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To,
The Chairperson,
Maharashtra Real Estate Regulatory Authority,

Date 10.09.2018

SUB: LEGAL SCRUTINY REPORT (LSR) IN RESPECT OF THE PROPERTY BELONGING TO PURUSHOTTAM LUNKARANJI MALANI

Name of the Applicant : Purushottam Lunkaranji Malani Akola

Sir,

In connection with above, I, Anand O. Gode Advocate do hereby submit my report as under: -

1.	a) Name of the Landlord.		Purushottam Lunkaranji Malani
2.	Complete or full description of the immovable property/ Including the following details.		
	(a) Survey No.		Field S. No. 29/1, Layout plot Nos. 16 to 27 total plots after amalgamation - numbered as 29/1/1-A
	(b) Door/House no. (in case of house property)		Amalgamated plot No. 29/11/A
	(c) Extent/ area including plinth/ built up area in case of house property.		Total area of plot 1967 Sq. Mtr.
	(d) Locations like name of the place, village, city, registration, sub-district etc. Boundaries.		Anand Vatika, Row Housing Scheme, Mangrulpir Road, Mouje Chandur. Within the limits of Gram Panchayat Chandur
	(e) Boundaries		East- Layout Road, West- Layout Road, North- Layout Road, South- Layout Road.
3.	a)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 or certified extracts fromthe registering /land/ revenue/ other authorities be examined.		
	Sr. No. / Date, Name/ Nature of the document	Original/ certified copy/ certified extract photocopy, etc.	In case of copies, whether the original was scrutinized by the Adv.
	01 / Sale deed bearing No. 4354 dated 30.12.2013 in respect of Layout Plot Nos. 16, 17, 26 & 27 in favour of Shri Purushottam Lunkaranji Malani	Certified Copy	The property in question mortgages and original documents are in the custody of Akola Janata Commercial Co-op. Bank Ltd. Branch Gorakshan Road, Akola
	02 / Sale deed bearing No. 4359 dated 30.12.2013 in respect of Layout Plot Nos. 18, 19, 20, 21, 22, 23, 24 & 25 in favour of Shri Purushottam Lunkaranji Malani	Certified Copy	As above

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	03.	Record of right ie. 7/12 extracts dated 27.08.2018 in favour of present owner Purushottam Malani regarding Amalgamated Layout plot Nos. 16 to 27	Certified Copy	Not Applicable
	04	Deed of Declaration bearing No. 1596 dated 05.09.2018 executed by Shri Purushottam Lunkaranji Malani.	Original	Original Verified
	05	NA order in Rev. Case No. NAP-34 /Chandur/89/2002-2003 decided on 01.03.2004 with approved layout plan.	Photo Copy	Not Applicable
	06	Permission for Amalgamation of Layout Plot No. 16 to 27 granted by Town Planning Authority Akola in Case No. Chandur/620 decided on 04.05.2016	Original	Original verified.
	07	Permission for Amalgamation of Layout Plot No. 16 to 27 granted by SDO Akola in Rev. Case No. MRC-81/Chandur/98/2015-16 decided on 04.07.2016	Original	Original verified.
	08	Permission of Construction up to plinth level granted by Collector Akola in Case No. MRC-81/Chandur /40/2016-17 decided on 21.02.2017	Original	Original verified.
	09	Permission for further construction granted by Collector Akola dated 07.11.2017	Original	Original verified.
	10	Mutation entries which establishes flow of title more than 13 years.	Photo Copy	Not Applicable
4.	Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the Landlord? (Also enclosed all such certified copies & relevant fee receipts along with TIR)			Yes. Certified Copy obtained from Sub-Registrar Akola.
	b) i) Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's office have been verified page by page with the original documents submitted?			No original title deed not available as the property in question mortgages with The Akola Janata Commercial Co-op. Bank Ltd.
	b) ii) Where the certified copies of the title documents are not available, the copy provided should be compared with the original to ascertain whether the total page numbers in the copy tally page by page with the original produced.			Original not available but photo copy provided by party tally page by page with the certified Copy.
5.	a) Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system?			Yes. Index II is verified. Property card is verified.
	b) If such online/computer records are available, whether any verification or cross checking are made and the comments / findings in this regard.			The online / computerized information matches with the documents produced before me.
	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?			Not Applicable. The stamp duty is paid by franking.

