

MH003704319201718E	Government of Maharashtra	Regn. 39 M
Department of Registration and Stamps		
27 Jul 2017	Receipt	Receipt no.: 1111222183
	Name of the Applicant :	Abhijeet Prabhakar Kulkarni
	Details of property of which document has to be searched :	Dist :Aurangabad Village :Chikalathana S.No/CTS No/G.No. : 80
	Period of search :	From :2005 To :2017
	Received Fee :	325
The above mentioned Search fee has been credited to government vide GRN no :MH003704319201718E		
As this is a computer generated receipt, no stamp or signature is required.		
For Physical search in office, Please bring this receipt along with mentioned Gras Challan.		
Payment of search fee through GRAS challan can be verified on ' gras.mahakosh.gov.in/challan/views/fmSearchChallanWithOutReg.php '.		





CHALLAN
MTR Form Number-6

GRN	MH003704319201718E	BARCODE			Date	20/07/2017-15:43:25		Form ID			
Department					Inspector General Of Registration						
Type of Payment					Payer Details						
Search Fee					TAX ID (If Any)		443040154				
Other Items					PAN No.(If Applicable)						
Office Name					Full Name		Abhijeet Prabhakar Kulkarni				
PND1_JT DISTT REGISTRAR PUNE URBAN											
Location					Flat/Block No.						
PUNE											
Year					Premises/Building						
2017-2018 One Time											
Account Head Details					Amount In Rs.						
0030072201 SEARCH FEE					325.00						
					Road/Street						
					Area/Locality						
					Town/City/District						
					PIN						
					Remarks (If Any)						
					Amount In		Three Hundred Twenty Five Rupees Only				
Total					325.00		Words				
Payment Details					FOR USE IN RECEIVING BANK						
UNION BANK OF INDIA											
Cheque/DD Details					Bank CIN		Ref. No.		02901792017072029580		64624971
Cheque/DD No.					Bank Date		RBI Date		20/07/2017-15:45:47		Not Verified with RBI
Name of Bank					Bank-Branch		UNION BANK OF INDIA				
Name of Branch					Scroll No. , Date		Not Verified with Scroll				

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document
संदर्भ चालान "टाइप ऑफ पेमेंट" मध्ये नमूद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करता याचालान द्यावासाठी लागू नाही.
Mobile No. : Not Available



Off & Resi : Plot No. 1, Flat no. 6, Shivnandan Apartment, Chatrapati Nagar, Garkheda Aurangabad
Cell No :- 9423317221, 9970073858, 9272121439, Email:- adv.abhijeetk96@gmail.com

DATE: 27/07/2017

LEGAL OPINION REGARDING TITLE VERIFICATION AND SEARCH REPORT

DEAR SIR,

With reference to your letter dated 26/07/2017, I submitting my legal Scrutiny/ legal opinion as here under: -

- 1] Name and Address of the: -
Mortgagor/ title holder
)

M/s Empire Mall Pvt. Ltd.
Prozone trade Centre Plot No. P-80
(Part of Plot No. D-5), Saral Bazar)
Situating At MIDC, Chikalthana Aurangabad ,
Tq. & Dist. Aurangabad

- 2] **DETAILS/ DESCRIPTION OF THE DOCUMENTS SCR-UTINIZED: -**

Sr. No.	DATE OF DOCUMENT	NAME OF DOCUMENT	WHETHER ORIGINAL/ CERTIFIED? TRUE COPY PHOTOSTAT
1.	05/02/1973	Copy Original Lease Deed 575/1973	Xerox copy
2.	19/10/2000	Irrevocable Power of Attorney 5552/2000	Xerox copy
3.	17/04/2004	Irrevocable Power of Attorney 747/2004	Xerox copy
4.	02/08/2006	Extract of the Board Resolution	Xerox copy
5.	20/05/2006	Transfer Permission order letter out word no. ROA/MIDC/Chikalthana/D-5/2661(Empire Mall)	Xerox copy
6.	27/09/2006	Deed of Assignment Reg. No. 4634/2006	Xerox copy
7.	20/01/2006	Memorandum & articles of Association of Empire Mall Private Limited	Xerox copy
8.	18/02/2013	N.O.C. of I.D.B.I. Bank signed by D.G.M .	Xerox copy
9.	25/03/2013	N.O.C. of Central Bank Of India Chief Manager (Fort Mumbai)	Xerox copy
10.	20/06/2013	N.O.C. of State Bank of Patiala signed by A. G. M.	Xerox copy
11.	20/07/2010	Part Occupancy Certificate issued by MIDC office stamp No. No. IFMS/D-30362	Xerox copy
12.	15/05/2007	Environment & forest officer - Environmental clearance -vide letter.	Xerox copy
13.	20/11/2006	Water supply permission for connection of 50 mm water supply - MIDC permission vide letter	Xerox copy
14.	28/07/2010	No objection of Air Port Authority	Xerox copy
15.	04/03/2010	No objection of Maharashtra Pollution Control Board	Xerox copy
16.	24/11/2014	Sanctioned Construction Plans letter No. D-29274	Xerox copy





