

LEGAL SCRUTINY REPORT

Date 28/08/2020

To

WHOM SO EVER IT MAY CONCERN.

Refnce: Legal Scrutiny & Search Report in respect of the property owned and possessed by Ku. Pranjali Ramesh Bijwe.....

Dear Sir,

With above referred reference I submit my Legal scrutiny report as hereunder :-

Name and address of the
title holder

Ku. Pranjali Ramesh Bijwe,
Aged about 22 years,
Occu: Business & Education,
R/o. Radhanagar, Amravati.
Tq & District: Amravati-444 603.

I. Details /description of the documents scrutinized.

Sr. No.	Document	Date of Document	Registration No.	Original/Certified/True Copy/ Photostat
1	Sale Deed	31/10/2007	1681	Original
2	7/12 Extract	22/06/2020	-	Certified Copy
3	Power of Attorney	11/09/2018	3284	Original
4	Order of Amalgamation	06/03/2017	-	Certified copy
5	Sale Deed of TDR	01/10/2018	3497	Original
6	Deed of Declaration	25/10/2019	3427	Original
7	Partnership deed	05/12/2019	-	Original
8	Sanctioned Map	10/05/2019	-	Original
9	Building Permit & Commencement Certificate.	24/06/2019	70	Original

II. Details / Description of the Property

A plot out of Field Survey No 18 of Mouje- Benoda, Pragane- Nandgaon Peth, Tq Dist. Amravati, which was total admeasuring 1 H 50 R which is converted into layout plots i.e. non agricultural use as per orders passed by the Hon'ble Collector, Amravati on 22/02/2003 in Rev. Case No. NAP-34/Benoda-49/2002-2003 and the layout was sanctioned and is known as 'Nitin Vihar' out of that layout plot No.11-B, admeasuring 2018 Sq.Ft. 187.50 Sq Mtrs. which is bounded as under:-

East - Road of layout.
West - Plot No. 11-A,
North - Plot No. 18-A,&
South - Road of layout

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That, this property is within the limits of Municipal Corporation, Amravati and Sub Registrar, Amravati.

III. Opinion on Flow of Title

That the field Survey No. 18 of mouje Benoda, Pragane, Nandgaon Peth, Tq. & District Amravati which was total admeasuring 1 H 50 R was owned and possessed by Shri Rajkumar Vallabhdas Mundhada, Shri Kundan Ghanshamdasji Chandak and Shri Ashwin Panjabrao Gulhane. That, they have decided to convert the said agricultural land into non-agricultural used and as such have filed a Revenue Case before the Hon'ble Collector Amravati for conversion of the said agricultural field into non-agricultural used and the said case was registered as Rev. Case No. NAP-34/Benoda-49/2002-2003 in which the order is passed by the Collector, Amravati on 22/02/2003 and the layout was sanctioned. The said layout is known as Nitin Vihar.

After sanctioned of the said layout they have decided to sell the plots out of the said layout and as such Shri Rajkumar Vallabhdas Mundhada, Shri Kundan Ghanshamdasji Chandak and Shri Ashwin Panjabrao Gulhane have deputed one Ramesh Rambhau Bijwe as their constituted attorney on their behalf for executing the sale deeds and for selling some of the plots out of the said layout. They have given powers to Shri Ramesh Rambhau Bijwe in respect of the Plot Nos. 8-A, 8-B, 9-A, 10-B, 11-A, 11-B, 19-A, 19-B, 20-A, 20-B, 21-A and 21-B i.e. in all 12 plots of which total area comes to 23559 Sq. feet. They have executed a registered power of attorney in his favour for executing the sale deed and for dealing with the plots stated above. The power of attorney is registered with the office of Sub Registrar, Amravati-2 on 23/09/2004 at Sr. 2407.

The said power of attorney seems to be acted upon. That on the basis of the said power of attorney executed infavour of Ramesh Rambhau Bijwe, Shri Ramesh Rambhau Bijwe on the basis of the said power of attorney in and on behalf of the Shri Rajkumar Vallabhdas Mundhada, Shri Kundan Ghanshamdasji Chandak and Shri Ashwin Panjabrao Gulhane have sold the plot No. 11-B out of said layout which is total admeasuring 2018 sq. feet i.e. 187.50 sq. mtrs. to Ku. Pranjali Ramesh Bijwe through her natural guardian Sau. Aarti Ramesh Bijwe as per registered sale deed dated: 31/10/2007, registered at Sr.No.1681 for a total consideration of Rs. 75,000/-. The plot was purchased by Ku. Pranjali Ramesh Bijwe and at that time she was aged about 10 years and as such the same was purchased for her through her legal and natural guardian mother Sau. Aarti Ramesh Bijwe. After purchasing the said plot Ku. Pranjali Ramesh Bijwe came in possession of the same as owner thereof and her name is mutated in the revenue record of the said plot maintained by the government.

