

Adv. Tushar S. Patil

B.S.L., LL.B.

Office :- Behind civil court, kulkarni plot Bhusawal

M.no.9822514121 Resi-02582-225658, 225856.

Date :- 06/01/2018

-: SEARCH CUM TITLE REPORT :-

Annexure - B

Report of Investigation of Title in respect of immovable property

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 document tendered for security are forwarded.	Date - / /
	c) Name of the Borrower	Shri. Sumit Mahendra Chordiya Propa. Nakoda Constuction R/o. Shanti Sadan Balaji Galli, Bhusawla Tal - Bhusawal Dist Jalgaon 425201
2.	a) Name of the unit/ concern/company/person offering the property/(ies) as security.	Shri. Sumit Mahendra Chordiya Propa. Nakoda Constuction R/o. Shanti Sadan Balaji Galli, Bhusawla Tal - Bhusawal Dist Jalgaon 425201
	b) Constitution of the unit/ concern/person/ body Authority offering the property for creation of	Shri. Sumit Mahendra Chordiya Propa. Nakoda



	charge.	Constuction R/o, Shanti Sadan Balaji Galli,Bhusawla Tal -Bhusawal Dist Jalgaon 425201
	c) State as to under what capacity is security offered (Whether as joint applicant or borrower or as guarantor, etc)	Under the sale Deed by owner of the said property.
3.	Complete or full description of the immovable property/(ies) offered as security including the following details.	Shri. Sumit Mahendra Chordiya Propa. Nakoda Constuction R/o. Shanti Sadan Balaji Galli,Bhusawla Tal -Bhusawal Dist Jalgaon 425201
	a) Survey no.	Survey No. 198/A of Bhusawal shivar, Tal Bhusawal Dist jalgaon
	b)Door/House no. (in case of house property)	Plot No. 16 + 17 of adm. 487.77 sq.m. of Bhusawal shivar, Tal Bhusawal Dist jalgaon
	c) Extent/area including plinth/built up area in case of house property.	New constrution



	d) Location like name of the place village city registration sub-district etc. Boundaries			Sub-Registration Office Survey No. 198/ A of Bhusawal shivar Tal. bhusawal East- 9.00 mtr wide road West- Plot no. 18 North- Plot no. 20 & 21 South- 9.00 mtr wide road
4.	a) Particulars of the documents scrutinized serially and chronologically. Note:- Only original or certified extracts from the registering/land/revenue/other authorities be examined.			
Sr no	Date	Name/ Name of the document	Original certified copy/certified extract/Photocopy etc.	In case of copies, Whether the original was scrutinized by the Advocate.
a)	17/07/1991	Mutation Entry no. 16322	Certified copy of Non-Agricultural mutation entry	The Collector of Jalgaon district was pleased to Grant Non Agricultural permission for Residential purpose to land of Survey No. 198/A adm. 1 Hecter 19 R of Bhusawal shivar, Tal Bhusawal, its owned, possessed and held by Shri. Ramdas Keshav Patil & others on terms and conditions mentioned in Collector Jalgaon Order no. Land/1091/



				S.R./ 860 /Jalgaon on the dated 17/07/1991. Therefore Plot No. 16 adm. 246.06 and Plot No. 17 adm. 246.06 came into existence and Plot No. 16 adm. 246.06 and Plot No. 17 adm. 246.06 by this order. Hence M. E. No. was effected in the records of rights and this entry duly certified by Circle Officer kandari Tal Bhusawal.
b)	28/01/1993	Mutation entry no.17828	Certified copy	Kamaljit Kaur Mahendra paising Anand purchased Plot No. 16 of adm. 246.06 Sq.m. of survey no. 198/a of Bhusawal shivar, Tal Bhusawal from Ghyansham Shivram Chaudhari, Kisan Fakira Sapkale, Girdhar Lalaji Waghulade, Ramdas keshav Patil, Ananda Kisan Patil, Shantabai Premchand chaudhari through General power of Attorney for the consideration of Rs. 14800/- on dated 24/ 11/ 1992 by Regi. Sale deed no. 869. Hence M. E. No. 17828 was effected in the records of rights and this entry duly certified by Circle officer bhusawal on dated 26/02/1993.



