

UNISAN & CO.  
ADVOCATES

Andheri: 6692 0818 / 0819  
6697 0889  
Fort : 2267 6999 / 6237 7901  
Mobile : 98200 98691

FORT : OFF. NO. 19, 2ND FLOOR, RAJA BAHADUR MANSION (NEW BANSILAL BUILDING), OPP. ANDHRA BANK, HOMI MODI STREET, FORT, MUMBAI 400 021.

ANDHERI : 406, MORYA ESTATE, NEW LINK RD., OPP. INFINITI MALL, ANDHERI (W), MUMBAI 400 051.

E-mail : unisan.adv@gmail.com

ANNEXURE - V

REF. NO.: US\PNB\OPE-0142/18-19

CERTIFICATE

May 19, 2018

To,  
Chief Manager,  
Punjab National Bank  
Opera House Branch,  
Rawal Building,  
Lamington Road,  
Mumbai 400 004.

Re.: Opinion on investigation of title and obtaining of search report in respect of property viz. Flat No. 07 adm. 486 Sq.ft. Carpet area on the 3rd floor in the Building known as "BHAVANI NIWAS BUILDING" situated at Dr. Ramesh Pradhan Road, Talao Pali, Thane (West) 400 601

Owned by : MR. MANDAR DILIP NAIK

As requested, we 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.

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

We hereby certify that the registration particulars- number, 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 us is enclosed with this certificate.

We 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.

We 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.

- a) Registered original Deed of Declaration dtd. 24<sup>th</sup> February, 2010 along with original Agreement for Sale dtd. 18<sup>th</sup> June, 2001 made between SHRI. MANSHI DAYA SATRA AND SHRI. MEGHJI DEVSHI CHEDDA.
- b) Registered original Sale Deed dtd. 9<sup>th</sup> February, 2016 made between SHRI. MEGHJI DEVSHI CHEDDA AND MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE.
- c) Registered original Agreement for Sale dtd. 23<sup>rd</sup> January, 2018 made between MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE AND MR. MANDAR DILIP NAIK.

We shall be liable/ responsible, if any loss is caused to the Bank due to negligence on my part in making the search and Bank has the unqualified right to publish my name for including in the caution list being maintained by the INDIAN BANKS' ASSOCIATION OR RESERVE BANK OF INDIA OR ANY OTHER SUCH BODY for circulation amongst Banks/ Financial Institution.

The search report of which is annexed hereto, conducted by our us for the period from 2005 to 2018 does not disclose any encumbrances/ disclose encumbrances as stated therein.

We have not given opinion earlier on investigation of title relating to the same property.

We find no defects in the title of the person offering mortgage:-

We hereby certify that MR. MANDAR DILIP NAIK, have a clear, valid and marketable title over the above said property and it is competent to create the mortgage.

The valid mortgage can be created by deposit of the **following** original title deeds;

The said title deeds are original and genuine and are not duplicate or fake as observed by us —

- a) Registered Mortgage to be made between Mr. Mandar Dilip Naik AND Punjab National Bank.
- b) Original Construction Loan Agreement dtd. 6<sup>th</sup> February, 1973 made between Smt. Satyabhamabai Krishnaji Palvankar AND Shri Mansey Daya Satra.
- c) Copy of Will dtd. 11.4.1985 executed by Smt. Satyabhamabai Krishnaji Palvankar.
- ✓ d) Copy of Death Certificate of Smt. Satyabhamabai Krishnaji Palvankar.
- e) Registered original Sale Deed dtd. 19<sup>th</sup> August, 1989 made between SHRI. CHANDRAKANT KRISHNAJI PALWANKAR AND SHRI. MANSI DAYA SATRA.
- f) True Copy of Registration Receipt bearing Document No. TNN-1/6809/1989.
- g) Registered original Deed of Declaration dtd. 24<sup>th</sup> February, 2010 alongwith original Agreement for Sale dtd. 18<sup>th</sup> June, 2001 made between SHRI. MANSI DAYA SATRA AND SHRI. MEGHJI DEVSHI CHEDDA alongwith original Registration Receipt.
- h) Registered original Sale Deed dtd. 9<sup>th</sup> February, 2016 made between SHRI. MEGHJI DEVSHI CHEDDA AND MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE alongwith original Registration Receipt.
- ✓ i) Registered original Agreement for Sale dtd. 23<sup>rd</sup> January, 2018 made between MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE AND MR. MANDAR DILIP NAIK alongwith original Registration Receipt.

- j) Copy of letter dtd. 8.5.2018 issued by Wagle Estate Police Station, Thane City for loss of Registration Receipt bearing Document No. TNN-1 6809 1989 on 06.10.1989.
- k) Copy of latest Property Card.
- l) Copy of Assessment Tax paid Receipt issued by Thane Municipal Corporation.
- m) Copy of Occupation Certificate.