Ku. Pranjali Ramesh Bijwe, after becoming the major have decided to develop the said plot alongwith adjoining plot No. 11-A owned by Shri Rahul Ramesh Bijwe and as such have firmed and constituted a partnership with Rahul Ramesh Bijwe under the name and style as Shri Rukmini Associates. They have applied for amalgamation of the plot No. 11-A

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and 11-B and accordingly the orders were passed by the Commissioner Municipal Corporation, Amravati and to that effect orders were issued to them on 06/03/2017 whereby both the plots came to be amalgamated. To that effect the Tahsildar have also issued a order to the concern Talathi for taking entry in respect of the amalgamation of both the plots. The said order is issued by Tahsildar on 12/03/2020 and the plots are mutated as amalgamated plots in the record of right in the joint names of Rahul Ramesh Bijwe and Ku. Pranjali Ramesh Bijwe.

That Rahul Ramesh Bijwe and Ku. Pranjali Ramesh Bijwe have decided to develop the said plot and to raise construction of a apartment under the name and style as Rahul Apartment which includes commercial shops and residential units. That, they have purchased a TDR for that purpose from Shri Ramesh Dhanjibhai Somayya, Shri Rashmikant Dhanjibhai Somayya and Jaykant Dhanjibhai Somayya as per registered TDR deed dated 01/10/2018, registered as Sr.No.3497 with the office of Sub Registrar, Amravati. Accordingly they have applied with the Municipal Corporation, Amravati seeking permission for construction of the apartment over the amalgamated plots under the name and style as 'Rahul Apartment' and accordingly permission was granted to them on 10/05/2019 and to that effect a building permit and commencement certificate was issued by the Municipal Corporation, Amravati vide building permit No. 70 dated: 24/06/2019.

After getting sanction from the Municipal Corporation, Amravati and after receiving the building permit and commencement certificate, Rahul Ramesh Bijwe and ku. Pranjali Ramesh Bijwe through their power of attorney holder Ramesh Rambhau Bijwe have registered a deed of declaration with the office of Sub Registrar, Amravati City-1 on 25/10/2019, registered at Sr. No.3427.

2)	Describe nature of title (viz., full ownership rights, leasehold rights, occupancy/ possessory rights or any other)	Full Ownership
	a. Whether the lease deed has been registered as required under Law b. The period of the lease c. Whether any permission/NOC from lessor is required for creation of mortgage.	Not Applicable
3)	Mention minor's interest, if any is involved. If so, whether Court permission (except in case of HUF property) has been obtained for offering the property as security	At the time when the plot was purchased the owner was minor and for purchasing the plot for and on behalf of minor it is not necessary to obtained any permission from the court. At present the owner of the plot Ku.



		Pranjali Ramesh Bijwe is major.
4)	State here whether the mortgagor/title holder is in unhindered possession of the property and if so, the period for which he is in such possession.	Not Applicable
5)	Is/Are the property/ies free from encumbrances	Yes, property bearing Plot No 11-B is free from all encumbrances which is owned by Ku. Pranjali Ramesh Bijwe.
6)	Please give detailed account of creation of charge/mortgage or redemption for a minimum period of 13 years and also state the subsisting charge/mortgage if any, mentioned in the encumbrance certificate for the last 13 years	That equitable mortgage of the property is possible by depositing the original title deed and the intimation of the same may be registered with the office of Sub Register, Amravati.
	i. The period covered under Encumbrance Certificate issued by the sub-Registrar of Assurances/search made in the records/Registers of the office of sub-Registrar of Assurances.	Not Applicable
	ii. Search in respect of companies registered under the Companies Act, 1956	Not Applicable
7)	Whether Urban Land Ceiling Clearance is required to be obtained before the mortgage is created. If the ULC clearance has been obtained for creating the mortgage in favour of the Bank, please mention the number and date of the proceedings.	Not Applicable
8)	Whether permission for conversion of lands from Agricultural use to residential / commercial use is obtained wherever necessary. If applicable, state the reference of the proceedings	Permission is granted by the Collector on 22/02/2003 for conversion of the land from agricultural use to non-agricultural use in Rev Case No. NAP-34/Benoda-49/2002-03