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17	22/10/2014	Received Copy Of letter about payment of Subletting Charges	Xerox copy
18	24/11/2014	Part Occupancy Certificate issued by MIDC office stamp No. No. IFMS/D-30362	Xerox copy
19	30/04/2015	Record Kept in MIDC office	from original record
20	30/04/2015	Record Kept At The Office Of Sub Register At Aurangabad	from original record

3]. DETAILS/ DESCRIPTION OF THE PROPERTY/IES

IT E M NO	SURVEY NO. KHATA NO. HOUSE NO. SITE NO.	EXTENT/AR EA OF LAND/ BUILDING	LOCATION SUB DISTRICT/ VILLAGE MUNICIPALITY ETC	BOUNDARY
1	Prozone trade Centre on 3 rd , 4 th & 5 th floor of M/s Empire Mall Pvt. Ltd. on Plot No. P-80 (Part of Plot No. D-5), adm. 800092.75 Sq. Mtrs. MIDC, Chikalthana.	adm. 800092.75 Sq. Mtrs	MIDC, Chikalthana, Aurangabad , Tq. & Dist. Aurangabad.	E- Plots No. D-4 & D-1 , W-MIDC 30.50 Mtrs W. Road N- Plots No. D-5/1, RH-7 & D-5 S- 15 Mtrs Internal Road & thereafter Plots No.P-78 & P-79

4] BRIEF HISTORY OF THE PROPERTY/IES AND HOW THE OWNER/ MORTGAGOR HAS DERIVED THE TITLE: -

1. The Government of Maharashtra for development of industrial Region established the Chikalthana MIDC , at Chikalthana . Tq. & Dist. Aurangabad. The MIDC, Chikalthana acquired the land at Chikalthana & as per development plan has developed plots & one of that is Plot No. D-5 , admeasuring 2,02,520 Sq. Mtrs situated at Chikalthana MIDC, Aurangabad was developed for industrial purpose bounded as under

East : Plots Nos. D-1 & D-4,
West: MIDC Road
South: MIDC Road
North : MIDC Road

2. M/s Automobile Products of India Ltd., made an application to MIDC for allotment of Plot in Chikalthana MIDC, Aurangabad. MIDC has allotted the Plot No. D-5 ,in favour of M/s Automobile Products of India Ltd for lease. As per allotment letter the period of lease is 95 years commencing from the date of agreement to lease 2nd April 1971.
3. Further, as per granted permission by MIDC On dated 02/07/1971 & revised permission dated 23/11/1972 & sanctioned building plans M/s Automobile Products of India Ltd., completed the construction & completion certificate were issued by MIDC.





