

Mangla V. Gawande
(Advocate)
Mob. No. 9604910207

Office: Ganesh Nagar,
Sutgirni Road, Amravati.
Tq. & Dist. Amravati

Annexure - B

(To be completed by the panel advocate)

1	Name of the Branch/Bu seeking opinion	Branch at Ganesh Colony, Amravati.
2	Reference number and the date of letter under the cover of which the documents tendered for scrutiny are forwarded.	Ref. No. /PDUCB/Ganesh Colony/ /2016-17, dt.
3	Name of the unit / concern / company/ person offering the property as security.	Orbit Construction through its Proprietor Akshay Anil Jain (Kothari), R/o. Shrikrushna Peth, Amravati, Tq. & Dist. Amravati.
4	Constitution of the unit / concern / person / body / authority offering property for creation of charge.	Borrower/Mortgagor
5	State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor etc)	Borrower/Mortgagor
6 A	Particulars of the documents scrutinized serially and chronologically.	1) Original registered sale deed of dt. 12.04.2012 at Sr.No. 1268 registered at the Office of Joint Sub Registrar Amravati. 2) Gaon Namuna 6/2.
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/land/revenue /other authorities be examined.	I have verified the original sale deed along with the original documents maintained by Revenue Authority.
7.	Complete and full description of the immovable property offered as security for creation of mortgage within equitable/ registered mortgage.	As described in Schedule
i)	Nazul Sheet No. /Survey No.	Survey No. 14/1
ii)	Door No. (in case of house property)	As described in Schedule
iii)	Extent / area including plinth/built-up area in case of house property.	As described in Schedule
iv)	Location like Name of place, village city, registration, sub-	As described in Schedule

19
Gawande
Adv

	district etc.	
v)	Boundaries	
8	Flow of titles tracing out the title, of the intended mortgagor and his/ its predecessors in interest from the Mother Deed to the Latest Title Deed. And whenever Minor's interest or other clog on the title is involved for further period depending on the need for clearance of such a clog on the title.	As described in Schedule 1) Original registered sale deed of dt. 12.04.2012 at Sr.No. 1268 registered at the Office of Joint Sub Registrar Amravati. 2) Gaon Namuna 6/2. The brief history for the clearance of the title are described on the separate sheets which is annexed with the Annexure-B.
9	Nature of title of the intended mortgagor over property (whether full ownership rights, leasehold rights, occupancy/ possessory rights or Inam Holder or Govt. Grantee/ Allottee etc.	Full and absolute ownership of borrower/ mortgagor.
10A	Encumbrances, attachments and/ or Claims whether of Govt., Central or State or Other Local authorities or Third party claim, liens, etc. and details thereof. If yes, give the details thereof.	No encumbrances or liens or charge on the property which is to be owned by borrower/ mortgagor.
B	The period covered under encumbrances certificate and the name of the person in whose favour the encumbrances is created and in so satisfaction of charge, if any.	Not applicable, as there is no charge on the property of the borrower/ mortgagor.
11	Details regarding property tax or land revenue or other statutory dues paid/ payable as on date and if not paid what remedy?	Tax receipts of Revenue and Municipal Corporation Authority be demanded from the Borrower/ Mortgagor.
12	Details of RTC extracts / mutation extracts / Khata extracts pertaining to the property in question.	I have verified the Original Sale deed in the name of the borrower/ mortgagor Orbit Construction through its Proprietor Akshay Anil Jain (Kothari).
13	Any bar/ restriction for creation of mortgage under any local or special enactments, and details of proper registration of documents payment of stamp duty etc.	There is no bar/ restriction for creation of mortgage in favour of the Bank by way of Registered mortgage deed with appropriate stamp duty with depositing the original document of title deed

		with the Bank.
14	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 extracts duly certified etc. as also any precaution to be taken by the Bank in this regard.	Not applicable. As such the original Sale deed of the borrower/mortgagor is available.
15	The specific person who are required to create mortgage/ to deposit documents creating mortgage.	Orbit Construction through its Proprietor Akshay Anil Jain (Kothari) i.e. Borrower/ mortgagor.
16	Whether searches had been conducted physically at the office of the Sub Registrar for A13 or 30 years.	From the year 2004 to 2016 i.e. For 13 years in the office of S.R.O., Amravati, vide receipt No.7477 dt.23.12.2016.

Separate Sheet regarding Brief History :

Upon the verification of Index II of Sub Registrar Office Amravati, I found that the property situated at Mouje - Nimbhora Khurd, Pragane - Badnera, Tq. & Dist. Amravati located in Survey No. 14/1, was converted into non-agriculture as well as residential purpose in Revenue case No. NA-45/Nimbhora Khurd-226/1983-84, known as Maya Nagar, out of this converted plot bearing Plot No. 111, 112 and 113, total admeasuring 8775 sq.ft. (815.52 sq.mtr.) was owned and possessed by Smt. Sitabai Chelaram Tardeja.