9)	If the property sought to be mortgaged or of which title scrutiny report is given is agricultural lands,	No.
	i. whether the land is within the ceiling limit, fixed as per the concerned State Land Reforms Law in force ii. whether taking as collateral security for non-agri. purposes is possible	Not Applicable
10)	Whether from the documents produced, there exists any pending litigation with respect to the property offered as security. If yes, please furnish details.	No
11)	In case of Partition Deeds, i. whether the same is registered under the Law for time being in force and original thereof if available for deposit	Not Applicable
	ii. in case original is not available and the partition deed is made in more than one copy at the time of registration duly signed by all executants, whether a. to get an affidavit/ declaration from the holder of the original partition deed confirming the availability with him and the original not deposited with anybody as security over the share of the prospective mortgagor b. the shareholder or predecessor in title have been permitted to treat their copy of the partition deed as original for their share	Not Applicable
12)	In case of inherited property, whether the family genealogy ascertained and flow of title considered in the light of such genealogy bearing in mind the Provisions of succession laws applicable to the parties. The genealogy must be sworn to by means of an affidavit by the party/parties.	Not Applicable
13)	In case the mortgage is sought to be	



	created by agent under power of Attorney, please state whether a. The Power of Attorney is registered b. It authorizes the Agent to deposit the title deeds for creation of mortgage over the properties of the principal for the loan to be given to the prospective borrower. c. Whether Power of Attorney empowers the PA holder to borrow on behalf of the principal.		Owner of the plot have executed a power of Attorney in favour of Shri Ramesh Rambhau Bijwe, registered at Sr No 3284, with the office of Sub Registrar, Amravati City-1. The power of attorney authorizes the attorney holder to borrow the loan from the bank on behalf of the owner and to mortgage the property against the said loan by deposit of title deed.
14)	Whether up-to-date tax/cist receipts have been verified and it is ensured that there are no arrears of land/Municipal Taxes, as the case may be, over the property.	:	No Tax receipts /land revenue receipt have been produced.
15)	In case of devolution of property by a will, whether the will has been probated or letter of administration is obtained.	:	Not Applicable
16)	i. Whether the title deed under which mortgager / title holder acquired title and parent title deeds are available in original. ii. In case the property purchased by mortgager is portion of larger extent of property, whether availability of original parent documents confirmed.	:	Yes, The original title deed of Ku. Pranjali Ramesh Bijwe is available.
17)	If owner is a company, Partnership Firm, Trust, or other legal person, what are the documents to be obtained to create a valid mortgage (in terms of Memorandum and Articles of Association, Partnership Deed, Trust Deed or rules or bye laws)	:	No
18)	If property/ies to be mortgaged is/are flat/ apartment in residential or commercial complex, how far		



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	<p>independent title is ensured and how the enjoyment of common areas and facilities are ensured to the flat owner (mortgagor);</p> <p>What are the documents of title available for creating mortgage?</p> <p>List out other Documents /records to be taken from builder/owners and their Bankers</p>	No.
19)	<p>Whether search is made in the registers and the records maintained in the office of Collector and / or Revenue authorities/Municipal Corporation/ Town and Planning Dept and the Civil Court (whichever is applicable) to ensure</p> <p>a. necessary consent of Civic Body or authority to transfer the property was obtained,</p> <p>b. No litigation in respect of the property to be mortgaged is pending before any Forum</p> <p>c. Identity of the property has been established and there are no circumstances which would create doubts or suspicions, e.g., any material document is alleged to be lost or any document bears any marks or endorsement indicative of having been earlier tendered in evidence in a Court or produced as surety.</p>	<p>Yes, search is made at the Sub-Registrar, Amravati (Rural) vide receipt bearing GRN No.MH003703781202021E of dated 27/08/2020 for last 13 years i.e. from 2007 to 2020.</p> <p>Not Applicable</p> <p>No litigation in respect of the property is pending</p> <p>Identification of the property can be established</p>
20)	<p>If the property is a superstructure like building, house, flat, factory, shed, etc.</p> <p>i. Whether it is located/ proposed to be located in an approved lay out .</p> <p>ii. Whether the building is constructed/ proposed to be constructed as per the plan approved by the competent authorities (Corporation, Municipal Council, Cantonment Board etc.)</p> <p>iii. Whether the plan is approved</p>	<p>No,</p> <p>Property is located in approved layout.</p> <p>The building proposed to be constructed is as per the plan approved by the Amravati Municipal Corporation, on 10/05/2019 and commencement certificate is issued vide Certificate No. 70 dt 24/06/2019</p>



