

LETTER TO THE COUNSEL

Annexure III

To,

Shri Sharda Prasad Khare
7/6, Vijay Nagar, Indore MP.

Sir,

Reg: Search Report in respect of property **Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.** Offered as security by creating mortgage on the property

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M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia has offered the captioned property as security by creation of mortgage, to secure the loan facility given/to be given to his/them.

The documents (photocopies) only) submitted by **M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia** are enclosed herewith. You are requested to conduct the necessary search in respect of the property and give your certificate in respect of the encumbrances as per the format (enclosed). You are also requested to ensure that complete reply is given against each item along with uyour remarks/comments/advice, if any.

Thanking you,

Yours faithfully,

MANAGER

BO : _____

Encl : 1.Documents

1. Copy of E-Lease deed No.MP119002020A1491899 Dated 19.08.2020

Sharda Prasad Khare
(Advocate)

Office:

7/6, Vija
Behind G.Sachchanand
INDOR
☎ 91796- 31777, 9893

Annexure

SPECIAL REPORT ON TITLE

Reg: Property situated at Plot No.174, Industrial Area Pithampur Sect
01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.
Belonging to M/s Allwin Industries Regd. Office 11, Fourth Floor
Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Sh.
Pramod Hardia S/o Late Shri Murarilal Hardia

ASPECTS TO BE CONSIDERED		COUNSEL'S STATEMENT		
A. PARTICULARS				
1.	Name of the Borrower with Address :	M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Sh. Pramod Hardia S/o Late Shri Murarilal Hardia		
2.	Name of the person offering mortgage parentage/constitution and address :	M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia		
3.	Details of the property to be mortgaged : As per title deed As per present-	Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.		
Boundaries :-				
	East	West	North	South
	Plot No.175	Road No.04	AKVN Open Land	Road No.08
B. Position INVESTIGATIONS				
1.	Details of the title deeds/documents (including link deeds/parent deeds) to be deposited for creation of the mortgaged (with full particulars regarding nature of document, date of execution and details of registration)			
	1. Original with Certified Copy of E-Lease deed No.MP119002020A1491899 Dated 19.08.2020 executed in favour of M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia			
	2. Original Amendment Lease Deed No.1A/1992 Dated 28.07.2004			

Vijay Nagar,
Market,
(M.P.)
9677

Harda Prasad Khare
(Advocate)

Office:

7/6, Vijay Nagar,
Behind G.Sachchanand Market,
INDORE (M.P.)
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	M.P. Audyogik Kendra Vikas Nigam (Indore) Limited Indore in favour of M/s Allwin Industries for Change in the Name & Products,	
	5. Original Lease Deed No.1A/4230 Dated 27.05.1986 executed in favour of M/s Sheetal Food Products Pvt. Ltd. acting through Shri Ram Awatar Agrawal S/o Shri Kedarmal Agrawal	
	6. Sanction Map.	
	7. Up to dated tax/Lease rent Receipts in the name of M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia	
	8. Original NOC from M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia	
	9. All document which is mention in previous search report.	
	10. An Affidavit.	
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 No,
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 itle 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	Yes,

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	Whether the property has been mutated in the name of the person offering the mortgage?	
8.	Whether equitable mortgage can be created at the place	Yes,
9.	where the branch disbursing the loan is situated?	M.C.C., Indore
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).	No,
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).	No,
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?	No,
15.	Whether Urban Land Ceiling Act is applicable in the State where the property is located?	Not Applicable.

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18.	Whether copy of title deed favouring lessor (other than Govt.) is made available to examine the validity of the lease?	Not Applicable.
19.	Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	Not Applicable.
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?	Not Applicable.
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 to ward the mortgagor? (Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation.)	Not Applicable.
23.	Whether the Mortgaged Property is enforceable under SARFAESI Act - 2002.	Yes,

Date : 21/3/2021

Place : Indore

Signatures : Sharda Prasad Khare
Name : Sharda Prasad Khare
Designation : Advocate, Advocate

Sharda Prasad Khare
(Advocate)

Office:

7/6, Vijay Nagar
Behind G.Sachchanand Market
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ANNEXURE - V

CERTIFICATE

DATE : 23/3/2021

The Manager
Punjab National Bank,
BO : M.C.C., Indore (MP.)