c)	29/01/1993	Mutation entry no.17830	Certified copy	Guruvindarkaur Manmohan sing Anand purchased Plot No. 17 of adm. 246.06 Sq.m. of survey no. 198/a of Bhusawal shivar, Tal Bhusawal from Ghyansham Shivram Chaudhari, Kisan Fakira Sapkale, Girdhar Lalaji Waghulade, Ramdas keshav Patil, Ananda Kisan Patil, Shantabai Premchand chaudhari through General power of Attorney for the consideration of Rs. 14800/- on dated 24/ 11/ 1992 by Regi. Sale deed no.871. Hence M. E. No. 17830 was effected in the records of rights and this entry duly certified by Circle officer bhusawal on dated 26/02/1993.
d)	15/10/2015	Mutation entry no.55903	Certified copy	As per the order of Sub divisional officer Bhusawal Division bhusawal bearing no. Consolidation / Kawi/ 408 /2015 dated 30/09/2015 the plot no16 & 17 of survey no. 198/A and adm. 246.06 sq.m & 246.06 sq.m = total adm. 487.77 sq.m. were consolidated together on terms and conditions mentioned in that order. Hence new Survey No. 198/A of this plot no



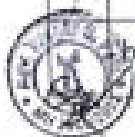
				16+17 total area adm. 487.77 sq.m. came into existence. Hence M. E. No. 55903 was effected in the records of rights and this entry duly certified by Circle Officer Bhusawal on dated 30/09/2015. By this virtue of this mutation Guruvindarkaur Manmohansing Anand, Kamaljit Kaur Mahendra palsing Anand become absolute owner, possessor and holders of this duly described property and their names are entered in the collomn of Holder's Name of 712 extract of the property.
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e)	31/12/2015	Mutation entry no.56381	Certified copy	Shri. Sumit Mahendra Chordiya purchased plot no 16+17 total area adm. 487.77 sq.m. of survey no. 198/ A of Bhusawal shivar, Tal Bhusawal from Guruvindar kaur Manmohansing Anand & Kamaljit Kaur Mahendra pulsing Anand for the consideration of Rs. 877000/- on dated 31/ 12/ 2015 by Regi. Sale no.6780. Hence M. E. No. 56381 was effected in the records of rights and this entry duly certified by Circul officer Bhusawal.
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 mortgage? (Please also enclosed all such certified copies and relevant fee receipt along with the TIR)			.....
6.	a) Whether the recors of registrar office or revenue authorities relevant of the property in question are available for verification though any on line portal computer system?			Only 7/12 extract
	b) if such online/computer records are available whether any verification or cross checking are made and the comments/findings in this regards			Only 7/12 extract



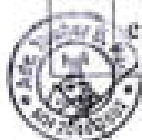
	c) whether the genuineness of the stamp is possible to be got verified from any portal if so whether such verification was made?	.....
7.	a) Property offered as security falls within the jurisdiction of which sub-registrar office?	Bhusawal Sub-Register office
	b) Whether it is possible to have registration of documents in respect of the property in question at more than one office of Sub-registrar district registrar general if so please name all such offices?	Bhusawal Sub-Register office
	c) Whether search has been made at all the offices named at (b) above?	Bhusawal Sub-Register office
	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?	.....
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 whether Minor's Interest or other clog on title in involved search should be made for a further depending on the need for clearance of such clog on the Title.	Not applicable
9.	Nature of title of the intended Mortgage over the property (whether full ownership, rights, leasehold Right, Occupancy/Possessory Rights or Inam Holder or Govt. Grantee/Allottee etc.)	Full ownership rights.
10	If lease holder whether,	
	a) lease Deed is duly stamped and registered	.....
	b) lessee is permitted to mortgage the Leasehold	.....