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	subject to any condition if so what are the conditions and whether the conditions have been complied with. iv. Whether superstructure is assessed to Tax (in case of ready built superstructure) v. Whether clearance /license/permit has to be obtained from authorities constituted under Special Acts like Environment Protection Act 1986, The Air Crafts Act 1934 etc and if so whether the same has been obtained. (If any conditions are stipulated while giving clearance / license / permit the same has to be mentioned in the report. The report should also mention whether the condition has been complied)	No conditions are imposed in the plan approved. Not Applicable Not Applicable
21)	If the flat is owned/controlled by society, specify special requirements to be taken.	Not Applicable
	IV. Opinion of Creation of Mortgage	
22)	Whether the mortgage by deposit of original title deeds is possible on the strength of the title deeds scrutinized. If so, the list of documents to be deposited for creation of equitable mortgage over the property offered as security. The person (s) who shall deposit the title deeds with the bank may be stated.	Yes, equitable mortgage of the property is possible by depositing the original sale deed of Ku. Pranjal Ramesh Bijwe is suggestible and the same shall be done After execution of the same the notice of intimation of the said mortgage be registered with the office of Sub Registrar, Amravati (Rural)
23)	If the equitable mortgage by deposit of title deeds is not possible, can there be a simple (registered) mortgage. If so, list out the documents to be held with the bank in addition to the registered mortgage deed.	As above
24)	Any other opinion on simplified procedure / remission of stamp duty for	After creation of mortgage the same may be intimated and



creation of charge over agricultural /other properties in favour of Commercial Banks as in some states like U.P., Karnataka etc.	Inform to the concern Talathi and the entry in respect of the creation of mortgage shall be reflected in the 7/12 extract of the said property.
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I certify that **Ku. Pranjali Ramesh Bijwe** has a valid clear, absolute, good, perfect and marketable title to the property shown above and the title deeds to the property concerned being original and not duplicate or fake.

This legal opinion has been given without any interest direct or indirect after verifying all the necessary relevant papers, Xerox copy of which is returned back duly authenticated.

Place: Amravati

Date: 24/08/2020.

R. P. Rath
(R. P. Rath)
Advocate.

CHALLAN
MTR Form Number-6



GRN MH003703761202021E	BARCODE	Date 27/08/2020-18:28:08	Form ID
Department Inspector General Of Registration		Payer Details	
Search Fee		TAX ID / TAN (If Any)	
Type of Payment Other Items		PAN No.(If Applicable)	
Office Name AMT1_HQR SUB REGISTRAR AMRAVATI 1		Full Name Advocate Rajesh Prakash Rathi	
Location AMRAVATI		Flat/Block No. Ramkunj	
Year 2020-2021 From 27/08/2007 To 27/08/2020		Premises/Building	
Account Head Details		Road/Street	
Amount In Rs.		Area/Locality	
0030072201 SEARCH FEE		Town/City/District	
325.00		PIN	
		4 4 4 6 0 2	
		Remarks (If Any)	
		Plot No 11B out of 8 no 18 of Mouje Behoda area 2018 sq ft 187.50	
		sq.mtrs	
		Amount In	
		Three Hundred Twenty Five Rupees Only	
Total		Words	
325.00			
Payment Details STATE BANK OF INDIA		FOR USE IN RECEIVING BANK	
Cheque-DD Details		Bank CIN	
Cheque/DD No.		Ref. No.	
Name of Bank		Bank Date	
Name of Branch		RBI Date	
		Bank-Branch	
		Scroll No. , Date	
		Not Verified with Scroll	

Department ID :

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document

Mobile No. : 9422155102

सदर चालान "टाइप ऑफ पेमेंट" मध्ये नमूद कारणासाठीच लागू आहे. इतर कारणांसाठी किंवा नोंदणी न करता याच्या दस्तासाठी लागू नाही.