

Mrs. Chandan R. Patel,

B.A. (Hons) L.L.B.

Advocate

Mo. No. 9423981804



Shri. Ramakant M. Patel,

B.Com. (Hons) L.L.B.

Advocate

Mo. No. 9423979404

**Office & Residence : "Meghasundram" Datta Colony,
Plot No. 64 Deopur, Dhule 424 005 Ph. No. 02562-270704**

Annexure - B : Report of Investigation of title in respect of immovable property.

1)	a) Name of the Branch :	HDFC. Ltd., Deopur, Dhule		
	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. :	Yog Construction		
2)	a) Name of the Unit/Concern/Company/Person offering property (ies) as security. :	Yog Construction		
	b) Constitution of the Unit/Concern/ Person/Body/ Authority offering the property for creation of charge.	Proprietorship		
	c) State at to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc).	Borrower		
3)	Complete or full Description of the immovable property (ies) offered as security including the following details			
	a) Survey / Gat / City Survey No.	: S.No.51/1		
	b) Door/House No. (in case of house property)	: Plot No.32		
	c) Extend / area including Plinth/built up area in case of house property.	: 453.09 Sq.mts.		
	d) Location like name of place, village, city, sub-district etc.	Deopur, Dhule		
	Boundaries -			
	North	East	South	West
	Plot No.33 & Road	S.No.61	Plot No.31	Plot No.64 & 65
4)	a) Particulars of the document scrutinized-serially and chronologically			
	b) Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified. Note : Only originals or certified extracts from the registering/revenue/other authorities be examined.			
Sr. No.	Date	Name /Nature of the Document	Original/certified copy /certified extract/ Photo copy etc.	In case of copies whether the original was scrutinized by the Advocate
1)	29/04/2014	Sale Deed at Sr.No.1907	Original	N.A.
2)	14/09/2015	7/12 Extracts with M.E.	Original	N.A.
3)	12/12/1978	N.A.Order	Xerox	----
4)	11/04/1977	Layout	Xerox	----

Ramakant M Patel
B.Com. LL.B. ADVOCATE

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)	Yes
6	a) Whether the records are of Registrar office or revenue authorities : relevant to the property in question are available for verification through any on line portal or computer system ?	Yes, Since 2002
	b) If such on line/computer record are available, whether any verification : or cross checking made and the comments/findings in this regard.	Yes
	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 false within the jurisdiction of which sub- : registrar office ?	Dhule Taluka
	b) Whether it is possible to have registration of documents in respect : of the property in questions, at more than one office of sub-registrar/ district registrar - general. If so, please name of such offices.	No.
	c) Whether search has been made at all the offices named at (b) : above ?	Yes
	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 ?	N.A.

- 8 Chain of title tracing the title from the oldest title deeds to the latest title deeds, establishing title of the property in question from the predecessors in title / interest to the current title holder. And whether minors interest are 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.

The agriculture land S. No.51/1 was owned and possessed by Shri Baburao Bhika Mali etc.4 They converted it into N.A. by the order of Collector, Dhule by his order No.1978/B/Desk/1/NASR/6449, dt.12/12/1978. For that effect M.E.No.4656 is recorded on 16/08/1982.

The described property was purchased by Smt.Chitra Bajirao Patil from Shri.Dashrath Bhika Mali. For that effect M.E.No.4080 is recorded on 15/12/1980 and certified on 31/12/1980.

The described property was purchased by Smt.Prabhavati Balkrushna Hande from Smt.Chitra Bajirao Patil from. For that effect M.E.No.4123 is recorded on 17/01/1981 and certified..

Smt.Prabhavati Balkrushna Hande died on 12/07/1992. Shri.Balkrushna Bapurao Hande is brought on record as a lonely heirs. For that effect M.E.No.14937 is recorded on 14/02/1998 and certified on 04/03/1998.

