

Prakash V. Bajaj
Advocate

Vinayak Residency, Wing-6
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Ref. No. 192/PVB/2019

Dated: 20/08/2019

REPORT OF INVESTIGATION OF THE TITLE **IN RESPECT OF IMMOVABLE PROPERTY**

(ANNEXURE - B)

1. a) Name of the Branch/BU seeking opinion :	State Bank of India, Shastri Nagar Branch, Chandrapur.
b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	No letter has been given.
2. a) Name of the unit /concern/company/person offering the property(ies) as security.	V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Praibha Vinod Bhusari
b) Constitution of the unit/concern/person/body/authority offering the property for creation of charge.	V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Praibha Vinod Bhusari
c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	Borrower
3. Complete or full description of the immovable property(ies) offered as security including the following details.	Nazul Moholla-Samadhupura, Tahsil and District-Chandrapur.
a. Survey Number/Plot No. /Area	All that piece and parcel of land bearing (Old Sheet No. 11, Block No. 94, Plot No. 19, 20/2, 2/2, New Sheet No. 94, City Survey No. 13179, Admeasuring Area-296.26 Sq. Mtr., Situated at Nazul Moholla-Samadhupura, Tahsil and District-Chandrapur.
b. Door/House No. (in case of House property)	NA
c. Extent/area including plinth/built up area in case of house property.	NA
d. Locations like name of the place, village, city, registration, sub-district etc.	Nazul Moholla-Samadhupura, Tahsil and District-Chandrapur within the limits of Municipal Corporation of City of Chandrapur.
Boundaries	Same as mentioned in Schedule annexed herewith

Prakash V. Bajaj

4. (a) Particulars of the documents scrutinized-serially and chronologically				
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 Advocate.
1.	17/04/2018	Regd. Sale Deed bearing No. 1785 dated 17/04/2018 executed by Sou. Leelabai Prabhakar Rao Yerme in favour of V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Praibha Vinod Bhusari.	Photocopy	Yes
2.	10/07/2018	Property Card	Certified Copy	NA
3.	22/10/2018	Permission for Construction of commercial cum residential building from Municipal Corporation Chandrapur dated 22/10/2018	Certified Copy	NA
4.	30/07/2018	Measurement Map by Dy.S.L.R., Chandrapur for demarcation of land	Photocopy	NA
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 mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR)		Please ask the borrower to obtained the same and then it will be verified.		
6. 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 but only from 2003 onwards		
b) If such online/computer records are available, whether any verification or cross checking are made and the comments/findings in this regard.		Yes from 2003 onwards		



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?	e-Stamp paper used appears to be genuine.
7. a) Property offered as security falls within the jurisdiction of which sub-registrar office?	Sub-Registrar, Chandrapur.
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?	No only one office i.e. Sub-Registrar, Chandrapur.
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 the property in question?	No

8. **Description of the Chain of Title from the Mother deed to the latest title deed [Chain to be traced for a period of 30 years from 1990 to 2019 by paying the search fee of Rs. 750/- paid vide receipt No. LS07 dated 20/08/2019.**

- i) Originally, the land bearing Old Sheet No. 11, Block No. 94, Plot No. 19, 20/2, 2/2, Admeasuring Area - 557.418 Sq. Mtr., (6246.00 Sq. Ft.) Situated at Nazul Moholla-Samadhupura, Tahsil and District-Chandrapur was owned by Shri. Deorao Patruji Khanke of Chandrapur who had sold part of the land admeasuring area-336.316 Sq. Mtr., (3189.00 Sq. Ft.) to one Sou. Leelabai Prabhakarao Yerne of Chandrapur vide registered Sale Deed No. 475 dated 25/04/1986 and since then she became the absolute owner and in possession of said land but while mutuating her name in the property card area is shown as 296.26 Sq. Mtr., as shown by letters B, E, F, C, in map annexed to the sale deed and map also shows the area-3189.00 Sq. Ft.