Thereafter I found that Smt. Sitabai Chelaram Tardeja sold the above Plot No. 111, 112 and 113, total admeasuring 8775 sq.ft. (815.52 sq.mtr.) to Rajrani Rajnish Kothari by way of registered sale deed dated 19.06.2000 at Sr.No. 2832.

Thereafter Rajrani Rajnish Kothari sold these plots i.e. Plot No. 111, 112 and 113, total admeasuring 8775 sq.ft. (815.52 sq.mtr.) to Orbit Construction through its Proprietor Akshay Anil Jain (Kothari) by way of registered sale deed dated 12.04.2012 at Sr.No. 1268. I found that after executing sale deed in favour of Orbit Construction through its Proprietor Akshay Anil Jain (Kothari) mutation entry taken place in Revenue record and his name duly recorded in Gaon Namuna 6/2, dt. 13.04.2012, vide Ferfar No. 15729. I found that as per document filed by him i.e. Gaon Namuna 6/2 dated 19.12.2016 there is no encumbrances, lien on the said property and the said property is clear and marketable.

Checklist

Annexure -C

1	Nature of title - Ownership/ Leasehold/ Occupancy/ Govt. Allotment.	Full and absolute ownership of Orbit Construction through its Proprietor Akshay Anil Jain (Kothari).
2	If the leasehold whether - a) Lease Deed is duly stamped and registered b) Lessee is permitted to mortgage the leasehold rights c) Duration of lease /unexpired of lease. d) If, a sub-lease, check lease deed - in favour of lessee as to whether Lease Deed permits sub-leasing and mortgage by Sub lessee also.	Not applicable
3	If Govt. grant/allotment/ Lease-cum/ Sale Agreement whether - a) Grant/ agreement provides for alienable rights to the mortgagor with or without conditions. b) The mortgagor is competent to create charge on such property.	Not applicable
4	If occupancy right, whether - A) Such right is heritable and transferable B) Mortgage can be created.	Not applicable.
5	A) Urban and Ceiling clearance, whether required and if so, details thereon. B) Whether No objection Certificate under the Income Tax Act is required/obtained.	Not applicable
6	Nature of minor's interest, if any and if so whether creation of mortgage could be possible - the modalities / procedure to be followed and the reasons for coming to such conclusion.	Not applicable
7	If the property is agricultural land, whether the local laws permits mortgage of agricultural land and whether there are any restrictions for enforcing thereon.	Not applicable
8	In case of conversion of agricultural land for commercial purposes or	Not applicable.

	otherwise, whether the requisite procedure followed / permission obtained.	
9	Whether the property is affected by any local laws (viz. Agricultural Laws, Weaker Section, Minorities, Land laws etc.)	Not applicable
10a	In case of partition/ settlement deeds, whether of original deed is available for deposit. If not the mortality/ procedure to be followed to create a valid and enforceable mortgage.	Not applicable
b	Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share	Yes the mutation has been effected in the name of Orbit Construction through its Proprietor Akshay Anil Jain (Kothari).
c	Whether the partition made is valid in law and the mortgagor has acquired a mortgageable title thereon.	Not applicable
11a	In case of partnership firm, whether property belongs to the firm and the deed is properly registered.	Not applicable
b	Whether person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	Not applicable
12a	Whether property belongs to Limited Company, check the Borrowing powers, BOD resolution, Authorization to create mortgage/ execution of documents, Registration of any prior charges with Company Registrar, Articles of Association/ provision for common seal etc.	Not applicable
b	In case of Societies, Association, the required authority/ power to borrower and whether the mortgage can be created and requisite resolutions, byelaws.	Not applicable
13	Whether mortgage is being created by POA holder, check genuineness of Power of Attorney and extent of powers and whether same is properly executed/ stamped/ authenticated in terms of law of place, where it is executed.	Not applicable
14	If the property is flat/ apartment or	Full and absolute ownership of

	residential / commercial complex check	Orbit Construction through its Proprietor Akshay Anil Jain (Kothari).
a	Promotor's / Land owner's title to land building	Not applicable
b	Development Agreement / Power of Attorney.	Not applicable
c	Extent of authority of the Developer/ builder	Not applicable
d	Independent title verification of the Land and/or building in question	Not applicable
e	Agreement for sale	Not applicable
f	Payment of proper stamp duty	Not applicable
g	Conveyance in favour of Society / Condominium concerned	Not applicable
h	Occupancy Certificate/ Allotment letter / letter of possession	Not applicable
i	Membership details in the Society etc.	Not applicable
l	Share certificates	Not applicable
j	No objection letter of the Society	Not applicable
K	Deed of Declaration	Not applicable
L	All legal requirements under local / municipal laws regarding ownership of flat/ apartment / building regulations, development control regulations, co-operative societies laws.	Yes, completed
15.	Whether property is a joint family property, mortgage is created for family benefit / legal necessity whether Major Coparceners have no objection in execution, minor's share if any, rights of female members, etc.	Not applicable
16.	Pending litigations / court attachment / injunctions / stay order/ acquisition by the Government/Local authorities etc. that could be ascertained.	Not applicable.
16	Any other details required for the purpose.	Not applicable

[Signature]
Adv.