The described property is purchased by the present owner Yog Constructions through its proprietor Shri.Yogiraj Shivajirao Marathe from Shri.Balkrushna Bapurao Hande by a registered sale deed at Sr.No.1907 on 29/04/2014. For that effect M.E.No.32943 is recorded on 17/07/2014 certified on 28/08/2014.

Ramakant M Patel
B.Com. LL.B ADVOCATE

16	Whether the title documents include any testamentary documents/wills? a) In case of wills, whether the will is registered will or unregistered will ? b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court ? c) Whether the property is mutated on the basis of will ? d) Whether the original will is available ? e) Whether the original death certificate of the testator is available ? 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, availability of Mother/Original title deeds are to be explained.)	No. No. N.A. N.A. N.A. N.A.
17	a) Whether the property is subject to any wakf rights ? b) Whether the property belongs to church/temple or any religious/other institutions having any restriction in creation of charges on such properties ? c) Precautions/permissions, if any in respect of the above cases for creation of mortgage ?	No. N.A. N.A.
18	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, minor's share if any, rights of female members etc. b) Please also comment on any other aspect which may adversely affect the validity of security in such cases ?	No. N.A.
19	a) Whether the property belongs to any trust or is subject to the rights of any trust ? b) Where the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property ? c) If so additional precautions/permissions to be obtained for creation of valid mortgage ? d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.	No. N.A. N.A. N.A.
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, procedure followed/permission obtained.	No. N.A. Yes.
21	Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural Laws, weaker, Sections, minorities, Land Laws, SEZ regulations, Coastal 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. N.A.
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 ?	No. N.A.

Ramkant M. Patel
B.Com. LL.B. ADVOCATE

	c) Extent of authority of the Developer/builder.	N.A.
	d) Independent title verification of the Land and/or building in question.	N.A.
	e) Agreement for sale (duly registered)	N.A.
	f) Payment of proper stamp duty.	N.A.
	g) Requirement of registration of sale agreement, development agreement POA etc.	N.A.
	h) Approval of building plan, permission of appropriate /local authority etc.	N.A.
	i) Conveyance in favour of Society/Condominium concerned.	N.A.
	j) Occupancy Certificate letter / letter of possession.	N.A.
	k) Membership details in the Society etc.	N.A.
	l) Share Certificates.	N.A.
	m) No Objection Letter from the Society	N.A.
	n) All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.	N.A.
	o) Requirements, for noting the Bank charges on the records of the Housing Society, if any :	N.A.
	p) If the property is a vacant land and construction is yet to be made approval of lay-out and other precautions, if any.	N.A.
	q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	N.A.
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 encumbrances is created and if so, satisfaction of charge, if any.	30 years
32	Details regarding property tax or land revenue or other statutory dues paid / payable as on date and if not paid, what remedy ?	Paid
33	a) Urban land ceiling clearance, whether required and if so details, thereon.	N.A.
	b) Whether No Objection Certificate under the Income Tax Act, is required obtained.	Bank may insist if required.
34	Details of RTC extracts/mutation extracts/ Katha extracts pertaining to the property in question.	As per Column No.8
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 ?	Yes
	b) Whether the demarcation is properly shown in the documents ?	Yes
	c) Whether the property has clear access as per documents ?	Yes
37	Whether the property can be identified from the following documents, and discrepancy / doubtful circumstances, if any revealed on such scrutiny ?	Yes
	a) Document in relation to electricity connection,	Yes
	b) Document in relation to water connection,	Yes
	c) Document in relation to Sales Tax Registration, if any applicable.	----
	d) Other utility bills, if any.	----
38	In respect of the boundaries of the property, whether there is a difference/ discrepancy in any of the 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.