- ii) Thereafter, the said Sou. Leelabai Prabhakarao Yerne has sold the land bearing (Old Sheet No. 11, Block No. 94, Plot No. 19, 20/2, 2/2, New Sheet No. 94, City Survey No. 13179, Admeasuring Area-296.26 Sq. Mtr., Situated at Nazul Moholla-Samadhupura, Tahsil and District-Chandrapur to one V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Pratibha Vinod Bhusari vide registered Sale Deed No. 1785 dated 17/04/2018 and since then they are the

absolute owner and in possession of said land and their name is duly mutated in the 7/12 Extract.

iii) Thereafter, the said land is also measured through Surveyor of Dy.S.L.R. office Chandrapur vide measurement case No.204/2018 on 30/07/2018 and demarcated the land of C.S. No. 13179.

iv) The said land is converted into Sattaprakar -B to Sattaprakar - A in the property card and hence there is no restriction for alienation of said land.

v) Thereafter the said V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Pratibha Vinod Bhusari has obtained due permission for the Construction of Commercial cum Residential Building (Flat Scheme) from the Municipal Corporation of City Chandrapur vide their letter No. CCMC/T.P./Construction Permit/58/2018 dated 22/10/2018.

vi) However Deed of Declaration is not yet executed and hence ask them to execute the Deed of Declaration.

9. Nature of Title of the intended Mortgagor over the Property (Whether full ownership rights, lease hold rights, occupancy/possessory rights, or inam holder or govt. grantee/allottee etc)	Absolute Ownership Rights of V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Pratibha Vinod Bhusari
10. If leasehold, whether	Not Applicable
a) Lease Deed is duly stamped and registered.	Not Applicable
b) Lessee is permitted to mortgage the Leasehold right.	Not Applicable
c) Duration of the Lease/ Unexpired period of Lease	Not Applicable
d) If, a sub-lease, check the lease deed in favour of the Lessee as to whether Lease Deed permits sub-letting and mortgage by Sub-lessee also.	Not Applicable
e) Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	Not Applicable
f) Right to get renewal of the leasehold rights and nature thereof.	Not Applicable
11. If Government grant/allotment/lease-cum/Sale Agreement whether,	Not Applicable
a) Grant/agreement etc., provides for alienable rights to the mortgagor with or without conditions	Not Applicable



The mortgagor is competent to create charge on such property.	Not Applicable
Whether any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available.	Not Applicable
12. If Occupancy rights whether,	Not Applicable
a) Such right is heritable and transferable Mortgage can be created.	Not Applicable
b) Mortgage can be created.	Not Applicable
13. 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 conclusions.	Not Applicable
14. If the property has been transferred by way of Gift/Settlement Deed, whethere;	Not Applicable
a) The Gift/Settlement Deed is duly stamped and registered;	Not Applicable
b) The Gift/Settlement Deed has been attested by two witnesses;	Not Applicable
c) Th Gift/Settlement Deed transfers the property to Donee;	Not Applicable
d) Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions;	Not Applicable
e) Whether there is any restriction on the Donor in executing the gift/settlement deed in question;	Not Applicable
f) Whether the Donee is in possession of the gifted property;	Not Applicable
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;	Not Applicable
15. a) In case of partition/familysettlement deeds, whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid enforceable mortgage.	Not Applicable
b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share	Not Applicable
c) Whether partition made is valid in law and the mortgagor has acquired a mortgage title thereon.	Not Applicable



d) In respect of partition by a decree of court, whether such decree has become final and all other conditions/formalities are completed/complied with	Not Applicable
e) Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precaution to be taken for avoiding multiple mortgages?	Not Applicable
16. Whether the title documents include any testamentary documents/Wills?	Not Applicable
a) In case of wills, whether the will is registered will or unregistered will?	Not Applicable
b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	Not Applicable
c) Whether the property is mutated on the basis of Will?	Not Applicable
d) Whether the original will is available?	Not Applicable
e) Whether the original death certificate of the testator is available?	Not Applicable
f) What are the circumstances and/or documents to 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 Mother/Original title deed are to be explained.)	Not Applicable
17. a) Whether the property is subject to any wakf rights?	Not Applicable
b) Whether the property belongs to church/temple or any religious/other institutions having any restrictions in creation of charges on such properties?	Not Applicable
c) Precautions/permission, if any in respect of the above cases for creation of mortgage ?	Not Applicable
18. a) Where the property is a HUF/Joint family property, mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor's share if any, rights of female members etc.	Not Applicable
b) Please also comment on any other aspect which may adversely affect the validity of security in such cases?	Not Applicable



19. a) Whether the property belongs to any trust or is subject to the rights of any trust?	Not Applicable
b) Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	Not Applicable
c) If so additional precautions/permissions to be obtained for creation of valid mortgage?	Not Applicable
d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.	Not Applicable
20. If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage.	Not Applicable
b) In case of agricultural 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?	Not Applicable
c) In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed / permission obtained.	Not Applicable
21. 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, Coastal Zone regulations, Environmental Clearance, etc.)	Not Applicable
22. a) Whether the property is subject to any pending or proposed land acquisition proceedings?	At present no
b) Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search enquiry.	Not ready to give in writing but orally confirmed and hence ask affidavit.
23. a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No but still obtained affidavit in this regard.
b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	Not Applicable
c) Whether the title documents have any court seal/mark which points out any litigation/attachment/security to Court in respect of the property in question? In such case please comment on such seal/mark.	Not Applicable