CERTIFICATE OF TITLE - ANNEXURE - D

I have examined the original title deeds intended to be deposited relating to the schedule of the properties and offered as security by way of **Registered Mortgage** and that the documents of title refer to in the opinion are valid evidence of right, title and interest and that the **Registered Mortgage Deed** is created, it will satisfy the requirement of creation of **Registered Mortgage Deed** and I certify that the title of the borrower is clear and marketable and for the security, the **Registered Mortgage Deed** be executed from the borrower in favour of the Bank.

I further certify that -

- 1) I have examined the documents in details, taking into account all guidelines in check list vide Annexure C and other relevant factor.
- 1A) I confirm having made a search in the land/ revenue record as well as from the Index Register maintained at the Office of Sub Registrar, Amravati City for the year 2004 to 2016 i.e. for 13 years in office of Sub Registrar, Amravati by paying necessary search fee. I do not found anything adverse, which would prevent the Title Holder from creating a valid mortgage deed in favour of the bank. During my search I do not found any transaction during the period under search.
- 1B) Following scrutiny of revenue records and related Title Deeds, I hereby certify the genuineness of the Title Deeds. Suspicious / doubt, if any, has been clarified by making necessary inquiries.
- 2A) There are no prior mortgage/charges /encumbrances whatsoever as could be seen for the period from year 2004 to 2016 during the period under search, pertaining to the immovable properties covered by above said title deed. The property in question is free from all encumbrances.
- 3) There is no interest of minor in the property.
- 4) The Mortgage, if created will be available to the Bank for the liability of the intending Borrower **Orbit Construction through its Proprietor Akshay Anil Jain (Kothari)**, R/o. Amravati, Tq. & Dist. Amravati.
- 5) I certify that, **Orbit Construction through its Proprietor Akshay Anil Jain (Kothari)**, R/o. Amravati, has an absolute, clear and marketable title over the property described in the Schedule. I further certify that the above title deed is genuine and a valid

Registered Mortgage Deed can be created by mortgagor for repayment of loan by intending borrower and the said mortgage would be enforceable.

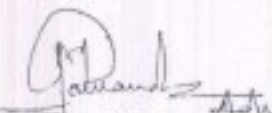
There are no legal impediments for creation of the Mortgage Deed under the applicable Law/ Rules in force.

SCHEDULE OF THE PROPERTY

That the property situated on Plot No. 111 - admeasuring 2775 sq.ft. (258 sq.mtr.), 112 - admeasuring 2925 sq.ft. (272 sq.mtr.) and 113 - admeasuring 3075 sq.ft. (285 sq.mtr.), total admeasuring area 8775 sq.ft. (815 sq.mtr.), situated in Survey No. 14/1 of Mouje - Nimbhora Khurd, Pragane - Badnera, Tq. & Dist. Amravati, within the local limit of Municipal Corporation Amravati and within the jurisdiction of Sub Registrar, Amravati City which is commonly bounded as under :-

Towards East	-	Road,
Towards West	-	Road,
Towards North	-	Plot No. 110,
Towards South	-	Plot No. 114.

Place : Amravati.
Date : 24.12.2016.


(Adv. Mangla U. Gawande)
M.U.GAWANDE
Advocate
Ganesh Nagar, Amravati

211/0

Friday, 23 December 2016 2:40 PM

इतर पावती

Original/Duplicate

नोंदणी क्र.: 39म

Regn.: 39M

पावती क्र.: 7477 दिनांक: 23/12/2016

गावाचे नाव: निभोरा

दस्तावेजाचा अनुक्रमांक: अरन2-0-2016

दस्तावेजाचा प्रकार :

सादर करणाऱ्याचे नाव: अॅड. एम. यु. गावंडे रा. गणेश नगर, अमरावती

वर्णन शोध अर्ज क्र. 3436/2016, मीजे-निभोरा खुर्द, स. क्र. -14/1, प्लॉट क्र. 111, 112, 113, एकुण शे. 815 चौ मी (वर्ष 2004 ते 2016) एकुण 13 वर्ष

शोध व निरीक्षण

रु. 325.00

एकूण:

रु. 325.00

Joint Sub Registrar Amaravati II

1); देयकाचा प्रकार: By Cash रकम: रु 325/-

जह दुरय्य निबंधक वर्ग - 2
अमरावती शहर - 2.

12/23/2016