Opinion on investigation of title and obtaining of search report in respect of property **Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.** belonging to **M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia**

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 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 Here to.

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

OF FACTORY BUILDING FOR
M/S ALLWIN INDUSTRIES

Harda Prasad Khare
(Advocate)

Office:

7/6, Vijay Nagar,
Behind G.Sachchanand Market,
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I hereby certify that M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia has a clear, valid and marketable title Over the above said property **Except Punjab National Bank** and he/she is competent to create the mortgage.

Suggestion :- **Aforesaid property is already mortgage in Punjab National Bank.**

The valid mortgage can be created by deposit of the following original title deed. (Give hereunder details of title deeds which are required to be deposited to create equitable mortgage)

1. ✓ Original with Certified Copy of E-Lease deed No.MP119002020A1491899 Dated 19.08.2020 executed in favour of M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia
2. ✓ Original Amendment Lease Deed No.1A/1992 Dated 28.07.2004 executed in favour of Shri Santosh Choudhary S/o Shri Badrilal Choudhary Proprietor of M/s Allwin Industries
3. Original Sale Deed Dated 08.04.2004 executed by Madhya Pradesh Financial Corporation, in favour of (1) Shri Santosh Choudhary S/o Shri Badrilal Choudhary (2) Shri Ajay Sharma S/o Shri Nand Kishore Sharma firm of M/s Allwin Industries
4. Original Letter No. AKVN/2004/3043-46 dated 16.04.2004 Issued by M.P. Audyogik Kendra Vikas Nigam (Indore) Limited Indore in faovur of M/s Allwin Industries for Change in the Name & Products,
5. Original Lease Deed No.1A/4230 Dated 27.05.1986 executed in favour of M/s Sheetal Food Products Pvt. Ltd. acting through Shri Ram Awatar Agrawal S/o Shri Kedarmal Agrawal
6. ✓ Sanction Map.
7. Up to dated tax/Lease rent Receipts in the name of M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia
8. Original NOC from M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia
9. All document which is mention in previous search report.

Sharda Prasad Khare
(Advocate)

Office:

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Behind G.Sachchanand Market
INDORE (M.P.)
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Chain of Title:-

1. This is Supplementary Search, Details Search Report and Chain of Title Submitted by Previous Bank Advocate Shri Akhilesh Mishra dated 23.01.2012
2. As per provide document Governor of Madhya Pradesh acting through the Managing Director M.P. Audyogik Kendra Vikas Nigam (Indore) Limited Indore Executed Registered Lease Deed No.1A/4230 Dated 27.05.1986 (Period from 99 Years) in favour of M/s Sheetal Food Products Pvt. Ltd. acting through Shri Ram Awatar Agrawal S/o Shri Kedarmal Agrawal For Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.
3. That the, Change in the Name & Products, has been permitted by Managing Director, M.P. Audyogik Kendra Vikas Nigam (Indore) Limited Indore by vide Letter No. AKVN/2004/3043-46 dated 16.04.2004 into the New Name and Style of M/s Allwin Industries in place of M/s Sheetal food Products Pvt. Ltd.
4. That the, Madhya Pradesh Financial Corporation, Regd. Office Finance House, Agra Bombay Road, Indore MP. Executed Registered Sale Deed Dated 08.04.2004 in favour of (1) Shri Santosh Choudhary S/o Shri Badrilal Choudhary R/o Village Nihalpur Mundi, Indore (2) Shri Ajay Sharma S/o Shri Nand Kishore Sharma Both R/o 674, Dana Gali, Mhow, Distt. Indore frim of M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore For Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.
5. That the, Governor of Madhya Pradesh acting through the Managing Director M.P. Audyogik Kendra Vikas Nigam (Indore) Limited Indore Executed Registered Amendment Lease Deed No.1A/1992 Dated 28.07.2004 in favour of Shri Santosh Choudhary S/o Shri Badrilal Choudhary Proprietor of M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore For Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt.
- That the Governor of Madhya Pradesh acting through the