24. a) In case of partnership firm, whether the property belongs to the firm and the deed is property registered.	Not Applicable
b) Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	Not Applicable
c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	Not Applicable
25. Whether the property belongs to a Limited Company. Check the Borrowing powers, Board Resolution, authorization to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association/provision for common seal etc.	Not Applicable
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 is involved in the chain of title?	Not Applicable
b) Whether the POA involved is one coupled 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 an interest in favour of the builder/developer and as such is irrevocable as per law.	Not Applicable
c) In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/Firms/Individual or Proprietary Concerns in favour of their Partners/Employees/Authorised Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deed, etc. in favour of buyers of flats/units (Builder's POA) or ii) other type of POA (Common POA).	Not Applicable
d) In case of Builder's POA, whether a certified copy of POA is available and the same has been verified/compared with the original POA.	Not Applicable
e) In case of Common POA (i.e POA other than Builder's POA), please clarify the following clauses in respect of POA.	Not Applicable
i) Whether the original POA is verified and the title investigation is done on the basis of original POA?	Not Applicable
ii) Whether the POA is a registered one?	Not Applicable


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iii) Whether the POA is a special or general one?	Not Applicable
iv) Whether the POA contains a specific authority for execution of title document in question?	Not Applicable.
f) Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	Not Applicable
g) Please comment on the genuineness of POA?	Not Applicable
h) The unequivocal opinion on the enforceability and validity of the POA?	Not Applicable
28. Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed/stamped/authenticated in terms of the Law of the place, where it is executed.	Not Applicable
29. If the Property is a flat/apartment or residential/commercial complex, check and comment on the following.	Apartment
a) Promoter's/Land owner's title to the land/building	Clear
b) Development Agreement/Power of Attorney.	Not Applicable
c) Extent of authority of the Developer/builder.	Full as per F.S.I. available
d) Independent title verification of the land and/or building in question.	Done
e) Agreement for sale(Duly registered).	Not Applicable
f) Payment of proper stamp duty.	Not Applicable
g) Requirement of registration of sale agreement, development agreement, POA, etc.	Not Applicable
h) Approval of building plan, permission of appropriate/local authority etc.,	Yes
i) Conveyance in favour of Society/Condominium concerned.	Not Applicable
j) Occupancy Certificate/allotment letter/letter of possession.	Not Applicable
k) Membership details in the society etc.	Not Applicable



 Not

l) Share Certificates.	Not Applicable
m) No objection letter from the society.	Not Applicable
n) All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, Cooperative Societies/Laws etc.	Yes
o) Requirements, for noting the Bank charges on the records of the Housing Society, if any;	Not Applicable
p) If the property is a vacant land and construction is yet to be made, approval of layout and other precautions, if any.	Not Applicable
q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan etc.,	Yes
30. Encumbrances Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	No Encumbrance is found but by way of abundant precaution it is necessary to obtain affidavit.
31. The period covered 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 dues paid/payable as on date and if not paid, what remedy?	Duly paid
33. a) Urban land ceiling clearance, whether required and if so details thereon.	Not Applicable
b) Whether No objection Certificate under the Income Tax Act is required/obtained.	Not Applicable
34. Details of RTC extracts/mutation extracts/Ahata extracts pertaining to the property in question.	The name of V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Praitha Vinod Bhusari is duly mutated in the Property Card.
35. Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Yes.
36. a) Whether the property offered as security is clearly demarcated?	Yes
b) Whether the demarcation/partition of the property is legally valid?	Yes
c) Whether the property has clear access as per documents?	Yes



37. 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.	Yes
38. In respect of the boundaries of the property, whether there is a difference/discrepancy in any of the title 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 approved/sanctioned plans 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. (If the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on making the same available to the advocate.)	Not Available
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 SARFAESI 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 extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	If original title deed are not available then Please obtain registered mortgage deed.
43. Whether the governing law/constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.	Yes
44. Additional aspects relevant for investigation of title as per local laws.	Not Applicable
45. Additional suggestions, if any to safeguard the interest of Bank ensuring the perfection of security.	No
46. The specific persons who are required to create mortgage/to deposit documents creating mortgage.	V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Pratibha Vinod Bhusari
47. Whether the Real Estate Project comes under the Real Estate (Regulation and Development) Act, 2016?	The area of land to be developed is below 500 Sq. Mts.



Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished.	Not Applicable
Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?	Not Applicable
Whether the details of the apartment/plot in question are verified with the list of number and types of apartments or plots booked as uploaded by the promoter in the website of Real Estate Regulatory Authority?	Not Applicable

Place : Chandrapur
Date:- 20/08/2019

(P.V. BAJAJ)
Advocate for State Bank of India
Chandrapur.

CERTIFICATE OF TITLE (Annexure – C)

- 1) I have examined the Original Title Deeds of Vendor intended to be deposited relating to the Schedule property(ies) and offered as security by way of **Equitable Mortgage** would be examined and that the documents of the title referred to in the opinion are valid evidence of Right , title and interest and that if the said **Equitable Mortgage** is created, it will satisfy the requirements of creation of **Equitable Mortgage** and I further certify that:
- 2) I have examined the documents in detail, taking into account all the guidelines in the check list vide Annexure C 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 Government Offices/Sub-Registrar(s) Office(s). Revenue Records, Municipal/Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (Wherever applicable). I do not find anything adverse which would prevent 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 my agent in making search.
- 4) Following scrutiny of Land Records/Revenue Records and 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 Encumbrances Certificate for the period from 1990 to 2019 pertaining to the immovable property(ies) covered by above said title deeds. The property is free from all Encumbrances.
- 6) In case of 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 Mortgagor and the Bank.
7. Minor(s) and his/their interest in the property(ies) is to the extent of _____ (Specify the share of the Minor with Name.) Not Applicable
8. The mortgage, if created, will be available to the Bank for the liability of the intending borrower, V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Pratibha Vinod Bhusari.



9. I certify V. P. L. Builders and Developers, Chandrapur represented through its Prop. Sou. Praithba Vinod Bhusari is having absolute, clear and marketable title over the Schedule property(ies). I further certify that the above title deeds are genuine and a valid mortgage can 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.

- i) Original Sale Deed bearing No.1785 dated 17/04/2018.
- ii) Property Card
- iii) Permission Letter for Construction

11. There are no legal impediments for creation of the Mortgage under any applicable law/rules in force except as stated above.

SCHEDULE OF THE PROPERTY

All that piece and parcel of land bearing (Old Sheet No. 11, Block No. 94, Plot No. 19, 20/2, 2/2, New Sheet No. 94, City Survey No. 13179, Admeasuring Area-296.26 Sq. Mtr., Situated at Nazul Moholla-Samadhupura, Tahsil and District-Chandrapur and which is surrounded by boundaries as under:-

Boundaries of Plot : -

East - Land of Shri. Anandrao Khanke,

West - Land and construction of Sharda Nattuji Bawane

North - Nazul land and

South - Municipal Road

Within the jurisdiction of Municipal Corporation Chandrapur Tahsil and District-
Chandrapur.

Place :- Chandrapur
Date:- 20/08/2019


(P.V. BAJAJ)
Advocate for State Bank of India
Chandrapur.

20/1/0

इतर पावती

Original/Duplicate

Tuesday, 20 August 2019 5:09 PM

नोंदणी क्र.: 39M

Regn.: 39M

पावती क्र.: 6507

दिनांक: 20/08/2019

गावाचे नाव:

दस्तेखवाचा अनुक्रमांक: गदत-0-2019

दस्तेखवाचा प्रकार:

सादर करणाऱ्याचे नाव: अॅड.प्रकाश व्ही.बजाज

वर्णन मौजा न.सो.समाधीपुरा (जुना शिट नं 11 ब्लॉक नं 94 प्लॉट नं 19, 20/2, 21/2) नविन शिट नं 94 न.पु.क्र.13179

एकुण थाराजी 296.26 चौ.मी.शोधसत 1990 ते 2019 एकुण 30 वर्षे

रु. 750.00

शोध व निरीक्षण

एकुण:

रु. 750.00

Sub Registrar Chaudharpur

सह दुय्यम निबंधक चौ - २

चंद्रपुर

1): देयकाचा प्रकार: eChallan रकम: रु.750/-

डीडी/प्रनादेश/ले ऑर्डर क्रमांक: MH005339210201920E दिनांक: 20/08/2019

देकने नाव व पत्ता:

8/20/2019