Nagpur

ADV. PALLAVI KHAPRIKAR
LL.B. (FIVE YR.)

RES. : 42, DATTATRAYA NAGAR, NAGPUR-24.
OFF. : 1, GALAXY APT., MUSEAM ROAD, NR. NYAYA MANDIR, CIVIL LINES, NAGPUR-1.
Mob. : 9822228712

DISTRICT COURT ROOM - 224. HIGH COURT ROOM NO.

TITLE VERIFICATION AND SEARCH REPORT

1. **Name of the Owner :**
KSL & INDUSTRIES LIMITED

2. **Description of Property :**
Ground and Upper three floors of "Empress City Corporate Park" on All that piece and parcel of Land bearing Plot no. 101/1, bearing City Survey No.101/1, Ward No.6, Mouza-NAGPUR part and parcel of All That piece and parcel of Land admeasuring 92900 Sq. Mtrs., bearing City Survey No.101, Sheet No.199 of Mouza-NAGPUR and land admeasuring 3400 Sq. Mtrs. bearing City Survey No.2399 sheet No.65-66 Mouza- SITABULDI, Tah. & Distt. Nagpur within the limits of Nagpur Municipal Corporation and bounded as under :

On the East	Plot No. 101/2
On the West	Amenity Space
On the North	12 mtr. Proposed road
On the South	Walker Road

3. **Place of Inspection :**
i) Office of the Sub-Registrar No. 1, 2, 3
ii) N.M.C., N.I.T., City Survey and U.L.C.

4. **Date of Inspection :**
26.01.2012, 19.01.2012 & 30.01.2012

5. **Period of which records were inspected :**
At the Office of Registrar Nagpur records of 1983 to 2012 were inspected from Index Registrars and some of the records of 2012 were inspected from the day book. The affidavit sworn by the Owners are also obtained

6. **Particulars of Title :**
All that piece and parcel of Land bearing Plot no. 101/1, bearing City Survey No.101/1, Ward No.6, Mouza-NAGPUR part and parcel of All That piece and parcel of Land admeasuring 92900 Sq. Mtrs., bearing City Survey No.101, Sheet No.199 of Mouza-NAGPUR and land admeasuring 3400 Sq. Mtrs. bearing City Survey No.2399 sheet No.65-66 Mouza- SITABULDI, Tah. & Distt. Nagpur.

That, the above mentioned property originally owned by Central India Spinning Weaving and Manufacturing Company Limited the Maharashtra Government had acquired the same and transferred to Maharashtra State Textile Corporation Ltd., the same was sold out M/s KSL AND INDUSTRIES LTD. by sale Deed dated 07.02.2005 duly registered in the office of Sub- Registrar No.2 Nagpur at Sr. No.00833. That, Letter / NOC dated 17.6.1995 issued by the Addl. Collector and Competent Authority ULC Nagpur to M.S.T.C. Ltd.

That, above said owner wants to develop the above said property as a multi-user complex. That, the Additional Collector, Nagpur had given the permission for redevelopment of above said property by order dated 03.07.2004 in case no. ATP/ULC/DV/98/2004. That, the above said plot was sub-divided in five plots by order dated 25th Oct. 2005 by Town Planning. That, the above said KSL has entered into Agreement for development with M/s. Reward Real Estate Co. Ltd.

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Declaration was duly registered in the office of Sub-Registrar Nagpur Regd. At Sr. No. 05741-2010 on 27.12.2010.

That, the above said owner had taken a loan from the various financial institutions i.e. Allahabad Bank, Indian Overseas Bank, Housing and Urban Development Corporation Limited, Bank of India from time to time and the same was repaid.

That, at present the loan was due from Punjab National Bank being Large Corporate Branch, Cuffe Parade Mumbai. The Deed of Mortgage Cum Charge was also registered in the office of Sub-Registrar No. 3 at Sr.No.417 on 17.01.2011.

Thus the title of the present owner is clear and marketable Except Loan due from Punjab National Bank.

