

R.A.Thakkar

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General Title

Annexure-B

(All Columns/items are to be completed/Commented by the panel advocate)

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1	a) Name of the Branch /Business Unit/Office seeking opinion b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded c) Name of the Borrower	STATE BANK OF INDIA MAIN BRANCH PALANPUR 29/12/2016 As per sanction letter		
2	a) Name of the unit /concern / company/ person offering the property (ies) as security Name of Tuttle holder b) Constitution of the unit/concern/ person / body/ authority offering the property for creation of charge. c) Stat as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor etc.)	1.Mariyambai Amina Machhaliya, 2 Jetunbai Habib Machhaliya , 3 Rahimabai Yakub Sunasara R/o .At Palanpur Dist: B.k As per sanction letter As per sanction letter		
3	Complete or full description of the immovable property/(ies) offered as security including the following details. (a) Survey No. (b) Door no [in case of house property] (c) Extent/ area including plinth/ built up area in case of house property. (d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	Plots for residential purpose situated "Swagat Parisar "Aegola road, Palanpur Dist: Banaskantha R/S No.689/3p2p1 Admeasuring --9965-00 sqmeter for total plot area for residential purpose On page No.10		
	Particulars of the documents scrutinized- serially and chronologically (a) Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified. Note : Only originals of certified extracts from the registering /revenue/ other authorities be examined SrNo Date Name/Nature Of document	<table border="1"><tr><td>Original/certified copy/certified extract/photocopy, etc.</td><td>In case of copies whether the original was scrutinized</td></tr></table>	Original/certified copy/certified extract/photocopy, etc.	In case of copies whether the original was scrutinized
Original/certified copy/certified extract/photocopy, etc.	In case of copies whether the original was scrutinized			
	1.Village form No.8A, 7/12.6 & 2. 2. N.A order 3 lay out. 4.Permission of construction 5.Building plan.	Copy Copy Copy Copy Copy Copy		



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5	Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed Mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.)	Yet option
6	a) Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online computer system ?	No
	b) if such online / computer records are available .Whether any verification or cross checking are made and the comments/findings in this regard.	No
	c) Whether the genuineness of the stamp paper is possible to be got verified from any online portal and if so Whether such verification was made ?	No
7	a) property offered as security falls within the jurisdiction of which sub-registrar office ?	Palanpur
	b) Whether it is possible to have registration of documents in respect of the property in question at more than one office of sub-registrar/ district-registrar/ registrar-general .if so, please name all such offices ?	No
	c) Whether search has been made at all the office named at(b) above ?	No
	d) Whether the searches in the offices of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question ?	No
8	Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder. And wherever minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the title. in case of property offered as security for loans of Rs.1.00 crore and above .search of title /encumbrances for a period of not less than 30 years is mandatory.(separate sheets may be used)	Yes No
9	Nature of title of the intended Mortgagor over the property (whether full ownership rights,Leasehold,Rights,occupancy/possessory Rights or Inam holder or Govt.Grantee/Allottee etc) .	Full ownership



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10	If leasehold, whether.	No applicable
	a) lease Deed is duly stamped and registered.	Not applicable
	b) lessee is permitted to mortgage the leasehold right.	Not applicable
	c) duration of the lease/unexpired period of lease.	Not applicable
	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.	Not applicable
	e) whether the leasehold rights permits for the creation of any superstructure (if applicable)?	Not applicable
	f) Right to get renewal of the leasehold rights and nature thereof.	Not applicable
11	If Govt. grant/allotment/Lease-cum /sale Agreement, whether.	Not applicable
	Grant/agreement etc. provides for alienable rights to the mortgagor with or without conditions.	Not applicable
	The mortgagor is competent to create charge on such property.	Not applicable
	whether any permission from Govt. or any other authority is required for creation of mortgagor and if so whether such valid permission is available.	Not applicable
12	If occupancy right, whether.	Not applicable
	a) such right is heritable and transferable.	Not applicable
	b) mortgage can be created.	Not applicable
13	Nature of Minor's interest if and if so, whether creation of mortgage could be possible. the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.	Minor's interest not involved
14	If the property has been transferred by way of gift/settlement deed, whether.	No
	a) the Gift/Settlement Deed is duly stamped and registered.	No
	b) the Gift/Settlement Deed has been attested by two witnesses.	Not applicable
	c) the Gift/Settlement Deed transfers the property to Donee.	Not applicable
	d) whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by a separated writing or by implication or by actions.	Not applicable
	e) whether there is any restriction on the Donor in executing the Gift/ settlement Deed in question.	No
	f) whether the Donee is in possession of the Gifted property.	No
	h) any other aspect affecting the validity of the passed through the gift/settlement deed.	No



