S. D. Lande, M.A.,M.Com. LL.B. "Manubhavan"
Advocate, Behind tahsil office,Rajura,tahsil-Rajura, district-Chandrapur. Cell-9422335678, 7350242244.
PANANL ADVOCATE FOR BANK OF MAHARASHTRA
BRANCH-RAJURA.

==========

21.1.2015

To,
The Branch-Manager,
Bank of Maharashtra,
Branch-Rajura, tahsil-Rajura, District-Chandrapur.

Respected Sir,

LEGAL OPINION

1. **Subject** :- Title report on the Plot no.19,20, out of sr.no.128,129/1, and Sr.no.130/1, area 955.50 square meters, out of undivided Land area 45.15, square meters, with R.C.C.construction Thereon of built up area 63.117 square meters & its supr Built up area 69.057 square meters i.e. flat no.3, of FIRST FLOOR including double bedrooms, hall and kitchen, in LOTUS RESIDENCY FLATS SCHEME. OF MOUZA Rajura, tahsil-Rajura, district-Chandrapur.

2. **Name of Branch**- Bank of Maharashtra, Branch-Rajura.

3. **Name of the borrower** :- Shri KISHOR NAMDEV PATTI.

4. **Description of the documents scrutinized** :-

Sr.no	Date of execution of document	Details of registration ofdocument/conveyance	place of sub-reg office	Property fall under Sub-Regi -strar	Remarks
1	13.7.2012	Registered saledeed,(xeroxi),	Rajura	Rajura	O.K.
2	21.1.2014	7/12 extracts (true copies)			O.K.
3	22.4.2013	Property description certificate, (true copy)			o.k.
4.	10.5.2010	N.A. order (Xerox copy)			
5.	28.5.2014	Construction permission (original)			
6					
7..	23.5.2014	Construction map			
8.	15.7.2014,	sanction. (original) Registered agreement	Rajura	**Rajura.**	

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5. **Description of property/properties/Nature of title**

Sr.No.	Name Of the Owner	extent of area in mtrs	Survey No /GutNo/CST No/House No	Is property leasehold/ Freehold/ Govt.land/etc	Nature of property	Location
	Swapna Purti Infrocon Pvt.lmt. through its Director, Shri Nilesh Tajane.	Flat no.3, of first floor, out of sr.no.128,129/1 130/1, plot no.19,20. area 63.177 sq. mtrs. undivided share,of mouza-Rajura.	Flat no.3, of first floor, out of sr.no.128,129/1 130/1, plot no.19,20. of mouza-Rajura.,	free hold	Non-agricultural land .	Rajura ,Tah-Rajura. Dist-Chandrapur

Boundries :-

To the East :- The plot no.21 and 22,
To the West :- The 30 meters, layout road,
To the North :- The amenity space,
To the South:- The 9 meters layout road,

6. **Trace of title/History of passing of title / details of antecedent title deed.**

(Tracing the party's title for 30 years previous registration, title deed and Intervening documents if any(i.e. transaction on power of attorney) to present document must be verified)

That the originally the land sr.no.128, 0.39 hectors, land sr.no.129/1, area 2.68 hectors, and land sr.no.130/1, area 0.10 hectors, of mouza-Rajura, was owned by Smt. Padmawatibai Bhaichandra Deshpande. The said above land was purchased by Shri Suresh Shamrao Mahakulkar and Shri Nathu Sadashiv Thakare, by registered sale-deed dated 11.11.2009 and after purchasing the said lands, they mutated their names in revenue record and then they diverted the said land into non-agricultural purpose, vide Rev. Case No. 15A/NAP/34/2008-09, by Sub-Divisional Officer, Rajura, dated 10.5.2010. After the said diversion, the diverted 47 plots, including plots no. 19,20,37,38,39,45,46 and 47, out of sr.no.128,129/1, and sr.no.130/1, of mouza-Rajura, was

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purchased by Shri Sudarshan Bhagwanrao Nimkar and Nathu Sadashivrao Thakare, from Shri Suresh Mahakulkar, by registered sale-deed dated 13.7.2012. After purchasing the said plots, they mutated theirs names in revenue record as well as in Muncipal record, Rajura. Then the diverted plots nos. 19,20,37,38,39, 45,46,47, out of sr.no.128,129/1, 130/1, of mouza-Rajura, is purchased by SWAPNAPURTI INFRACON PVT. LMT. Through his president Shri Nilesh Shankarrao Tajane, from said Shri Sudarshan Nimkar and Shri Nathu Thakare, by registered sale-deed dated 13.2.2013, and after purchasing the said plots, Shri Nilesh Tajane, mutated the name of his company, in revenue record as well as in Muncipal record Rajura. **SWAPNAPURTI INFRACON PVT, LTD**. Approved map to construct the **LOTUS RESIDENCY FLATS SCHEME**, on plot no.19 and plot no.20, out of sr.no.128,129/1, and 130/1, of mouza-Rajura, and after getting permission to contruct the said flats, the said company started contructed as per sanction map. Shri Kishor Namdeo Patti, agreed to purchase flat no.3, of first floor including double bedrooms, hall and kitchen, undivided area 45.15 square metrs, built up area 63.177 square metres, vide registered agreement dated 15.7.2014. Thus the title over the plot no. 19,20, out of sr.no.128,129/1,130/1, of mouza-Rajua, is owned by SWAPNAPURTI INFROCON PVT. LTD. and his title is clear and marketable.