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6.	a) Property offered as security falls within the jurisdiction of which sub-registrar office?	Sub-Registrar, Akola.
	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?	Yes. Sub-Registrar, Akola No. 1, 2, 3
	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 property in question?	Yes, mortgage deed in respect of layout Plot No. 16 to 27 prior to amalgamation with The Akola Janata Commercial Co-op. Bank Branch Gorakshan Road Akola
7.	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.	Flow of title duly established. There is no interest of minor in the property in question.
8.	Nature of Title of the party over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee/Allottee etc.)	Purushottam Lunkaranji Malani having ownership rights of the property.
9.	In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/ permission obtained.	Yes. The land is duly converted for N.A. i.e. residential
10.	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, Costal Zone Regulations, Environmental Clearance, etc.)	No.
11.	(a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	Not ascertained from the documents placed before me.
12.	The property is a Row Housing Scheme hence comment on the following:	
	(a) Promoter's/Land owner's title to the land/ building;	Absolute ownership
	(b)Extent of authority of developer builder	Full as owner
	(c) Payment of proper stamp duty;	Yes on registered documents
	(d) Approval of building plan, permission of appropriate/ local authority, etc.;	Plan of Construction approved Collector Akola
	(e) All legal requirements under the The Real Estate (Regulation and Development Act, 2016 with Maharashtra Rules & Regulations, 2017.	Yes, parking area not specifically mention in Deed of Declaration. Benefits of RERA for home buyers not mention/ Declared in Deed of Declaration.
	(q) Whether numbering pattern of units/ Row House tally in all documents such as approved plan, agreement plan, etc.	Numbers not mention in sanction plan.
13.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	The property in question mortgages with The Akola Janata Commercial Co. Op. Bank. Ltd. Akola
14.	Details regarding property tax or land revenue	Municipal taxes paid by the party up to date.

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15.	Details of RTC extracts/mutation extracts/Khatha extracts pertaining to the property in question.	Name of the present owner duly mutated in revenue record. Previous accounts regarding Layout Plot Nos. 16 to 27 also closed.
16.	Whether the name of present owner is reflected as owner in the revenue/ Municipal/ Village records?	Yes
17.	(a) Whether the property is clearly demarcated? (b) Whether property has clear access as per documents? **(The property should be legally accessible through normal carriers to transport goods to factories / houses, as the case may be).**	Yes.
18.	Whether the property can be identified from the following documents, and discrepancy/ 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.	Party concerned be directed to produce the necessary documents.
19	**Property is SARFAESI compliant (Y/N)**	**YES.**
20.	Additional aspects relevant for investigation of title as per local laws.	Benefits of RERA for home buyers not Declared in Deed of Declaration. It is also not declared in DOD that, The buyer will have to pay only on the basis of carpet area (area within walls). The builder cannot charge them for the super built-up area (lift, balcony, stairs and lobby) Builder should be declared that, 70% amount after receiving from the allotee of said project he should be deposit in designated separate account and he will be entitled to withdraw the said amount proportionate to the progress in the Real Estate Project. He should be affirm that, he will obtains requisite certificates from the project Architect, Engineer and practicing Chartered accountant for withdrawal of amount.
21.	The specific persons who are required for registration of project under RERA	Purushottam Lunkaranji Malani
22.	**Whether the Project comes under Real Estate (Regulation and Development) Act, 2016?Y/N.**	Yes

Akola
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FLOW OF TITLE

So far as the flow of title of property is concerned. It appears from the revenue record that

a) Initially prior to the considered period admeasuring 1.82 Hector agricultural land out of the field S. No. 29 of Chandur in question is owned and possessed by Shri Devidas Haribhau Bodade. He has sold his share to Shri Ajit Pravinlal Gujrathi by registered sale deed bearing No. 1873 dated 13.05.2002 for a valuable consideration of Rs. 2,00,000/- only. This entry duly mutated in revenue record vides mutation entry No. 2648 dated 27.08.2002.

b) Thereafter Shri Ajit Pravinlal Gujrathi has sold said land to Sau. Nootan Rajendra Patani by registered sale deed bearing No. 2915 dated 15.07.2002 for a valuable consideration of Rs. 2,20,000/- only. This entry duly mutated in revenue record vides mutation entry No. 2649 dated 27.08.2002. Revenue record further indicates that, Sau. Nootan Rajendra Patani had applied for conversion of agricultural land into non-agricultural use, i.e. for residential purposes and sought the permission from the then S.D.O. Akola in Rev. Case No. NAP-34/Chandur/ 89/2003-2004 decided on 01.03.2004 with sanctioned layout map of 59 layout plots. This entry of NA order duly mutated in revenue record vide mutation entry No. 184 dated 24.05.2004.

c) Thereafter, Dilip Devichandji Choudhary share 40%, Shri Prushottam Lunkaranji Malani Share 30 % and Shri Ajay Tulshiramji Rathi share 30 % purchased the total layout plot Nos. 1 to 59 out of field S. No. 29/1, by registered sale deed vide document No. 6128 dated 08.12.2011 for a consideration of Rs. 29,53,002/- only from Sau. Nootan Rajendra Patani. This entry duly mutated in revenue record.

d) Thereafter Shri Dilip Devichandji Choudhary share 40%, Shri Prushottam Lunkaranji Malani Share 30 % and Shri Ajay Tulshiramji Rathi share 30 % has sold layout plot No. 16, 17, 26 & 27 out of field S. No. 29/1 which was converted in Rev. Case No. NAP-34/Chandur/89/2003-2004 decided on 01.03.2004 by executing registered sale deed bearing No. 4354 dated 30.12.2013 in favour of Shri Purushottam Lunkaranji Malani for a valuable consideration of Rs. 3,60,000/- only. On very same day they again sold layout plot Nos. 18 to 25 out of field S. No. 29/1 which was converted in Rev. Case No. NAP-34/Chandur/89/2003-2004 decided on 01.03.2004 by executing registered sale deed bearing No. 4359 dated 30.12.2013 in favour of Shri Purushottam Lunkaranji Malani for a valuable consideration of Rs. 6,74,000/- only. This entry duly mutated in revenue record.

