

Adv. Rajesh J. Sharma.

M.Com. LL.B.

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मोबाईल नं. ९९९०२४६४०९

Office : - Shivaji Nagar, Near Post Office, Bhnsawal, Dist- Jalgaon.

Rcs. : - Gopal Nagar, Gandhi Nagar, Bchind D.L. High School, Bhusawal.

No.SR/RJS/2017/06

Date - 28/07/2017

To,

Sau. Rajni Prakash Attarde,

R/o. Kamal Villa, Nr.Swami Samarth Kendra,
Ganesh Colony, Jalgaon.

Dear Sir/Madam,

**Sub : Title Opiuion Report eertifying uou
eueumbrancees of tbe property Survey No.
78/1B out of whieh plot No. 2 N.A. Laud
Total Area 4.42.00 sqm. Situated at Mouje
Satara, Taluka - Bbusawal, Dist. - Jalgaon.**

I refer to you on your oral requesting to me for furnish non encumbrances and certify and submit the Title cum Opinion Report about the clear and markateble title to the above property to be mortgaged for securing the credit facillity(s) granted/proposed to be granted to Applicant/Borrower.

1) Deseriptiou aud Area of the property proposed to be mortgaged Speeify number(s) aud address of property along with boundaries aud measurements. : - Out of Reg Division - Jalgaon Sub -Division Bhusawal, of Bhusawal City within the limit of Municipal Council, Bhusawal Survey No. 78/1B Plot No. 2 area 442 - 00 Sqm.

अॅड.राजेश जे.शर्मा

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This property is hounded as under :-

- On or towards East - 24 Meter Wide Road
On or towards West - Road & Open Space
On or towards North - Plot No.1
On or towards South - Plot No. 3

2) **Nature of property** (Whether Agriculture, Non Agricultural, Commercial, residential, or Industrial).If Non Agriculture, the reference & date of conversion order from the competent authority should also be mentioned. :- Collector, Jalgaon have granted the permission for residential purpose vide order No. Land/3/28/SR/26/2011 dtd 06/09/2011. This has recorded in revenue record vide M.E. No. 10071 dated 13/09/2011.

3) **Name of Mortgagor/Owner** and status in the Account i.e. borrower or guarantor and whether Individual, sole Proprietor, Partner, Director, karta, or Trustee. In case the mortgagor is Partner/Director/ Trustee who is mortgaging the property on behalf of Partnership/company /Trust. whether he/she has the authority copy of the Resolution/Memorandum & Articles of Association/Trust of Deed etc. Whether examined and verified.

Applicant & Owner :- **Sau. Rajui Prakash Attardc,**
R/o. Kamal Villa,
Nr.Swami Samarth Kendra,
Ganesh Colony, Jalgaon.

4) Whether any minor, lunatic or undischarged insolvent is involved confirm that the Mortgagor has sufficient capacity to contract Precautionary steps to be taken :- **Not applicable .**

5) Whether the property is freehold or leasehold .If Leasehold then period of Lease, and if freehold Whether urban Land Ceiling Act applies and permission to be ob-

tained. : - Freehold & Not Applicable to Urban Land Ceiling Act 2002.

6) Source of property i.e. self acquired or Ancestral. If Ancestral then mode of succession and Whether original will/Probate is available. : - Self Acquired property of applicant

7) Whether the mortgagor is Co-owner/Joint Owner and/or any partition of the property is made between the members of the family through partition deed. If yes Whether original Registered partition deed is available or it is only a family settlement. : - Self Acquired property of applicant & Partition is not Applicable.

8) Whether the mortgagor is in exclusively possession of the property or it is leased/rented out to third property. : - As per documents shows that the owner has having exclusive possession & there is no leased/ rented out to third property.

9) Whether the property is mutated in municipal/ revenue records and Mortgagor's name is reflecting and if not, the reason there of. : - As per documents shows that the property is mutated in revenue records and same as Mortgagor's name is reflecting in 7/12 Extract.

10) Whether any restriction for creation of mortgage is imposed under Central/State/Local Laws . If yes then specify whose consent or permission would be required for creation of mortgage. : - **Not Applicable**

11) Whether all the Original Title Deeds including antecedents. Title Deeds and other relevant documents are available please give detailed list. : -

1) 7/12 Extraet 2) 6 D Extraet 3) Copy of Sale Deed 4) Copy of Registered Land Development Agreement &

Power of Attorney.

12) Whether the Advocate has personally visited the Sub-registrar/Revenue/Municipal Office and examined the records. : - Yes, Advocate has personally visited the Sub-registrar/Revenue and not in Municipal Office and examined the records .