Ramkant M Patel
B.Com. LL.B ADVOCATE

9	Nature of Title of the Indended mortgagor over the property (whether full ownership rights, Lease hold Rights, occupancy/ possessory rights or Inam holder or Goverement grantee / Allottee etc.)	Full Ownership
10	If leasehold, whether	No.
	a) Lease Deed is duly stamped and registered	N.A.
	b) Lessee is permitted to mortgaged the Leasehold right.	N.A.
	c) Duration of the Lease / unexpired period of lease	N.A.
	d) If, asub-lease, check the lease deed infavour of leasee as to whether Lease deed permits sub-leasing and mortgage by Sub-Leasee also.	N.A.
	e) Whether the lease hold right permit for the creation of any superstructure (if applicable) ?	N.A.
	f) Right of get renewal of the leasehold rights and nature there of	N.A.
11	If Govt.grant/allottment/Lease-cum/sale agreement whether, grant / agreement etc. provided for alienable rights to the mortgagor with or without conditions, the mortgagor is competent to create charge on such property, whether any permission Govt.or any other authority is required for creation of mortgage & if so whether such valid permission is available.	No.
12	If occupancy rights, whether	No.
	a) Such right is heritable and transferable.	N.A.
	b) Mortgage can be created.	N.A.
13	Nature of minor's interest, if any & if so, whether creation of mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained & the reasons for coming to such conclusion.	No.
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	N.A.
	b) The Gift/Settlement Deed has been attested by two witnesses.	N.A.
	c) The Gift/Settlement Deed transfers the property to donee	N.A.
	d) Whether the Donee has accepted the Gift by signing the Gift/ Settlement Deed or by a separated writing or by implication or by actions	N.A.
	e) Whether there is any restriction on the Donor in executing the Gift / Settlement Deed in question.	N.A.
	f) Whether the Donee is in possession of the Gifted property.	N.A.
	g) Whether any life interest is reserved for othe Donor or any other person and whether there is a need for any other person to join the creation of mortgage.	N.A.
	h) Any other aspect affecting the validity of the title passed through the gift/settlement deed.	N.A.
15	a) In case of partion /family settlement deeds, whether the original deed is available for deposit. If not the modality procedure to be followed to creat the valid and enforceable mortgage.	No.
	b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share.	N.A.
	c) Whether the partition made is valid in law and the mortgagor has acquired a mortgable title there on.	N.A.
	d) In respect of partion by a decree of court, whether such decree has become final and all other conditions/formalities are completed/ complied with.	N.A.
	e) Whether any of the documents in question are executed in counter parts or in more that one set ? If so, additional preceutions to be taken for avoiding multiple mortgages ?	N.A.

Noted
Ramkant M Patel
 B.Com LL.B ADVOCATE

	c) Whether the title documents have any court seal/markings which points out any litigation/attachement/security to court in respect of the property in question ? In such case please comment on such seal/markings.	No.
24	a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered.	No..
	b) Property belonging to partners, whether thrown on hotchpot ? Whether formalities for the same have been completed as per applicable laws ?	N.A.
	c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	N.A.
25	Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, authorisation to create mortgage/execution of documents, Registration of any prior charge with the Company Registrar (ROC), Articles of Association/provision for common seal etc.	No.
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.	No.
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.	N.A.
	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 / Employees / Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreement of Sale, Sale Deeds etc. in favour of buyers of flats/units. (Builder's POA) or (ii) other type of POA (Common POA).	N.A.
	d) In case of Builder's POA, whether a certified copy of POA is available and the same has been verified/compared with the original POA.	N.A.
	e) In case of Common POA (i.e. POA other than Builder's POA) please clarify the following clauses in respect of POA.	
	i) Whether the original POA is verified and the title investigation is done on the basis of original POA ?	N.A.
	ii) Whether the POA is registered one ?	N.A.
	iii) Whether the POA is a special or general one ?	N.A.
	iv) Whether the POA contains a specific authority for execution of title document in question ?	N.A.
	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 whether the same has been ascertained from the office of sub-registrar also ?)	N.A.
	g) Please comment on the genuineness of POA ?	N.A.
	h) The unequivocal opinion on the enforceability and validity of the POA ?	N.A.
28	Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed stamped/authenticated in terms of the Law of the place, where it is executed.	N.A.
29	If the property is a flat/apartment or residential/commercial complex, check and comment on the following	No.
	a) Promoter's / Land owner's title to the land/building.	N.A.
	b) Development Agreement / Power of Attorney.	N.A.