	right.	
	c) duration of the Lease/unexpired period of lease,	.....
	d) if a sub-lease check the deed in favour of lease as to whether lease deed permits sub-registrar and mortgage by Sub-Lessee also.	.....
	e) whether the leasehold rights permits for the creation of any superstuction (if applicable)	.....
	f) right to gate renewal of the leasehold rights and nature thereof.	.....
11	If Govt.grant/allotment/lease cum/Sale agreement, Whether,	No
	Grant agreement etc.provides for alienable rights of the mortgagor with or without conditions.	Yes
	The mortgagor is compentent to creat,charge on such property.	Yes
	Whether any permission from Govt or any other authority is required for creation or mortgage and if so whether such valid permission is available	No
12	If occupancy right, whether	.....
	a) such right is heritable and transferable	Self acquire property
	b) mortgage can be created	Yes
13	Nature of minor's interest if any land of so, whether creation of mortgage could be possible,the modalities/procedure to be followed including court permission to be obtained and the reason for coming to such conclusion.	No
14	If the property has been transferred by way of Gift/Settlement Deed, whether	No
	The Gift/Settlement Deed is duly stamped and	.....



	registered.	
	b) The Gift/Settlement Deed has been attested by two witness.	.....
	c) The Gift/Settlement Deed transfers the property to Donee.	.....
	d) Whether the donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by action.	.....
	e) whether there is any restriction on the Donor in execution the Gift/Settlement Deed in question.	.....
	f) whether the is in possession of the gifted property.	.....
	g) whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of mortgage.	.....
	h) Any other aspect affecting the validity of the title passed through the gift/settlement deed	.....
15	a) In case of portion/family settlement deed. Whether the original deed is available for deposit. If not the modality/ procedure to be followed to create a valid and enforceable mortgage.	No
	b) Whether mutation has been effected and whether the mortgagor is in possession and enjoying of his share.	.....
	c) whether the partition made is valid in law and the mortgagor has acquired a mortgageable title thereon	.....
	d) In respect of partition by a decree of court, whether such decree has become final and all other condition/formalities are completed complied with	.....
	e) whether any of the documents in question are	.....



	executed in counterparts or in more than one set? If so additional precautions to be taken for avoiding mortgages?	
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 too 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 /original title deeds are to be explained)	.....
17	a) whether the property is subject to any wakf rights?	No
	b) whether the property belongs to church/temple or any religious/other institutions having any restriction in creation of charges such properties?	.....
	c) Precautions/permission.If any in respect of the above cases for creation of mortgage?	.....



18	a) whether the property is a FUF/ joint family property.mortgage is created for family benefit/legal necessity.Whether the major coparceners have no objection/join in execution. Minor' share any,right of female members etc.	No
	b)Please also comment on any other aspect which may adversely affect the validity of security in such cases?	.....
19	a) Whether the property belongs to any trust or is subject to the right of any trust?	No
	b) Whether 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
20	a) If the property is Agricultural land.whether the local laws permit mortgage of Agricultural land and whether there are any restriction for creation/enforcement of mortgage.	.....
	b) in case of agriculture 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 Agriculture land for commercial purpose of otherwise, whether requisite procedure followed/permission obtained.	.....
21	Whether the property is affected by any local laws or other regulations having a bearing on the creation	No



	security (viz Agricultural Law, weaker Sections, minorities, Land Laws, SEZ regulations, coastal Zone Regulations, Environmental Clearance, etc.)	
22	a) Whether the property is subject to any pending or proposed land acquisition proceedings.?	No
	b) Whether any search/enquiry is made with the Land Acquisition office and the outcome of such search/enquiry	.....
23	a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No
	b) If so whether such litigation would adversely affect the creation of the valid mortgage or have any implication of its future enforcement?	No As per the say of applicant/ borrower
	c) Whether the title document have any court seal/marketing which point out any litigation/attachment/security to court in respect of the property in question? In such case please comment on such seal/marketing	.....
24	a) In case of partnership firm, whether the property belong to the firm and the deed is properly registered.	No
	b) Property belong to partner, whether thrown hotchposts, whether formalities for the same have been complied as per applicable law?	.....
	c) Whether the persons creating mortgage has/have authority to create mortgage for and on behalf of the firm	.....
25	Whether the property belongs to a limited company, check the borrowing power, Board resolution, authorization to create mortgage/execution	No