13) whether the search is being made for the period of 30 years along with the observation. If No, reason thereof. : - YES.

14) Details of documents examined/scrutnized (This should be in chronological order with serial numbers type/ nature of documents, date of execution, parties, date of registration details including the details of revenue/society, record etc.) (Advocate should verify original title deeds including chain of antecedent title deeds invariably). : - Documents studied/Scrutinised - Revenue Record extracts i.e. 7/12 extracts , 6-D extracts Copy of Sale Deed, Copy of Registered Land Development Agreement & Power of Attorney.

15) **Tracing of chain of title in favonr of the Mortgagor/Owuer startiug from the earliest document available. The uature of docnment/Deed couveying the title should be meutioned with description of parties along with the type of right it ereates.** : - That the record shows that Survey No. 78/1B area 1 H . 99 R + 0 H 62 R on the name of Narayan Tikaram Patil and he was died on 27/03/1958 so this property recorded in the name of his wife Mainabai Narayan Patil as a Family karta.

On 15/12/1990 Mainabai Narayan Patil has applied an application to Talathi Satore, requesting him to that her son has becoming major so there name has to be insert in the record of rights. As per application the name of 4

अॅड.राजेश जे.शर्मा

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sons i.e. 1. Ramesh Narayan Patil 2. Pandri Narayan Patil 3. Tulshiram Narayan Patil 4. Gopal Narayan Patil of Mainabai enter into the record vide mutation entry No.3669 and this has been confirmed by Circle Officer Bhusawal on 31.12.1990 .

Mainabai Narayan Patil expired on 23/05/1994 hence her legal heirs i.e 1. Ramesh Narayan Patil 2. Pandri Narayan Patil 3. Tulshiram Narayan patil 4. Gopal Narayan Patil (Son) 5. Sau. Shantabai Sakharam Sarode 6. Sau.Kumudini Purshottam Chaudhary (Daughter) has recorded in revenue record vide M.E.No. 4263 dtd 07/07/1994 . This has confirmed by Circle Officer on 28/7/1994.

After that Sau.Shantabai Sakharam Sarode & Sau.Kumudini Purshottam Chaudhary has been surrender their rights in the property i.e. Gat No.78/1B Total area 1H 99 R + 0 H 62 R in favour of 1. Ramesh Narayan Patil 2. Pandri Narayan Patil 3. Gopal Narayan Patil by the way of Reg. Release deed No.2609 dated 19/09/1994 this has been recorded in revenue record vide M.E.No. 4306 dtd 10/11/1994 . This has confirmed by Circle Officer on 16/1/1995.

Gopal Narayan Patil expired on 04/03/1997 hence his legal heirs i.e 1. Savita Gopal Patil (Wife) 2. Vaishali Gopal Patil 3. Kamini Gopal Patil 4. Poonam Gopal Patil (Daughter) this has been recorded in revenue record vide M.E.No. 4646 dtd 11/03/1997. This has confirmed by Circle Officer on 28/03/1997.

Savita Gopal Patil expired on 21/09/2007 hence her legal heirs i.e 1. Vaishali Gopal Patil 2. Kamini Gopal Patil 3. Poonam Gopal Patil (Daughter) this has been recorded in revenue record vide M.E.No. 8243 dtd 11/12/2007. This has confirmed by Circle Officer on 21/12/2007.

Tulshiram Narayan Patil expired on 13/11/2009 hence his legal heirs i.e 1. Mangla Tulshiram Patil (Wife) 2. Pallavi

Prashant Patil 3. Hemlata Vinayak Patil (Daughter) & 4. Sandip Tulshiram Patil (Son) this has been recorded in revenue record vide M.E.No. 9059 dtd 07/12/2009. This has confirmed by Circle Officer on 31/12/2009.

After that total area 1H 99 R + 0H 62 R out of this area 0 H 49 -75 + H. 0 - 15.5, Total area 0- 65 - 25 R. of survey no. Gat No. 78/1B have sold by Ramesh Narayan Patil to Shri. Chandrashekhar Prakash Attarde, Sau. Madhuri Chandrashekhar Attarde, Prakash Hari Attarde, Sau. Rajni Prakash Attarde, Sau. Prabhavati Narendra Patil, Sau. Kalpana Atmaram Dhake, Atul Govinda Baheti, Vandana Vikash Kale by the way of registered sale deed 1698 dtd. 23/03/2011.