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15	(a) in case of partition/family settlement deeds. Whether the original deed is available for deposit. if not the modality /procedure to be followed to create a valid and enforceable mortgage.	Not applicable
	(b) whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.	Not applicable
	(c) whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon.	Not applicable
	(d) in respect of partition by a decree of court, whether such decree has become final and all other conditions/formalities are completed/ complied with.	Not applicable
	(e) whether any of the documents in question are executed in counterparts or in more than one? if so, additional precautions to be avoiding multiple mortgages?	Not applicable
	Whether the title documents include any testamentary documents/will?	Not applicable
	(a)In case of will, whether the will is registered or un registered will?	
	(b)Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	Not applicable
	(c) Whether the property is mutated on the basis of will	Not applicable
	(d)Whether the original will is available?	Not applicable
16	(e) Whether the original death certificate of the testator is available?	Not applicable
	(f) What are the circumstances and /or documents to establish the will in question is the last and final will of the testator? (Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuineness /validity of the will, all parties have acted upon the will,etc,which are relevant to rely on the will,availibility of Mother/ Original title deeds are to be explained)	Not applicable
	(a)Whether the property is subject to any wakf right?	Not applicable
	(b)Whether the property belongs to church/temple or any religious /other institutions having any restriction in creation of charge on such properties?	Not applicable
17	(c) Precautions/Permissions, if any in respect of the above cases for creation of mortgage?	Not applicable
	(a) Where the property is a HUF/Joint family property, mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection /join in execution, minors share if any. right of female members etc.	Not applicable
18	(b) Please also comment on any other aspect which may adersely affect the validity of security in such cases?	



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19	(a)Whether the property belong to any trust or is subject to the right nay trust ? (b)Whether the trust is private or public trust and whether trust deed specifically authorize the mortgagee property? (c)If so additional precautions/permisuns to be obtained for creation of valid mortgagee? (d) Requirements, if any for creations of mortgage as per the center /state laws applications to the trust in the mater.	No
20	(a) if the property is Agricultural land .whether the local laws permit mortgage of Agricultural land and Whether there are any restrictions for creation/enforcement of mortgage. (b) in case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage? (c) In the case of conversion of Agricultural land for commercial purposes or otherwise requisite procedure followed/permission obtained.	Not applicable Not applicable Originally land for agriculter but converted in to residential purpose
21	whether the property is affected by any local laws or others regulations having a bearing on the creation security (viz Agricultural laws, weaker sections ,minorities, land laws,SEZ regulations ,Costal Zone regulations, Environmental clearance, etc)	No
22	(A)whether the property is subject to any pending or proposed land acquisition proceedings? (b) whether any search/enquiry is made with the land Acquisition office and the outcome of such search/enquiry.	No Not applicable
23	(a) whether the property is involved in or subject matter of any litigation which is pending or concluded? (b) if so whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement? (c) whether the title documents have any court seal/markng which points out any litigation/attachment/security to court in respect of the property in question? in such case please comment on such seal/markng.	No No Not applicable
24	(a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered. (b) property belonging to partners, whether thrown on hotchpot ? whether formalities for the same have been completed as per applicable laws? (c) whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	No No No
25	whether the property belongs to a limited company ,check the Borrowing powers, Board resolution ,authorization to create mortgage/execution of documents, Registration of any prior charges with the company Registrar (ROC) Articles of Association/ Provision for common seal etc.	Not applicable