4. Further, MIDC on dated 05/02/1973 executed Lease Deed & Registered in the Office Of Registrar bearing Reg. no. 575/1973 dated 05/02/1973.
5. Further, M/s Automobile Products of India Ltd. decided in the meeting dated 28/09/1999 to convert this land from industrial to commercial purpose & to sale the same. In between after refunding the dues got No-dues Certificate & certificate about release of property from various Banks & Financial Institution.
6. Further M/s Automobile Products of India Ltd. Notionally divided in the three block No. A, B & C out of which A.P.I. agreed to Assign/Transferred lease hold right in respect of Blok A & Block B adm. 1,24,450 Sq. Mtrs. in Favour of Sunrise Infopark by Agreement Dated 09/12/1999 & Supplementary Agreement Dated 19/10/200.
7. Further , The Regional Office of MIDC Granted permission of plot D-5 to the extent of 28968 Sq. Mtrs. from industrial to commercial use by its letter dated 13 Feb 2001. Commercial area was marked as Plot No. P-72. MIDC has acknowledge receipt Rs. 1,79,19,000/-as deferential premium from A.P.I..
8. Further, A.P.I. & Sunrise Infopark obtained the permission from MIDC & transferred the said Plot No. P-72 to Bharat Bazar Co-operative Society, Aurangabad.
9. Further, A.P.I. by his Agreement for assignment of Lease dated 20th Jan 2004 agreed to transferred all right in respect of Block C adm. 78070 Sq. Mtrs. which was forming part of Plot No.D-5 in favour of Ajanta Infrastructure.
10. Further, API executed Development Agreement Dated 16/04/2004 in respect of Block C, adm. 78070 Sq. Mtrs. in favour of Ajanta Infrastructure Pvt. Ltd. with consent of Sunrise Infopark which was registered in the Office Of Sub Registrar of Assurance Aurangabad bearing Reg No. 746/2004 on 17/04/2004. As per which Ajanta Infrastructure Pvt. Ltd. agreed to allot 500Sq. Mtrs. of constructed portion to Sunrise Infopark or their Nominees but Sunrise Infopark was not interested in obtaining construction portion & asked Ajanta Infrastructure Pvt. Ltd. to settle their claims in terms of money. Ajanta Infrastructure Pvt. Ltd. paid a sum of Rs. 5,00,000/- in lieu of constructed portion to Sunrise Infopark as mutually agreed Sunrise Infopark leave all right on the said constructed portion in favour of Ajanta Infrastructure Pvt. Ltd.



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11. Further, Ajanta Infrastructure Pvt. Ltd. availed the loan from SIDBI on the basis of the Development agreement against which plots bearing Block C as a prime security & B as a collateral security Mortgage by Ajanta Infrastructure Pvt. Ltd. with SIDBI with the consent of API & MIDC.
12. Further, by the letter bearing no. AGBO/142/DCS/AIPL issued by SIDBI after considering amount of loan repaid by Ajanta Infrastructure Pvt. Ltd. dated 19/05/2006 & relinquished its charge on total land Adm. 84794.25 Sq. Mtrs. There after letter bearing no. AGBO/854/DCS/AIPL SIDBI confirmed that considering amount of loan repaid the total land released from the mortgage was 104283.25 Sq. Mtrs..
13. Further, API applied for conversion of entire Plot No. D-5 admeasuring 173552 Sq. Mtrs. from industrial to Residential & commercial User vide letter No. B-5/789 dated 03 Feb. 2005 , MIDC Granted permission to convert an area to the extent of 1,20,000 Sq. Mtrs. from industrial to commercial use subject to payment of sum Rs. 4,38,83,300/- which was deposited by Ajanta Infrastructure Pvt. Ltd. on behalf of API.
14. Further, in pursuance of the said permission for conversion of use, the plot no. D-5 adm.173552 was divided in to sectors A, B, C, D, E & F out of which Sector C adm. 74602.50 Sq. Mtrs.
15. Further, on the application of API the plot no. D-5 came to be further subdivided in MIDC Records & there were minor changes in the area of various plots as under,

Sr. No.	Plot No.	Area In Sq. Mtrs.	Remark
1	D-5	16591.00	Part of earlier Sector D
2	D-5/1	16671.00	Part of earlier Sector F
3	RH-7	20570.00	Part of earlier Sector E
4	P-80	80092.75	Part of earlier Sector C
5	P-79	28437.00	Part of earlier Sector B
6	P-78	9886.75	Part of earlier Sector A
7		1303.50	Area under common internal Roads in erstwhile Plot No. D-5
	Total	173552.00	