This has effected in revenue record vide M.E. No. 9806 dt. 23/03/2011. This has confirmed by Circle Officer on 15/04/2011.

Shri. Chandrashekhar Prakash Attarde & Others have applied for N.A. permission Accordingly collector Jalgaon has granted the permission vide order No. Land//3/28/SR/26/2011 dtd 06/09/2011. with the term & conditions laid down therein.

They have demarcated total 1 to 110 plots & the lay out has been sanctioned by Town Planing officer, Jagaon vide letter No. 2206 dtd. 26/08/2011 The necessary entry has made in revenue record vide M.E. No. 10071 dtd. 06/09/2011. This has confirmed by Circle Officer on 13/09/2011.

After that Shri. Chandrashekhar Prakash Attarde & Others have applied to Talathi Satore to divide there plots No. 1 to 110 as per application given by them, plot no. 2 total area 442 -00 Sq.M. & Plot No. 70 to 84 comes in the name of Sau. Rajani Prakash Attarde.

The necessary entry has made in revenue record vide

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M.E. No. 10102 dtd. 15/09/2011. This has confirmed by Circle Officer on 30/09/2011.

Sau. Rajani Prakash Attarde has obtained the building construction permission from the Municipal council Bhusawal. The Chief officer, Bhusawal municipal council, order No. Construction permission No. 233 dtd. 24.02.2015 As per terms and conditions laid down in order issued by municipal council Bhusawal.

Shri. Chandrashekhar Prakash Attarde & Sau. Rajani Prakash Attarde have taken loan from State Bank of India, branch MIDC Jalgaon amounting to Rs. 4,60,00,000/- by the mortgaging the property i.e Plot No. 1 & 2 of same Survey No. by registration No. 221/12 dtd. 19/01/2012. this has effected in revenue record vide M.E. No. 11233 dtd. 29/08/2013. This has confirmed by Circle Officer on 19/09/2013.

Shri. Chandrashekhar Prakash Attarde & Sau. Rajani Prakash Attarde has mortgaged another property to secure the loan amount of Rs 460,00,000/- so the State bank of India has Registered reconveyance deed of mortgage of above property on 03.05.2017 on Sr.No.1354/17.

As such the necessary entry has been made in revenue record vide M.E.No. 13030.

The applicant has also produce to me the registered Land Development Agreement & Power of Attorney registered on 24/05/2017 on Sr. 1881/17 in respect of plot no 2 of survey No. 78/1B Situated at mouje satara Taluka Bhusawal between Sau. Rajani Prakash Attarde (land owner) & Shri. Ravindra Supdu Pawar. (land developer & Power of Attorney Holder)

The above mentioned property is owned and Possessed by **Sau. Rajni Prakash Attarde**, Present title holder and Further record Shows that Said Property is free from any

encumbrance and dues.

16) Whether there is any doubt/suspicion about the genuineness of the original documents.If yes, then specify.:-
No Doubt.

17) The final certificate of the advocate confirming that title of the property to be mortgaged is examined by him and the same is/ are clear and marketable.:- **YES.**

18) List of documents to be deposited for creation of mortgage by the Mortgagor including any additional document required in addition to the documents available. :- 1) eopy of 7/12 Extraet 2) eopy 6 D Extraet 3) Copy of Registered Land Development Agreement & Power of Attorney registered on 24/05/2017 on Sr. 1881/17 between Sau. Rajani Prakash Attarde (land owner) & Shri. Ravindra Supdu Pawar. (land developer & Power of Attorney Holder)

19) Whether any additional formalities to be completed by the proposed mortgagor If yes , state specifically in case of flat(s) / Property (s) in Co-op Societies whether allotment letter, possession letter, share certificate, affidavit, Power of Attorney etc is required. :-

Not Applicable.

20) Whether the property is enforceable under SARFAESI Act 2002, with reason. :- Yes i.e. As per SARFIESI ACT. 2002. in defination the borrower & property is applicable in said act.

21) Final Opinion :- After perused of documents made available to me and search of Index II mentined property taken from the office of Sub-Registrar, Bhusawal for the period from 1988 to 2017 till date. I am of opinion that title of **Sau. Rajui Prakash Attarde**, as a owner over the above mentioned property is clean & clear without any encumbrance and dues.

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That Applicant has acquired clean & clear title after purchase of mentioned property from title holder

Property Can be mortgage by equitable mortgage.

Receipt No. 4402 Application No. 1370

dated : - 28/07/2017

Rs. 750/- Paid for Search
in sub Register Office,
Bhusawal.


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(Adv. Rajesh J. Sharma)