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26	In case of Societies, Association, the Required authority/Power to borrower and Whether the mortgage can be created, and the requisite resolutions, bye-laws.	Not applicable
27	(a)Whether any POA is involved in the chain of title?	No
	(b)Whether the POA involved is one coupled with interest ,i.e.a Development Agreement-cum-Power of Attorney, if so please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.	Not applicable
	(c) in case the title document is executed by the POA holder, please clarify Whether the POA involved is (i) one executed by the Builders viz.companies /Firms/individual or Proprietary Concerns in favour of their Partners /Employess/Authorized Representatives to sign Flat Allotment Letters,NOCs, Agreements of sale,sale deeds,etc.in favour of buyers of flats/units(Builder's POA) or (ii) other type of POA (Common POA).	Not applicable
	(d) in case of Builder's POA Whether a certified copy POA is available and the same has been verified/compared with the original POA .	Not applicable
	(e) in case of common POA(i.e. POA other than Builder's POA).please clarify the following clauses in respect of POA.	Not applicable
	i. Whether the original POA verified and the title investigation is done on the basis of original POA?	Not applicable
	ii. Whether the POA is a registered one?	
	iii. Whether the POA is a special or general one?	
	iv. Whether the POA contains a specific authority for execution of title document in question?	
	(f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question?(please clarify whether the same has been ascertained from the office of sub-registrar also ?)	Not applicable
	(g) Please comment on the genuineness of POA ?	Not applicable
	(h) The unequivocal opinion on the enforceability and validity of the POA?	Not applicable
28	Whether mortgage is being by a POA holder, check genuineness of the power of Attorney and the extent of the Powers given therein and same is properly executed/stamped /authenticated in terms of the Law of the place ,where it is executed.	Not applicable

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29	If the property is a flat/apartment or residential/commercial complex, check and comment on the following: (a) Promoter's /Land owner's title to the land/building: (b) Development Agreement/Power of Attorney : (c) Extent of authority of the Developer/builder: (d) independent title verification the land and /or building in question: (e) Agreement for sale (duly registered) : (f) payment of proper stamp duty: (g) Requirement of registration of sale agreement, development agreement, POA, etc: (h) Approval of building plan, permission of appropriate/local authority, etc: (i) Conveyance in favour of society/condominium concerned. (j) occupancy certificate/allotment letter/letter of possession: (k) Membership details in the Society etc: (l) Share Certificates: (m) No Objection Letter From the Society: (n) All legal Requirements under the local/ Municipal laws, regarding ownership of flats/Building Regulations, Development Regulations, Co-operative Societies" Laws etc: (o) Requirements, for noting the Bank charges on the records of the Housing Society, if any: (p) if the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any. (q) whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	Residential No No No No N.A Yes No Yes No No N.A N.A N.A N.A N.A NA No No Yes
30	Encumbrances, Attachments and/or claims Whether of Government, central or state or other Local authorities or Third party claims, Liens etc. and details thereof.	No
31	The period covered under the Encumbrances certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	No
32	Details Regarding Property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	No.
33	(a) Urban Land ceiling clearance, Whether required and if so, details thereon. (b) Whether No objection Certificate under the income Tax is required obtained.	Not applicable
34	Details of RTC extracts/mutation extracts /Katha extracts pertaining to the property in question.	Yes
35	Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Yes
36	(a) Whether the property offered as security is clearly demarcated? (b) Whether the demarcation/partition of the property is legally valid? (c) Whether the property has clear access as per documents?	Yes Yes Yes



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37	Whether the property can be identified from the following documents and discrepency/doubtful circumstances, if any revealed on such scrutiny? (a) Document in relation to electricity connection: (b) Document in relation to Water connection: (c) Document in relation to sales Tax Registration ,if any applicable:(d) other utility bills, if any .	Yes
38	In respect of the boundaries of the property, whether there is a difference/discrepancy in any title documents or any other documents (such as valuation report, utility bills, etc.) or the actual current boundary? if so please elaborate/comment on the same.	No any different
39	If the valuation report and/ or approved/ sanctioned are made available, please comment on the same including the comments on the description and boundaries of the property on the said document and that in the title deeds. (if the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently on making the same available to the advocate.)	N.A
40	Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.	No applicable
41	Whether the Bank will be able to enforce SARFESI Act, if required against the property offered as security?	Yes
42	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc. as also any precaution to be taken by the Bank in this regard.	Not applicable
43	Whether the governing law /constitutional documents of the mortgagor (other than natural persons) Permits creation of mortgage and additional precautions, if any to be taken in such cases.	No
44	Additional aspects relevant for investigation of title as per local laws.	No
45	Additional suggestions, if any to safeguard the interest of Bank/ensuring the perfection of security.	No
46	The specific persons who are required to create mortgage/to deposit documents creating Lese mortgaged.	As per sanction letter