7/6, Vijay Nagar,
Market,
da **Prasad Khare**
(Advocate)

Office:

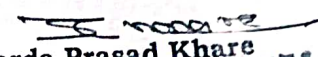
7/6, Vijay Nagar,
Behind G.Sachchanand Market,
INDORE (M.P.)

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No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Page 9
Admeasuring Area 3194 Sq.Mt.

Place : Indore

Dated: 3/3/2021


Sharda Prasad Khare
ADVOCATE

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Sharda Prasad Khare
(Advocate)

Office:

Behind G.Sachchanana Market,
INDORE (M.P.)
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Annexure V-B

SEARCH REPORT

The Manager
Punjab National Bank.
BO : M.C.C., Indore (MP.)

Search report relates to searches made in :

- A) Sub Registrar Office. **Indore (MP.)**
- B) Registrar of Companies. **No,**
- C) Courts. **No,**
- D) Other offices :**No,**

(A) Office of the Co-operative Society.

(B) Development Authority. (DDA/HUDA/and the like) **Yes, NOC Obtain from M.P. Audyogik Kendra Vikas Nigam Indore**

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, **Indore (MP.)** for the period from **2009 to 2021** and the same disclosed following encumbrances (Certificate enclosed): **Yes, Property is all ready mortgage in Punjab National Bank.**

(If there is no system of issue of encumbrance certificate in the office of Sub registrar, it be stated accordingly)

2. Besides obtaining **encumbrance certificate from the Sub Registrar**, personal search was carried out by me for the purpose. Inspection was made on **21/3 /2021** for the period from **2009 to 2021** at the following sub registrar / offices:-

The search report disclosed the followings encumbrances:-

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.	Not Applicable.

7/16, Vijay Nagar,
Indore

Sharda Prasad Khare
(Advocate)

Office:

7/16, Vijay Nagar,
Behind G.Sachchanand
INDORE
91796-31777, 98931-2

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Office	Date of search / Inspection	Information
Not Applicable.	Not Applicable.	Not Applicable.

6. A study of the following documents disclosed :

1. Copy of E-Lease deed No.MP119002020A1491899 Dated 19.08.2020 executed in favour of M/s Allwin Industries acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia
2. Copy of Amendment Lease Deed No.1A/1992 Dated 28.07.2004 executed in favour of Shri Santosh Choudhary S/o Shri Badrilal Choudhary Proprietor of M/s Allwin Industries
3. Copy of Sale Deed Dated 08.04.2004 executed by Madhya Pradesh Financial Corporation, in favour of (1) Shri Santosh Choudhary S/o Shri Badrilal Choudhary (2) Shri Ajay Sharma S/o Shri Nand Kishore Sharma
4. Copy of Lease Deed No.1A/4230 Dated 27.05.1986 executed in favour of M/s Sheetal Food Products Pvt. Ltd. acting through Shri Ram Awatar Agrawal S/o Shri Kedarmal Agrawal

Defects noticed are indicated in the Certificate given by me.