	of documents,Registration of any prior charge with the Company Registrar (ROC),article of Association/provision for seal etc.	
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 involved is one chain of title?	No
	b) Whether the POA involved in one couple 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 and interest in favour of the builder/developer ans as such is irrevocable as per law.	.....
	c)In case the title document is executed by the POA holder,please clarify the POA involved is (i) one executed by the Builder viz Companies Firms/Individual or proprietary Concerns in favour of there partner/employee/authorized representative to sign flat allotment letter, NOC's Agreement of seal,sale deedetc. in favour of buyers of flats/units (bulide POA) or (ii) other POA (common POA)	.....
	d) In case of builders whether a certified copy of POA is available and the same has been verified/compared with the original POA.	.....
	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? 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 documents in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	.....
	g) Please comment of the genuineness of POA?	.....
	h) The unequivocal opinion on the enforceability and validity of the POA?	.....
28	Whether mortgage is being create by a POA holder,check genuineness of the power attorney and the extend of the powers given there in and whether the same is properly executed/stamped/authenticated in terms of the law of the place where it id executed.	No
29	If the property is a flat/apartment or residential/commercial complex check and comment on the following. a) promoters/land owners title to the land/building b) Development agreement/power of attorney. c) extend of authority of the developers/builder. d) Independent title verification of the land and /or building in question. e) Agreement for sale (dully registered) Payment of proper stamp duty. Requirement of registration of sale agreement,development agreement,POA etc. h) Approval of building plan,permission of appropriate/local authority etc. Conveyance in favour of society/condominium	N.A.Land property Yes No No Yes Yes Yes i) j) Not applicable



	Occupancy Certificate/allotment letter/letter of possession k) Membership details in the society etc. l) Share, certificate m) No objection letter from the society n) All legal requirements under the local/municipal laws regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, co-operative Society, if, any 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 precaution, if, any q) whether the numbering pattern of the units/flats in all documents such as approved plan, agreement plan etc.	Not applicable
30	Encumbrances, attachment, and /or claim whether of government, central or state or other local authorities or third party claim, liens etc. and details thereof.	No
31	The period cover 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.	Not applicable
32	Details regarding property tax or land revenue or other statutory due paid/payable as on date and if not paid what remedy?	.....
33	a) Urban land ceiling clearance whether required and if so details thereon.	No
	b) Whether no objection Certificate under the Income Tax Act is required obtained	.....



34	Derails or RTC extract/mutation extracts/Khatha extract pertaining to the property in question	Yes
35	Whether the name of mortgagor is reflected as owner in the revenue/municipal/ village record?	Yes
36	a) Whether the property offered as security is clearly demarcated?	Yes
	b) Whether the demarcation/portion of the property is legally valid?	Yes
	c) Whether the property has clear access as per document?	Yes
37	Whether the property can be identified from the following documents and discrepancy/doubtful circumstance's if any relevant on such security 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.	..... ..... ..... .....
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
39	If the valuation report and/or approval/sanction plain 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.	Not Applicable



	(If the valuation report and /or approval plain are not available at the time of preparation of TIR, please provide these comments subsequently, on making the same available to the advocate)	
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
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 extract duly certified etc. as also any precaution to be taken by the bank in this regard.	No
43	Whether the governing law/constitution documents of the mortgagor (other than natural persona) permits creation mortgage and additional precautions if any to be taken in such cases.	No
44	Additional aspects relevant for investigation of title as per local law.	.....
45	Additional suggestion if any to safe guard the interest of Bank/insuring the perfection of security.	.....
46	The specific person who are required to create mortgage/to deposit documents creating mortgage	Borrower

