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## **FACULTY OF JURIDICAL SCIENCES**

Name of the faculty- Ms. Neha Khanna  
Subject Name- Drafting, Pleading and conveyancing

**COURSE NAME- BBA LLB, VII Sem**

**SUBJECT CODE-BBL-703**

# **LECTURE 30**

## MORTGAGE DEED FORMAT

This deed of SIMPLE MORTGAGE executed at on this the day of 201X by Son of Hindu, aged about years and residing at Herein after called the MORTGAGOR To and In favor of Thiru. Son of hindu aged about years and residing at No. herein referred to as the MORTGAGEE.

Whereas, the term Mortgagor and Mortgagee, unless repugnant to the context shall mean and include their representatives heirs, successors, executors, administrators, trustees, legal representatives and assigns. Whereas, the Mortgagor herein, is the sole and absolute owner of immovable property morefully described in the schedule hereunder written and herein after called the scheduled property.

Whereas, the Mortgagor is the absolute owner, having acquired the property, by and since then Mortgagor has been in possession and enjoyment of the schedule property and paying taxes and levies thereon, as sole and absolute owner thereof. Whereas Mortgagor being in need of money for the purpose of his family expenses and the . Mortgagor requested the Mortgagee to lend him a sum of Rs. (Rupees. only) which the Mortgagee has agreed to lend to the Mortgagor executing these presents with a view to secure the repayment thereof with interest as herein after provided.

NOW THIS DEED WITNESSETH that pursuant to the said agreement and in consideration of the sum of Rs. (Rupees. only) lent and advanced by the Mortgagee to the Mortgagor on the execution of these presents (receipt whereof the Mortgagor hereby admit). He, the Mortgagor hereby covenants with the Mortgagee that he the Mortgagor will pay to the Mortgagee the sum of Rs. (Rupees. only) on the day of (herein after referred to as the 'due date') with interest thereon in the meanwhile and until repayment of the said sum in full, at the rate of on the day of and each subsequent installment on the day of each succeeding month until the said principle sum of Rs. (Rupees only) repaid in full, and the Mortgagor further covenants with the Mortgagee that in the event of the Mortgagor failing to pay any installment of interest, he will be liable to interest on the said installment in default at the same rate as aforesaid from the date of default until payment such installment as and by way of compound interest.

### MCQs-

i. i. Who is morgagee?

- a. the person who give away his property
- b. a person who pledges his property
- c. the person to whom the mortgage is done
- d. the person who did mortgage

ii. who is mortgagor?

- a. the person who give away his property
- b. a person who pledges his property
- c. the person to whom the mortgage is done
- d. the person who did mortgage

iii. In the case of \_\_\_\_\_ Apex court held that "observed that an oral complaint made to the police officer also comes within the purview of Section 2 d, Cr.P.C. and be

registered as a complaint. It also observed that there is no formal written complaint required and a oral complaint made is also quite sufficient to ledge an investigation and is well covered under the law"

- a. Priyanka Srivastava & Anr Vs. State Of U.P. & Ors.
- b. **Amit Khera v/s Govt. of NCT of Delhi & Ors.**

- c. **Lalita Kumari v/s Govt of U.P. & Ors**
- d. **sahasani upadhaya v state of gujrat**

iv.the supreme court in the case of \_\_\_\_\_It held that“We have already indicated that there has to be prior applications under Section 154(1) and 154(3) while filing a petition under Section 156(3)”.

- a. Priyanka Srivastava & Anr Vs. State Of U.P. & Ors.
- b. **Amit Khera v/s Govt. of NCT of Delhi & Ors.**
- c. **Lalita Kumari v/s Govt of U.P. & Ors**
- d. **sahasani upadhaya v state of gujrat**

v. In the case of \_\_\_\_\_ the supreme court laid down the directions as to how a complaint would be entertained and disposed off

- a. Lalita Kumari v/s Govt of U.P. & Ors
- b. **Anand ahuja v/s Govt. of NCT of Delhi & Ors.**
- c. **Neha Srivastava & Anr Vs. State Of U.P. & Ors.**
- d. **paras mishra & Anr Vs. State Of U.P. & Ors.**