Note: In case separate sheets are required the same may be used, signed and annexed

Date:12/02/2017

Place : Palanpur

Signature of Advocate



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Annexure -C :CERTIFICATE OF TITLE

I have examined the Original Title Deeds intended to be deposited relating to the schedule property/(ies) and offered as security by way of *Registered/Equitable/ English /Mortgage (* please specify the kind of mortgage)and that the documents of title referred to in the Opinion are valid evidence of Right, title and interest and that if the said registered/ equitable mortgage is created, it will satisfy the requirements of creation of Registered/Equitable Mortgage and I further certify that.

2. I have examined the Documents in detail taking into account all the Guidelines in the checklist vide Annexure B and the other relevant factors.
3. I confirm having made a search in the Land/ Revenue Records. I also confirm having verified and check the records of the relevant Government offices/Sub Registrar (s)/office(s).Revenue Records .Municipal/Panchayat office. Land Acquisition office, Registrar of Companies office, Wakf Board (Wherever applicable).I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.
4. Following scrutiny of Land Records/ Revenue Records and relative title Deeds, certified copies of such title deeds obtained from the concerned register office and encumbrance certificate(EC) I hereby certify the genuineness of the Title Deeds. Suspicious/Doubt, if any, has been clarified by making necessary enquiries.
5. There are no prior Mortgage /charge /encumbrances Whatsoever, as could be seen from the Encumbrances Certificate for the period from 1988 to 2016 pertaining to the Immovable Property/(ies) covered by above said Title Deeds. The property is free from all Encumbrances **Receipt No.2016083014286 Dated 29/12/2016 sub-Registrar, Palanpur.**
6. In case of second/subsequent charge in favour of the Bank. There are no other Mortgages/charges other than already stated in the loan documents and agreed to by the Mortgagor and the Bank(Delete, Whichever is inapplicable).
7. Minor/(s) and his/their interest in the property/(ies) is to the extent of (Specify the share of the Minor with Name (Strike out if not applicable) "Not applicable"
8. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrower,Shri/Smt/M/s. **As per sanction letter**
9. I further certify that Shri/Smt/M/s **L.Mariyambai Amina Machhaliya,2 Jetunbai Habib Machhaliya ,3 Rahimabai Yakub Sunasara R/o, Palanpur Dist: B.k** has/ have an absolute, clear and Marketable title over the Schedule property/ (ies).I further certify that the above title deeds are genuine and valid charge can be created and the said charge would be enforceable.
10. In case of creation of mortgage by Deposit of title deeds, we certify that the deposit of following title deeds/documents would create a valid and enforceable mortgage.
(For General Title verified following documents)
 1. Village form No.8A, 7/12,6.
 2. N.A order
 3. Lay out.
 4. Permission of construction
 5. building plan.
11. There are no legal impediments for creation of the mortgage under any applicable Law/ Rules in force.



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SCHEDULE OF THE PROPETRTY/IES

(1)The Plot for residential purpose bearing R/S No. R/S No.689/3p2p1 admeasuring -9965-00 sqmeter for total plot area for residential purpose situated at "Swagat Parisar "Aegola road Palanpur Dist: Banaskantha and present ownership of **1.Mariyambai Amina Machhaliya,2 Jetunbai Habib Machhaliya ,3 Rahimabai Yakub Sunasara**

Its Boundary as under as per lay out

North by:-Adjoining Road

South by:-Adjoining land of R/S No.689P

East by:- Adjoining land of R/S No.689/3p

West by:- Adjoining land of R/S No.689/2p

Flow of title

1) Originally the agriculture land bearing R/S No.689/3 H.R.A 3-25-77 in ownership of Muman Isab Fata and Yusuf Vali as per entry No.3478 dated 12/06/1978 in village form No.6.

2) Thereafter as per Hiss form No.4 correction and the agriculture land bearing R/S No.689/3 paiki Acer 8-29 Guntha was came in ownership of Muman Yusufbhai Fattemahmad and Muman Yusufbhai Valibhai as per entry No.4414 dated 26/03/1982 in village form No.6.