CERTIFICATE

On the basis of inspection of Index Registers, documents, placed before me and Affidavit sworn by the present Owners, I can say that there is no mortgage, charge, lien or any encumbrances on the property described in Para 2 herein above and it is a free from the same.

I further say that during the course 30 years of inspection of Index Registers, as I aforesaid, I did not come across with any entry creating any right, title or interest adverse to that of the present owner is clear.

Thus, the title of the present owner is clear and marketable and can be validly mortgaged.

DOCUMENT TO BE OBTAINED FOR VALID MORTGAGE

1) Sale Deed dated 07.02.2005 between MSTCL & M/s KSL AND INDUSTRIES LTD. (Original)
2) Mortgage Deed dated 17.01.2011 between Punjab National Bank & M/s KSL AND INDUSTRIES LTD. (Original)
3) Registered Mortgage dated 08.03.2006. (Original)
4) Reconvence of Mortgage Deed dated 12.08.2009. (Original)
5) No Due Certificates from Indian Overseas Bank, Nariman Point Branch. (Original)
6) Title Investigation and Search Report from Adv. Rajeev Chhabra dated 23.12.2010. (Xerox)
7) Letter dated 03.07.2004 from Additional Collector Competent Authority of ULC (Xerox)
8) Agreement of Development dated 31.03.2006. (Xerox)
9) Deed of Declaration (Xerox)
10) Sanctioned Map (Xerox)
11) Corporation Tax Receipt (Xerox)
12) Akhiv Patrika (Original)
13) Non Encumbrance Certificates from KSL Industries Limited in the form of Affidavit from the Authorized Director. (Original)

(Adv. PALLAVI KHAPRIKAR)

NAGPUR
DATED : 06.02.2012

Encl. :-
1) Affidavit
2) Receipt No. 03220

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Mob. : 9822226712

DISTRICT COURT ROOM - 224. HIGH COURT ROOM NO. 28

SPECIAL REPORT ON TITLE

Reg : Ground and Upper three floors of "Empress City Corporate Park" on All that piece and parcel of Land bearing Plot no. 101/1, bearing City Survey No.101/1, Ward No.6, Mouza-NAGPUR part and parcel of All That piece and parcel of Land admeasuring 92900 Sq. Mtrs., bearing City Survey No.101, Sheet No.199 of Mouza-NAGPUR and land admeasuring 3400 Sq. Mtrs. bearing City Survey No.2399 sheet No.65-66 Mouza- SITABULDI, Tah. & Distt. Nagpur

S.N.	ASPECTS TO BE CONSIDERED	COUNSEL'S STATEMENT
A	PARTICULARS	
1	Name of the borrower with address	KSL & INDUSTRIES LIMITED
2	Name of the person offering Mortgage with percentage/constitution and address	KSL & INDUSTRIES LIMITED
3	Details of property to be mortgaged : As per title deed - As per present Position -	Ground and Upper three floors of "Empress City Corporate Park" on All that piece and parcel of Land bearing Plot no. 101/1, bearing City Survey No.101/1, Ward No.6, Mouza-NAGPUR part and parcel of All That piece and parcel of Land admeasuring 92900 Sq. Mtrs. bearing City Survey No.101, Sheet No.199 of Mouza-NAGPUR and land admeasuring 3400 Sq. Mtrs. bearing City Survey No.2399 sheet No.65-66 Mouza- SITABULDI, Tah. & Distt. Nagpur
B	INVESTIGATIONS	
1	Details of the title deeds/documents (including Link Deeds/Parent deeds) to be deposited for creation of mortgage (with full particulars regarding nature of document, date of execution and details of registration)	1) Sale Deed dated 07.02.2005 between MSTCL & M/s KSL AND INDUSTRIES LTD. (Original) 2) Mortgage Deed dated 17.01.2011 between Punjab National Bank & M/s KSL AND INDUSTRIES LTD. (Original) 3) Registered Mortgage dated 08.03.2006 (Original) 4) Reconvence of Mortgage Deed dated 12.08.2008. (Original) 5) No Due Certificates from Indian Overseas Bank, Nariman Point Branch (Original) 6) Title Investigation and Search Report from Adv. Rajeev Chhabra dated 23.12.2010. (Xerox) 7) Letter dated 03.07.2004 from Additional Collector Competent Authority of ULC (Xerox) 8) Agreement of Development dated 31.03.2006. (Xerox) 9) Deed of Declaration (Xerox) 10) Sanctioned Map (Xerox) 11) Corporation Tax Receipt (Xerox) 12) Akhiv Patrika (Original)