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e) Shri Prushottam Lunkaranji Malani became the absolute owner of the layout plot Nos. 16, 17 18 19, 20, 21, 22, 23, 24, 25, 26 & 27 total 12 plots admeasuring total area 1967 Sq. Mtrs. by virtue of above two sale deeds thereafter he had mortgages the total layout plot Nos. 16 to 27 out of field S. No. 29/1 with The Akola Janata Commercial Co-op. Bank Ltd. Akola, by registered mortgage deed dated 11.01.2016 for a consideration of Rs. 41,00,000/- only.

f) Thereafter Purushottam Lunkaranji Malani applied before SDO Akola for amalgamations of Layout Plot Nos. 16 to 27 said case registered as Rev. Case No. MRC-81/Chandur/98/2015-16 decided on 04.07.2016. As per said order Layout plot No. 16 to 27 amalgamated having measuring area 1967.40 Sq. Mtr. and said area numbered as 29/1/1-A.

g) Shri Purushottam Lunkaranji Malani decides to develop the amalgamated layout plot Nos. 16 to 27 admeasuring 1967.40 therefore he had applied before Collector Akola and sought the permission for construction of Duplexes and started construction as per approved plan dated 21.02.2017 and permission granted by Hon'ble Collector, Akola. He completed construction of Duplexes up to plinth level and sought the certificate from Town Planning authority for completion construction up to plinth level as per plan of construction approved and permission granted by Collector Akola. Thereafter he had obtained permission from Hon'ble collector Akola for further construction as per Namuna 8 Appendix XV dated 07.11.2017.

h) As order of Hon'ble SDO Akola for amalgamation of layout plot Nos. 16, 17 18 19, 20, 21, 22, 23, 24, 25, 26 & 27 total 12 plots admeasuring total area 1967 Sq. Mtrs. all folders/ Record of Rights of said plots are closed. This entry duly mutated in revenue record vides mutation entry No. 5997. At the same time new folder/ Record of right prepared for amalgamated plot No. 29/1/1-A admeasuring total area 1967 Sq. Mtrs. This entry duly mutated in revenue record vides mutation entry No. 5998. Name of the present owner duly mutated in revenue record and as such, the entire link in the flow of title of property has been duly established and all the legal formalities have been duly complied with.

Akola
Date 10.09.2018

(Anand O. Gode)
Advocate

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CERTIFICATE OF TITLE

I have examined the Certified copy of title deeds in favour of Purushottam Lunkaranji Malani relating to the scheduled property are referred to in the Opinion are valid evidence of Right, title and interest over the property and it will satisfy the requirements of title of absolute ownership of the property and I further certify that:

2) I have examined the documents in detail taking into account all the genuineness and other relevant factors.

3) I confirm having made a search in the land/ revenue records. I also confirm having verified and checked the records of the relevant Government offices, Sub-Registrar offices, Revenue Records. I do not find anything adverse, which would prevent the Title Holder from his ownership subject to charge of The Akola Janata Commercial Co-op. Bank. Ltd. Akola.

4) Following scrutiny of land record / Revenue records and relative Title Deeds certified copies of such title deeds obtained from the concerned registrar office, I hereby certify the genuineness of the Title Deeds. Suspicious/Doubts if any, has been clarified by making necessary inquiries.

5) There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from Year 2005 to 2018 pertaining to the immovable Property covered by above said Title Deeds except the mortgage of The Akola Janata Commercial Co-op. Bank. Ltd. Akola, the property is free from all Encumbrances.

7) I certify that Purushottam Lunkaranji Malani having the absolute, clear and marketable title over the schedule property subject to charge of The Akola Janata Commercial Co-op. Bank. Ltd. Akola. There are no legal impediments under any applicable Law/Rules in force for registration of project under RERA.

SCHEDULE OF THE PROPERTY

Layout Plot Nos. 16, 17 18 19, 20, 21, 22, 23, 24, 25, 26 & 27 total 12 plots, Admeasuring Total area of plots 1967.40 Sq. Mtr. Amalgamated Plot No. 29/1/1-A converted in Rev. Case No. NAP-34/Chandur/ 89/ 2003-2004 decided on 01.03.2004 out of field S. No. 29/1, Mouje Chandur within the limits of Gram Panchayat Chandur, Amalgamation of plots done in Rev. Case No. MRC-81/Chandur/98/2015-16 decided on 04.07.2016 and scheme of Duplexes to be constructed thereon, more popularly known as Anand Vatika, Chandur Tq. & Dist. Akola.

Which is bounded by –

To the East	-	6 Mtr. wide Layout Road,
To the West	-	6 Mtr. wide Layout Road,
To the North	-	9 Mtr. wide Layout Road,
To the South	-	9 Mtr wide Layout Road.

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