No. 1A/1968 (Chha) dt. 19-03-2002.
 8. That the, Shri Devendra Sharma S/o Shri Rameshchandra Sharma, R/o 10, Khatipura (Jail Road), Indore (M.P.) had obtained Building Construction Permission Sanctioned Map No. 128 dt. 29-04-2002 for construction a Multistoried Building and also executed a Regd. Declaration No. 1A/60(Ga) dt. 30-04-2002 and constructed a Multistoried Building namely "ATISHA APARTMENT".
 9. That the, Shri Devendra Sharma S/o Shri Rameshchandra Sharma, R/o 10, Khatipura (Jail Road), Indore (M.P.) had executed a Regd. Power of Attorney No. 4A/1216 dt. 23-03-2011 in favour of Smt. Savitri W/o Shri Bhawanishankar Khandelwal, R/o 304, Atisha Apartment, 160-161, Seth Jagannath ki Chal, Indore (M.P.).
 10. That the, Shri Devendra Sharma S/o Shri Rameshchandra Sharma, R/o 10, Khatipura (Jail Road), Indore (M.P.) through POA Holder Smt. Savitri W/o Shri Bhawanishankar Khandelwal, R/o 304, Atisha Apartment, 160-161, Seth Jagannath ki Chal, Indore (M.P.) had sold Flat No. 305, "ATISHA APARTMENT" Part No. 4 of Plot No. 160 and Part No. 2 of Plot No. 161/2, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P.) having Super Buildup area 570 sq.ft. (52.97 sq.mtr.) in favour of Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal, R/o 304, Atisha Apartment, 160-161, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P.) by Regd. Sale Deed No. 1A/II-4-554 dt. 30-05-2012.
 11. That the, Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal, R/o 304, Atisha Apartment, 160-161, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P.) and Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.) had executed a Sale Agreement for sale the Flat No. 305, "ATISHA APARTMENT" Part No.



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4 of Plot No. 160 and Part No. 2 of Plot No. 161/2, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P) having Super Buildup area 570 sq.ft. (52.97 sq.mtr.)

12. Thus, considering above Shri Bhawanishankar S/o Late Shri Chhajuram Khandelwal, R/o 304, Atisha Apatment, 160-161, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P) (after registry - Shri Deepak S/o Shri Omprakash Bansal, R/o 305, Laxmi Palace, Koshalyapuri, Indore (M.P.)) became the sole and absolute owner of Flat No. 305, "ATISHA APARTMENT" Part No. 4 of Plot No. 160 and Part No. 2 of Plot No. 161/2, Seth Jagannath ki Chaal (Chitawad Road), Indore (M.P) having Super Buildup area 570 sq.ft. (52.97 sq.mtr.).

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	
	Not Applicable.	
4. Inspection of Court records disclosed:- (This may detail Suit pending, Decrees, Attachment before Judgment Injunction, Appointment of Receiver, Appointment of Liquidator)		
Name of Court	Date of Order	Nature of Order
	Not Applicable.	

5. Searches made / Inspections carried out in the following offices disclosed:

Office	Date of search / Inspection	Information
Office of the Sub-Registrar, Indore	01.06.2023	The Search has been carried out for last 13 YEARS from 2010-11 to till my search dt. 01.06.2023
6. A study of the following documents disclosed:		

1. Original Sale Agreement executed in between borrower and seller.
2. Original -copy of Regd. Sale Deed No. 1A/II-4-554 dt. 30-05-2012
3. Original Regd. Power of Attorney No. 4A/1216 dt. 23-03-2011.

Defects noticed are indicated in the Certificate given by me.
DATE - 01.06.2023


(VASHISHTHA INANI)
Advocate