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2	Whether documents given to the counsel are original one or more copies of documents? (Counsel should examine original documents only and if any of the documents in original is not shown, the details of the document be given with reasons thereof)	Xerox as original with IL & FS Trust Company Ltd
3	Whether documents given as original title deeds raise any doubt or suspicion?	N.A.
4	Whether the registration particulars number & date and page particulars as given in the title deed shown to the counsel tally with the particulars as stated in the records of the Registrar's Office?	Yes, Registration No., Volume, Sr No., Page No. and date are tallied
5	Whether the registration particulars number & date and page particulars as given in the title deed tally with the particulars as stated in the certified copy as obtained from the registrar's office?	Yes
6	Whether the photographs of parties as affixed in conveyance deed/title deed tally with the photograph seen in the certified copy as obtained from the registrar's office?	Yes
7	Whether contents of the as given in the title deed tally verbatim with the contents as stated in the certified copy obtained from the registrar's office? If not, variations be specified. What as its effect?	Yes
8	Whether the property has been mutated in the name of the person offering the mortgage?	Yes
9	Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?	Yes/Registered Mortgage
10	Whether there is any bar under any local law for creation of the mortgage of the property to be mortgaged? (In some states, there are legal restrictions on creation of the mortgage of agricultural property for non-agricultural purposes)	No
11	Whether there are any restrictions regarding sale of the property to be mortgaged? (In some States, there are restrictions for sale of property to residents outside the State)	No

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	sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained?	
13.	Whether the property is ancestral or under joint ownership or the minor is having interest in the property? If so, its effect thereof	No
14.	Whether the property to be mortgaged has been acquired under Land Acquisition Act, 1894?	No
15.	Whether Urban Land Ceiling Act is applicable in the State where the property is located ?	No
16.	In case of leasehold property, whether permission/NOC from the lessor is required for creation of mortgage? Whether permission of the lessor/NOC is obtained? What is the rate of sharing of unearned income with lessor, in the event of sale of the property? Whether copy of title deed favouring lessor (other than Govt.) is made available to examine the validity of the lease? Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof	N.A.
17.	Whether any permission of Income Tax Authorities/Assessing Officer is required under the provisions of Income Tax Act for creation of mortgage or any certificate is to be submitted to the Bank to show that no dues are outstanding to the Income Tax Department?	No dues certificate from income tax authority may be obtained.
18.	In respect of agriculture land, whether land is declared surplus or under consolidation of holdings ?	N.A.
19.	Whether certified copies of Revenue Records has been obtained and examined to confirm that no dues are outstanding toward the mortgagor? (Copies of revenue record be submitted to the Bank while submitting the Certificate of Title Investigation)	Aakhiv Patrika is obtained.

NAGPUR
DATE 06.02.2012

Mrs. Pallavi Khapridar
Advocate

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ANNEXURE-V

CERTIFICATE

REFERENCE NO.

Mrs. Pallavi Khaprikar, Advocate
42, Dattatraya Nagar, Nagpur-24

ENTRY SERIAL NO. 633/ REGISTER NO. INDEX-II OF YEAR 2005
(Counsel to give serial no. to the certificate as entered in register of searches maintained by him)

Date : 06.02.2012

The Manager
B.O. PNB Large Corporate Branch, Cuffe Parade
Mumbai.