16. It is pertinent to note that new Plot No. P-80 adm. 80092.75 Sq. Mtrs. became a separate plot in the record of MIDC





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17. Further API applied for transfer of the said property on dated 19/05/2006 & MIDC issued No Objection for transfer of the said property i.e. Plot No. P-80 by API as Assignor in favour of Empire Mall Pvt. Ltd. as Assignee. Prozone Enterprises Pvt. Ltd. & Ajanta Infrastructure Pvt. Ltd. are also parties to the said Deed of Assignment as a share holding companies of Empire Mall Pvt. Ltd. which is registered in the office of the Sub-Registrar of Assurance at Aurangabad at Serial No. 4634/06 dated 27/09/2006 whereas this assignment was executed signed by Mr. Vinod Premchand Surana who was a General Power of Attorney Holder which was registered on 19/10/200 bearing no. 5552/2000 & G.P.A. Holder which was registered on 14/4/2004 bearing no. 747/2004 executed by API on the basis of which this plot transferred in the name of Empire Mall Pvt. Ltd. in MIDC & other relevant records.
18. Further on dated 15/05/2007 API also executed a Reg. Consent Deed bearing No. 2518/2007 through its Director /Authorized signatory Mr. S. Kumar in favour of Empire Mall Pvt. Ltd. who has empowered by the resolution passed in the meeting of board of directors of API held on 02/08/2006 where by Deed of Assignment Serial No. 4634/06 dated 27/09/2006 has been confirmed & accepted by API.
19. Further, Empire Mall Pvt. Ltd. got approved Building Plan for commercial buildings to be construction on plot No. 80 in MIDC Chikalthana Industrial Area vide letter out word no. DB/CHK/844/2007 Dated 25/05/2007. It is pertinent to note that, Empire Mall Pvt. Ltd. has also deposited Rs. 7,19,180/- towards development charges, Building permission fees etc. in MIDC on 24/05/2007 further Empire Mall Pvt. Ltd. got Revised approved Building Plan for commercial buildings to be construction on plot No. 80 in MIDC Chikalthana Industrial Area & after construction also got Part Occupancy Certificate issued by MIDC office No/DB/1306/ of 2010 on dated 20/07/2010.
20. Further, again got sanctioned plan for Lower Ground Floor Plan Phase 1 & Phase 2 Plan, lay out plan, 2nd, 3rd & 4th floor plan of Prozone trade Centre (Revised Approval No./ D-2974 Dtd. 24/11/2014 Revised Build Up Area 22382.90 Sq. M.)out of which Phase 1 is completed & got Part Occupancy Certificate issued by MIDC office stamp No. No. IFMS/D-30362 on dated 24/11/2014
21. It is Pertinent to note that, Empire Mall Pvt. Ltd. availed loan from A) I.D.B.I. Bank, B) Central Bank Of India & C) State Bank of Patiala & also



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Got No Objection Certificates of these lenders Bank for sale of Prozone trade Centre & Saral Bazar Units at Prozone Mall **these Loans are Remitted & Loan from in respect of Prozone trade Centre** on this property of Empire Mall Pvt. Ltd. **L.I.C. Housing Finance Ltd. to the tune of 95 Caror has availed by them.**

22. Empire Mall Pvt. Ltd. also got all the necessary permissions, as follows

- a. Environment & forest officer -Environmental clearance -vide letter dated 15/05/2007
- b. Water supply permission for connection of 50 mm water supply - MIDC permission vide letter dated 20/11/2006
- c. No objection of Air Port Authority 28/07/2010
- d. Maharashtra Pollution Control Board 04/03/2010

5] **SEARCH AND INVESTIGATION: -**

I have taken search of the property record and index number registers as available, in the sub-registrar office, AURANGABAD since last 33 years, regarding the above named property and deposit search fees of Rs. 325/- as per Receipt no: 1111222183 GRN No. MH000408804201516E, Dated 21/04/2015 & Rs. 300 for 2005-2017 as per MH003704319201718E Dated 20/07/2017 and take a search found that the property is having no Encumbrances on the shop that would adversely affect interest of the Bank are found **95 Caror lone from L.I.C. Housing Finance Ltd. Original Deeds are with L.I.C. Housing Finance Ltd..**

Further it is pertinent to note that

5.1 The persons who is/ are the present
Owner/s of the property/i.e.

Empire Mall Pvt. Ltd.

5.2 Weather the party has absolute, clear
and marketable and can create to valid
mortgage on the property/i.e.

Yes(Leasehold)

5.3

a) What is the nature of the title of the
owner i.e. tenancy right, full ownership
Occupancy right possessory right,
minor's right of any other type of rights?
Clarify.

Leasehold Title

b) Leasehold immovable property/ies
(Where the land/building is /are
leasehold, please verify the name and
address (es) of the lessor(s) and the