Place :- Bhusawal

Dated :- 06/01/2018



Adv. Tushar S. Patil
B.B.L.L.B.
Behind Civil Court, Bhusawal
Mob. 9822914121

Annexure – c

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 Equitable Mortgage and that the documents of title referred to in the opinion are valid evidence 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 Equitable Mortgage.
- 2) I have examined the documents in detail, taking in to 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 records of the relevant offices/Sub- Register(s) officer(s), Revenue Records, Municipal/Panchayat office, Land Acquisition Office, Registrar of Companies officers, Wakf Board (wherever applicable). I do not find anything adverse which would present 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 of any my agent in making search.
- 4) Following scrutiny 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 the genuineness of the Title Deeds. Suspicious/ Doubt, if any has been clarified by making necessary enquiries.
- 5) There are no prior Mortgage/Charges/encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from 2004 to 2018 pertaining to the immovable property(ies) covered by above said Title Deeds. The property is free from Encumbrance.
- 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 mortgageor and the bank.
- 7) Minor's and his/her interest in the property(ies) is to the extent of (NO)
- 8) The mortgage if created, will be available to the Bank for the Liability of the intending Borrower Shri. Sumit Mahendra Chordiya



I search in Sub-Register office Bhusawal since 2004 to 2018 Receipt No. dated 16/01/2018 enclosed herewith-

9) I Certify that Shri. Sumit Mahendra Chordiya has/have an absolute, clear and marketable title over the schedule property/(ies). I further certify that the above title deeds are genuine and a valid mortgage and be created and the said mortgage 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.

11) There are no legal impediment for creation of the mortgage under any applicable Law/Rules in force.

a) All 7/12 extract.

b) All Mutation Entries no's. 17828,17830,16322,55903,56381

c) Registered of sale deed

d) Construction Permission

e) N.A.order

f) Approval Site Plan.

SCHEDULE OF THE PROPERTY(IES)

Plot No. 16 + 17 of adm. 487.77 sq.m. of Bhusawal shivar, Tal Bhusawal Dist jalgaon Tal Bhusawal Dist jalgaon.

East- 9.00 mtr wide road

West- Plot no. 18

North- Plot no. 20 & 21

South- 9.00 mtr wide road

Place :- Bhusawal

Dated :- 06/01/2018



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B.S.L.L.B.
Behind Civil Court, Bhusawal
Mob. 9822214121

Annexure-C 1

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 Register 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 Equitable Mortgage.
- 2) I have examined the documents in detail, taking in to 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 records of the relevant offices/Sub- Register(s) officer(s),Revenue Records, Municipal/Panchayat office, Land Acquisition Office, Registrar of Companies officers, Wakf Board (wherever applicable). I do not find anything adverse which would present the title Holders from crating a valid Mortgage. I am liable/responsible, if any loss is caused th the bank due to negligence on my part of any my agent in making search.
- 4) Following scrutiny of land Records/Revenue Records,relative Title Deeds,Certified copies of such title deeds obtained from the concernend registrar 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 prior Mortgage/Charges/encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from 2004 to 2018 pertaining to the immovable property(ies) covered by above said Title Deeds.The property is free from Encumbrance.
- 6) I case of second/subsequent charge in favour of the bank there are no other mortgages/charges other than already state in the loan documents and agreed to by he mortgageor and the bank.
- 7) Mionor/s and his/their interest in the property(ies) is to the extent of (NO)



8) The mortgage if created, will be available to the Bank for the Liability of the intending Borrower Shri. Sumit Mahendra Chordiya

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a) All 7/12 extract.

b) All Mutation entries no's. 17828, 17830, 16322, 55903, 56381.

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Place :- Bhusawal

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