Opinion on investigation of title and obtaining of search report in respect of property Ground and Upper three floors of "Empress City Corporate Park" on All that piece and parcel of Land bearing Plot no. 101/1, bearing City Survey No.101/1 Ward No.8, Mouza-NAGPUR part and parcel of All That piece and parcel of Land admeasuring 92900 Sq. Mtrs., bearing City Survey No.101, Sheet No.199 of Mouza-NAGPUR and land admeasuring 3400 Sq. Mtrs. bearing City Survey No.2399 sheet No.65 of Mouza-SITABULDI, Tah. & Distt. Nagpur belonging to M/s KSL & INDUSTRIES LIMITED

As requested, I have conducted the legal investigation of the title and made a search of records in the registration office and other offices as required in the matter.

I have answered all the queries in the Special Report which is enclosed.

I hereby certify that the registration particulars – numbers, date and page particulars etc., as shown in the original title deed and contents thereof tally with the information as stated in the records of office of Sub-Registrar/Registrar of Assurances as well as with certified copy of the title deed, which was obtained by me is enclosed with this certificate.

I further certify that the photograph of previous owner and of intending mortgagor affixed/seen in the title deed tally with records of registration office as well as certified copy of the title deed.

Chain of title relating to the property is complete as given in the Annexure hereto.

I have verified, tallied and compared these documents from the record of the office of Sub-Registrar/Registrar of assurances and also from the records of other appropriate authorities.

1. N.I.T.
2. N.M.C.
3. City Survey

The search report of which is annexed hereto, conducted by me, for the period from 1982 to 2011 does not disclose any encumbrances/disclose encumbrances as stated therein.

I have not given/have given opinion earlier on investigation of title relating to the same property as detailed hereunder :

1) Name of lender – N.A.
2) Date of opinion & reference No. (if any) N.A.
3) Remarks - N.A.

I find following defects/no defects in the title of the person offering mortgage :-

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N.A.

I hereby certify that M/s KSL & INDUSTRIES LIMITED have a clear, valid and marketable title over the above said property and he/she/they is competent to create the mortgage

The valid mortgage can be created by deposit of the following original title deed. The said title deeds are Original and genuine and are not duplicate or fake as observed by me –

(Give hereunder details of title deeds which are required to be deposited to create equitable mortgage)

1) Sale Deed dated 07.02.2005 between MSTCL & M/s KSL AND INDUSTRIES LTD (Original)
2) Mortgage Deed dated 17.01.2011 between Punjab National Bank & M/s KSL AND INDUSTRIES LTD (Original)
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1) The search made out in the office of Registrar of Companies disclosed

ROC	INFORMATION
Yes	As per Report

2) Inspection of Court records disclosed
(This may detail Suit pending, Decrees, Attachment before Judgment Injunction, Appointment of Receiver, Appointment of Liquidator)

Name of Court	Date of Order	Nature of Order
N.A.	N.A.	N.A.

3) Searches made/Inspections carried out in the following offices disclosed

Office	Date of Search/ Inspection	Information
N.M.C N.I.T. City Survey	26.01.2012 19.01.2012 & 30.01.2012	As per Search Report

4) A study of the following documents disclosed

Details of documents perused	Information
1) Sale Deed dated 07.02.2005 between MSTCL & M/s KSL AND INDUSTRIES LTD. (Original) 2) Mortgage Deed dated 17.01.2011 between Punjab National Bank &	As per Search Report

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M/s KSL AND INDUSTRIES LTD. (Original) 3) Registered Mortgage dated 08.03.2006. (Original) 4) Reconvence of Mortgage Deed dated 12.08.2008. (Original) 5) No Due Certificates from Indian Overseas Bank, Nariman Point Branch. (Original) 6) Title Investigation and Search Report from Adv. Rajeev Chhabra dated 23.12.2010. (Xerox) 7) Letter dated 03.07.2004 from Additional Collector Competent Authority of ULC (Xerox) 8) Agreement of Development dated 31.03.2006. (Xerox) 9) Deed of Declaration (Xerox) 10) Sanctioned Map (Xerox) 11) Corporation Tax Receipt (Xerox) 12) Akhiv Patrika (Original)	

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