It's a leasehold Property





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	lessor/(s) company authority is required for transfer (such as mortgage, sale etc.) of the property/ies)	
5.4	Whether there is restriction/prohibition under personal law of the owner/ mortgage to hold the property/ies under the title deeds through which he has derived the title.	NO
5.5	Whether the latest title deeds and the immediately previous title deeds are available in originals.	YES
5.6	Whether the building tax/ land revenue has been paid, upto date.	YES
5.7	Whether any dues recoverable as land revenue are outstanding.	NO
5.8	In case the facility is sought for construction purpose Whether the land has been converted under Land Revenue Laws? If not required to be converted, give Reasons	N.A
5.9	Whether the land is affected by any revenue and tenancy Legislation? If so, how and to what extent and the remedy, if any	NO
5.10	Whether the permission under Urban Land (Ceiling and Regulation) Act, 1976 is necessary or not?	NOT APPLICABLE
5.11	Is there any other special enactment like Land Acquisition Act and other State Legislations/provisions of which are applicable to the property/ies and affecting the title?	NO
5.12		
a)	Is/are the property/ies free from encumbrances?	YES
b)	Please give detailed account of creation of charge/ mortgage or redemption for a minimum per 13 years and also state the subsisting charge/ mortgage, if any, mentioned in the Encumbrance Certificate for the last 13 years in case of priority sector advances and for the last 30 years in all other cases .	N.A.
5.13	Whether the proposed equitable mortgage by depositing to title deeds is possible? If so, what are the documents to be deposited/ if deposit is not possible, can there be a simple mortgage or by a registered mortgage or by any other mode of mortgage?	NOT APPLICABLE it is already mortgage with L.I.C. Housing Finance Ltd.
5.14	Whether the property/ies is /are freehold or leasehold or self-occupied or tenanted? If tenanted, whether the	Leasehold





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Property/ies can be taken as mortgage and what precautions to be taken?

- 5.15 If owner is a company, partnership firm, trust, temple, wakf or other legal persons, how the title is affected by its memorandum and articles of association, partnership deed, trust deed or rules or bye laws and what are the precautions to be taken under rules or buy-laws and also how the right to create mortgage is affected by Hindu Religious and Endowments laws and /or Wakt Act, as the case may be.

NOT APPLICABLE



Any Other Remark:

That, I have under the search undertaken been to the office of the Sub-Registrar, Aurangabad & have inspect the Index-II register thereof & the records of the said property at CIDCO office Aurangabad for inspecting the records of the said lease hold property of **M/s Empire Mall Pvt. Ltd.**, in respect of **Prozone trade Centre ,Plot No. P-80 (Part of Plot No. D-5), adm. 800092.75 Sq. Mtrs. , Situated At , MIDC, Chikalthana, Aurangabad , Tq. & Dist. Aurangabad** out of which **Saral Bazar Shops** are supposed to mortgage with our bank & there is no any Encumbrances on the shop that would adversely affect interest of the Bank are found.(as lenders Banks issued NOC For Selling out the Shops) Original Deeds are with Bank Of Patiala

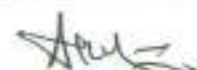
After going through the record & documents provided by Bank, it is seen that, the property is free subject to the charge of Central Bank of India, & while giving the loan, The Bank should create Registered Mortgage as per rule in respect of the said property.

It is pertinent to note that Saral Bazaar is located at lower ground floor, Phase 1 completed and part occupancy certificate received,

Prozone trade Centre is located on 2nd, 3rd, 4th and 5th floor & there Construction Plans are also annexed here with . As per submission on date 4th slab construction is completed and construction for 5th slab is going on.

That there was charge of Bank of Patiyala, Central Bank of India, HDFC Bank which is remitted & No Dues as well as Deed of Reconveyance No. 3531/2016 dated 26/05/2016 ,Deed No. 3532/2016 is executed on 26/05/2016 is also verified by me . It is pertinent to note that there is a loan of L.I.C. Housing Finance Ltd. to the tune of 95 caror on Prozone Trade Center.

DATE: 27/07/2017.


Adv. Abhijeet P. Kulkarni
(B.A. LL.B.) MAH/4337/2004
Advocate High Court, Aurangabad
MOB: 9423317221, 9970073858



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Advocate, Aurangabad



CERTIFICATE

I scrutinized the original mutation entries relating to the property to be offered as security by way registered mortgage and that the documents of title referred to above are perfect evidence of title and that if the said documents are deposited and registered mortgage etc. is created in the manner required by law, It will satisfy the requirements of creation of registered mortgage etc., I further certify that:

1. There are claims from minor and his/their interest in the
Property/ies is/are to the extent of **NA**
(Specify the share of minors with name)
2. The undivided share of the minor is **NA**
(Specify the share of minors with name)
3. The property is/are subject to the payment of Rs.
(Specify the liability that is listened or could be
fastened on the Property/ies)
4. Provisions of Urban Land (ceiling & Regulation)
Act 1970 are Not applicable. If applicable, **NA**
Permission is obtained.
5. Holding/acquisition is in accordance with the provision of
The Land Reforms Act. **NA**

Place: Aurangabad

Date: 27/07/2017

Abhijeet P. Kulkarni

Advocate, Aurangabad
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