7. **Details information about property to be mortgaged.**

Details	Remarks of counsel.
1. whether the documents of title given any doubts or suspicious.	No
2. Have the title deeds has been compared with those at registrar office and particulars tally.	Yes.
3. Whether any of the property intended to be given by way of mortgage is subject to any minor's or any other claims? If yes, state whether requisite permission from the concern Court has been obtained and produced.	No.

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4.	whether the property proposed to be mortgaged is subject to the provisions contained under any special enactment/ locoal laws. State implications of such enactment on the charge proposed to be created.	No.
5.	whether property to be mortgaged is coming under any Restriction on transfer & whether required permission/ consent as per terms of grant/allotment etc. obtained.	No.
6.	Whether provisions of urban ceiling act are applicable? If applicable, whether permission obtained,	NO.
7.	whether user land has been converted under land revenue Law ? whether N.A. permission/change of user permission is obtained.?	Yes.
8.	Whether required documents are available for creating Valid equitable/registered mortgage?.	Yes
9.	What is the tenure of land ? (in case of lease property) And whether necessary consent permission is Lessor is obtained.?	Not applicable.
10.	Whether the land is adiwasi(Triable) land?	No.
11.	Whether the land/property is joint property? If yes other Joint owners reay to mortgage their share or give consent for mortgage by borrower.	No.
12.	whether any prohibitory order from income tax/wealth Tax or other authorities?	No.
13.	Is land/property subject to any reservation/acquisitions/ Requisitions.	No.
14.	Whether plans of construction are sanctioned. ?	Yes.
15.	Whether commencement certificate issued ?	not available.
16.	Whether completion certificate is obtained.	Not available.
17.	Whether there are any restriction from corporation Such as " education Zone, " Green Zone" etc.	No.
18.	Is the land taken on lease from state Industrial Devlopmet Corp.? if yes whether tripartitle agreement Executed ?	No.

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5.2014	Construction map			

19.	Whether there are any prior encumbrances.if yes Details thereof.	No.
20 .	Evidence of possession, finding on documents and revenue record, detais of property tax, land revenue, society maintenance charges or any other statutory dues paid upto date or payable.	Yes.
21	In case of companies/societies/association/trust/whether a) memorandum/byelaws of company/society/association authorize to offer its property as security.	No.
	b) requisite resolution have been duly passed by the company/society/association,permitting mortgage of the property in favour of the bank.	Not applicable.
	c) such resolution setsout thename of persons who are are authorized to create charge over the property.	Not applicable.
	d) resolution u/s 293(i)(a) and 293(i)(d) of companies passed.	Not applicable.
	e) details of properties together with the documents are mentioned under such resolutions.	Not applicable.
	f) In case of public ltd.companies, certificate of commencement of business has been obtained and affixation of common seal of necessary in terms of articles of association.	Not applicable.
	g) in case of public chartible trust whether permission of charity commissioner for borrowing &mortgaging trust property is obtained and conditions stipulated, if any.	Not applicable.
22.	In case of devolution of property by will/succession.	Not applicable.
	A) whether probate of will/sucession certificate/letters of administration obtained and conditions stipulated if any.	Not applicable.
	B) If probate/succession certificate/letters of administration not obtained, then how the mortgagor proposes to prove the title.	Not applicable.
	© The safeguards suggested to ensure title to the property, security.	No.
23.	whether the title deeds perused are in conformity with the Search taken.	Yes.
	Whether the chain of title is complete without any missing Links.	Yes.
	Whether any other documents to be obtained/compliances to be made so asto create valied mortgage.	as per requirement

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5.2014	Construction permission (original)			
.2014	Construction map			
.2014	sanction (original)			

CERTIFICATE OF TITLE AND NO ENCUMBRANCE.

I have examined the original original title deed, and tax receipt, property description certificate, 7/12 extract, construction permission, sanction map, of the relating property, situated at ward no.1, Rajura, tahsil-Rajura, district-Chandrapur, and offered as security by way of equitable/registered mortgage. I have also taken search with Sub-Registrar of assurances and record of rights for last 30 years, from 1986 to 2015, vide receipt, no.224, dated 21.1.2015, and original receipt thereof is enclosed herewith. I certify that SWAPNAPURTI INFROCON PVT. LTD., have absolute, clear and marketable title over property discuss above. I further certify that the documents of title referred to under the opinion are perfect evidence of right of title and interest of the borrower/mortagagor and that if the said equitable/registered mortgage by deposit of title deeds created in the manner required by law, it will satisfy the requirements of creation of equitable/registered mortgage.

Rajura.
Dated :- 21.1.2015.

(S.D.Lande)
Adv.S.D.Lande
Advocate, Rajura
Behind Tahsil Office RAJURA
Tah. Rajura, Dist. Chandrapur
Mob. No. 9422335678