Patel
Ratnakant M Patel
 B.Com. LL.B. ADVOCATE

पावती क्र.

1057

नोंदणी ३९ म.

Regn.39m.

दस्तावेजाचा / अर्जाचा अनुक्रमांक ३७६६

दिनांक ७/११/२०१५

सन २०

दस्तावेजाचा प्रकार

सादर करणाराचे नांव

खालील प्रमाणे फी मिळाली

नोंदणी फी

नक्कल फी (फोलिओ

पृष्ठांकनाची नक्कल फी

टपाल खर्च

नकला किंवा जापने

शोध किंवा निरीक्षण

दंड-कलम २५ अन्वये

कलम ३४ अन्वये

प्रमाणित नकला (कलम ५७) (फोलिओ

इतर फी (मागील पानावरील) बाब क्र.

"

"

"

"

"

रु.

पै.

340 00

एकूण..

340 00

नोंदणीकृत डाकेने पाठवली जाईल.

या कार्यालयात देण्यात येईल.

दस्तावेज

नक्कल

रोजी तयार होईल व

प्रथम निबंधक

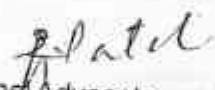
दस्तावेज खाली नाव दिलेल्या व्यक्तीच्या नावे नोंदणीकृत डाकेने पाठवाव
हवाली करावा.

सादरकर्ता

39	If the valuation report and/or approved/sanctioned plans are made available, please comment on the same including the comments on the description & boundaries of the property on the said documents & 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)	Valuation report is not available
40	Any bar/restriction for creation or mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duly etc	No.
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 & 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	Original title deed is available
43	Whether the governing law/constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage & 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.	Recommended Equitable Mortgage
46	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	
		Owner

Date :

Place : Dhule


 Panel Advocate

Ramakant M. Patel

B.Com. LL.B. ADVOCATE

CERTIFICATE OF TITLE

- 1) 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** 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 Check-list 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 checked the record of the relevant Government Offices / Sub-Registrar(s) office(s), Revenue Record, 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 security of Land Records /Revenue Records, relative Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC) I hereby certify that genuineness of the Title deeds. Suspicious/ Doubt if any, has been clarified making necessary enquiries.
- 5) There is no prior Mortgage/Charge/Encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from **2002 to 2015 for 14 years Receipts No.1057** pertaining to the immovable property/ies covered by above said Title Deeds. The property is free from all Encumbrances.
- 6) In case of second/subsequent charge in favour of the Bank, there are no other mortgage / charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank.
- 7) Minor(s) and his/their interest in the property/(ies) is to the extent of (specify the share of the minor with name) **N.A.**
- 8) Mortgage if created will be available to the Bank for the Liability of the intending borrower **Yog Constructions** through its proprietor Shri. Yogiraj Shivajirao Marathe
- 9) I certify that, **Yog Constructions** through its proprietor Shri. Yogiraj Shivajirao Marathe has/have an absolute, clear and marketable title over the schedule properties. I further certify that, the above title deeds are genuine & valid mortgage can be created and the said Mortgage would be enforceable.
- 10) In case of creation Mortgage by Deposit of title deed/s, I certify that the deposit of following title deeds/documents would create valid & enforceable Mortgage

1)	29/04/2014	Sale Deed at Sr.No.1907	Original	N.A.
2)	14/09/2015	7/12 Extracts with M.E.	Original	N.A.
3)	12/12/1978	N.A.Order	Xerox	----
4)	11/04/1977	Layout	Xerox	----

- 11) There are no legal impediments for creation of the Mortgage under any applicable Law / Rules in force

Dhule.

Date : 03/11/2015

R.M. Patel
(R.M. Patel)

Panel Advocate for S.B.I.

Ramakant M. Patel

B.Com LL.B ADVOCATE