Place : Indore
Dated : 31/3 /2021


Sharda Prasad Khare
ADVOCATE

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AFFIDAVIT

Sworn before: THE NOTARY PUBLIC, INDORE (M.P.)
AFFIDAVIT-CUM-UNDERTAKING

I/We, M/s Allwin Industries Regd. Office 11, Fourth Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore acting through Shri Pramod Hardia S/o Late Shri Murarilal Hardia Do hereby solemnly/affirm and declare as under :-

1. That I/We are resident of above address & I hereby declare that I am not relative of any of the directors of board of Punjab National bank or any other bank and I am not involved in any litigation of any kind with any bank/financial institution. I know that my name shall be disclosed to RBI/CIBIL in case of any default from us in repayment of loan/credit facility by me. I also hereby declare that in future if any deficiency in the payment of stamp duty is found/observed by the concerned authority during the course of enquiry made by them, it shall be fulfilled by me. Bank will be authorized to recover the same deficient stamp duty with penalty if any from em if I fail to do so.

2. That I am sole and absolute owner of immovable property Plot No.174, Industrial Area Pithampur Sector-01, Tehsil and Distt. Dhar MP. Admeasuring Area 3194 Sq.Mt. surrounded by

East	West	North	South
Plot No.175	Road No.04	AKVN Open Land	Road No.08

3. That I have purchased the said property by way of **Registered E-Lease deed No.MP119002020A1491899 Dated 19.08.2020** from an Governor of **Madhya Pradesh acting through the Executive Director, Madhya Pradesh Industrial Development Corporation, Limited Regional Office Indore** and since the date of purchased, the said property & I here by declare that the construction raised thereon is strictly in accordance with the sanctioned Map on the terms and conditions contained therein on the terms and conditions contained therein & I here by declare that there.

4. That, the said property is presently proposed mortgaged with Punjab National Bank, Indore towards the loan/credit facility availed by the borrower by deposit of original title deeds of my favour. Now the said property is going to be mortgaged with Punjab National Bank, Indore on request of the borrower and to secure the repayment of the loan to be availed by the borrower. I am ready to mortgage my aforesaid property as security by deposit of original title deed as security for the said loan.

5. That I hereby declare the said property is till day free from all kinds of encumbrances **Except Punjab National Bank.**, The said property or any part thereof is not subject to any lispensens or attachment or any other process issued by any court or authority. We have not created any lease or trust in respect thereof and no suit or claim has arisen against us in respect of the said property or any part thereof. All rents lease premium tax including income tax, sales tax, corporation tax, diversion tax, etc. required to be paid for the said property have been paid till date. No recovery proceedings are pending against us in respect of sale tax/income tax or any other kinds of taxes, dues and duties.

That, till today the said property is in our exclusive and uninterrupted

Not Applicable.

respective originals, we shall be entirely liable for all the consequences of the same and we shall indemnify the Bank and its Panel Lower in all respects.

8. That I/We have full rights and good title and absolute authority to mortgage the said property with the Bank and we are not aware of any act, deed, matter or things or circumstances which could have prevented us from assigning the said property by way of mortgage by deposit of title deeds to the Bank.
9. That till today I/We have not agreed with anybody to transfer or transferred the said property or any part thereof by way of sale, gift, lease, mortgage, charge or in any other form.
10. That relying on our above representations, the Bank has agreed to provide loan/credit facility to us secured inter alia, by mortgage of the aforesaid property. I/We will be fully responsible if any loss is caused to the Bank due to concealment of facts on our part.
11. That I/We shall abide by all the terms and conditions of the Bank.

Place: Indore
Date:

**M/s Allwin Industries Regd. Office 11, Fourth
Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore
acting through Shri Pramod Hardia S/o Late Shri
Murarilal Hardia**

Verification
I, the above named deponent do hereby verify & declare on oath that the contents of above affidavit from paragraph 1 to end are true and correct to the best of our personal knowledge and belief. Nothing stated therein is false and no relevant facts are suppressed.

Place: Indore
Date:

**M/s Allwin Industries Regd. Office 11, Fourth
Floor, Dawa Bazar, 13-14, R.N.T. Marg, Indore
acting through Shri Pramod Hardia S/o Late Shri
Murarilal Hardia**

I know & identify the deponents

Signature:
Name: -
Address :-