3) Thereafter Muman Yusufbhai Fattemahmad expired so 1) Huriben Yusufbhai Sunasara, 2) Mariyambai Amina Machhaliya 3) Jetunbai Habib Machhaliya 4) Rahimabai Yakub Sunasara names entered in the agriculture land bearing R/S No.689/3 as per entry No.4562 dated 24/08/1982 in village form No.6.

4)Thereafter the agriculture land bearing R/S No.689/3 paiki Acer 4-14 Guntha came in ownership of 1)Huriben Yusufbhai Sunasara, 2) Mariyambai Amina Machhaliya 3) Jetunbai Habib Machhaliya 4) Rahimabai Yakub Sunasara by way of distribution as per entry No.5952 dated 03/02/1989 in village form No.6.

5)Thereafter Huriben Yusufbhai Sunasara expired so her name canceled from the agriculture land bearing R/S No.689/3p2 as per entry No.9624 dated 22/07/2005 in village No.6.

6) Thereafter the agriculture land bearing R/S No. 689/3p2 paiki H.R.A 1-76-54 paiki H.R.A 0-76-89 land sold by Mariyambai Amina Machhaliya, Jetunbai Habib Machhaliya ,and Rahimabai Yakub Sunasara by registered sale deed dated 20/07/2005 No.2377 as per entry No.9625 dated 22/07/2005 in village form No.6.

7)Thus the above described 9965-00 Sqmeter in ownership of **1.Mariyambai Amina Machhaliya,2 Jetunbai Habib Machhaliya ,3 Rahimabai Yakub Sunasara**

8) Thereafter the agriculture R/S.No.689/3p2/p1 paiki 9965 Sqmeter converted in to non-agriculture for residential purpose by order No.A/JAMIN.2.N.A.S.R/87/15-16 Vashi 43382 dated 26/08/2016 by Collector Shri Banaskantha and lay out plan was also sanctioned with this order as per entry in village No.6 by Mariyambai Amina Machhaliya and other.

9) Thereafter Mariyamben Aminbhai Muman and were taken permission for construction on bearing R/S No.689/3/p2/p1 paiki Plot No.1 to 63 for by order of Palanpur Shri Nagarpalika by order No.1 dated 24/11/2016

Date:- 12/02/2017

Place: palanpur



(R.A.Thakkar)
Signature of Advocate

Resi: 52/A Dharati Townekia, Ahmedabad-380015

અરજી પહોંચ

મેલકાનું વર્ણન રે.સ. નં. 689/3 પી.2/ પી.1 પેકી

Search in : પાલનપુર ગામ/PALANPUR (RURAL)

પહોંચ નંબર ૨૦૧૭૦૮૩૦૧૪૨૮૬

અરજી નંબર:

૭૧૬૪

અરજી વર્ષ:

૨૦૧૬

તા: ૨૮

માર્ગ: ડિસેમ્બર

સને: ૨૦૧૬

રજી કરનારનું નામ આર.એ.કે.કે.ર એડવોકેટ

નીચે પ્રમાણે ફી પહોંચી

૩. પેસા

રજીસ્ટ્રેશન ફી.....

નકલ કરવા ની ફી ચાર્જ / ફોલીઓ.....

મેરોની નકલ કરવા માટે ફી.....

ટપાલ ખર્ચ.....

નકલો અથવા ચાર્જીઓ (કલમ ૬૪ થી ૬૭).....

શોધ અખર નાપાસની.....

Year: ૨૦૧૭ ૨૦૧૬

ફેડ કલમ-૨૫.....

કલમ-૩૪ (કલમ-૫૩).....

નકલ ફી ફોલીઓ.....

ઈન્ડેક્સ-૨ ફી.....

આ સિવાયની બાબતોની ફી

કુલ એકંદરે રૂ

૧૬૦

અંકે રૂપિયા એકસો સાઠ પુરા.

દસ્તાવેજ

ના દિવસે તૈયાર થશે અને

નકલ

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલવો.

તે રજીસ્ટર ટપાલથી મોકલવામાં

કચેરીમાં આપવામાં

આવશે.

(N.D.Suvar)

સબ રજીસ્ટ્રાર

પાલનપુર

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