  
UNISANKAR & CO.  
ADVOCATES

Encl : 1. Special Report  
2. Chain of Title  
3. Search Report

Note : Since this annexure is a prescribed form by the Branch which inter alia provides for comparison with certified copy of the last original title deed. Therefore, we have not modified the same. However, on receipt of the Certified Copy of the last original title deed we shall issue Supplemental Report to that effect. Thereafter, the Branch may dispense the form.

# UNISAN & CO.

## ADVOCATES

Andheri: 6692 0818 / 0819  
6697 0889  
Fort : 2267 6999 / 6237 7901  
Mobile : 98200 98601

FORT : OFF. NO. 19, 2ND FLOOR, RAJA BAHADUR MANSION (NEW BANSILAL BUILDING), OPP. ANDHRA BANK, HONI MODI STREET, FORT, MUMBAI 400 023

ANDHERI : 406, MORYA ESTATE, NEW LINK RD., OPP. INFINTI MALL, ANDHERI (W), MUMBAI 400 053.

E-mail : unisan.adv@gmail.com

**ANNEXURE - IV**  
May 19, 2018

### SPECIAL REPORT ON TITLE

Re.: Property situated at; Flat No. 07 adm. 486 Sq.ft.  
Carpet area on the 3rd floor in the Building known  
as "BHAVANI NIWAS BUILDING" situated at  
Dr. Ramesh Pradhan Road, Talao Pali, Thane  
(West) 400 601.  
Owned by : MR. MANDAR DILIP NAIK

Aspects to be considered		COUNSEL'S STATEMENT
<b>A</b>	<b>PARTICULARS</b>	MR. MANDAR DILIP NAIK B/704, Prakruti Apartment, M. Sundarji Road, Raghunath Nagar, Thane (West) 400 604
1.	Name of the Borrower with address :	
2.	Name of the person offering Mortgage with percentage/ constitution and address	MR. MANDAR DILIP NAIK B/704, Prakruti Apartment, M. Sundarji Road, Raghunath Nagar, Thane (West) 400 604
3.	Details of the property to be mortgaged: As per title deed As per present position	Flat No. 07 adm. 486 Sq.ft. Carpet area on the 3rd floor in the Building known as "BHAVANI NIWAS BUILDING" situated at Dr. Ramesh Pradhan Road, Talao Pali, Thane (West) 400 601
<b>B.</b>	<b>INVESTIGATION :</b>	
1.	Details of the title deeds/ documents (including Link Deeds/Parent deeds) to be deposited for creation of the mortgage (with full particulars regarding nature of document, date of execution and details of registration)	<p>a) Registered Mortgage to be made between Mr. Mandar Dilip Naik AND Punjab National Bank.</p> <p>b) Original Construction Loan Agreement dtd. 6<sup>th</sup> February, 1973 made between Smt. Satyabhamabai Krishnaji Palvankar AND Shri. Mansey Daya Satra.</p> <p>c) Copy of Will dtd. 11.4.1985 executed by Smt. Satyabhamabai Krishnaji Palvankar.</p> <p>d) Copy of Death Certificate of Smt. Satyabhamabai Krishnaji Palvankar.</p> <p>e) Registered original Sale Deed dtd. 19<sup>th</sup> August, 1989 made between SHRI. CHANDRAKANT KRISHNAJI PALWANKAR AND SHRI. MANSHI DAYA SATRA.</p> <p>f) True Copy of Registration Receipt bearing Document No. TNN- 1/6809/1989.</p> <p>g) Registered original Deed of Declaration dtd. 24<sup>th</sup> February, 2010</p>

...2/-



alongwith original Agreement for Sale dtd. 18<sup>th</sup> June, 2001 made between SHRI. MANSI DAYA SATRA A.D SHRI. MEGHI DEVSHI CHLDDA alongwith original Registration Receipt.

h) Registered original Sale Deed dtd. 9<sup>th</sup> February, 2016 made between SHRI. MEGHI DEVSHI CHEDDA AND MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE alongwith original Registration Receipt.

i) Registered original Agreement for Sale dtd. 23<sup>rd</sup> January, 2018 made between MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE AND MR. MANDAR DILIP NAIK alongwith original Registration Receipt.

j) Copy of letter dtd. 8.5.2018 issued by Wagle Estate Police Station, Thane City for loss of Registration Receipt bearing Document No. TNN-16809/1989 on 06.10.1989

k) Copy of latest Property Card.

l) Copy of Assessment Tax paid Receipt issued by Thane Municipal Corporation.

m) Copy of Occupation Certificate.

2. Whether certified copies have been obtained from the Registrar's office.	We have applied for certified copy of last title deed and not yet received.
3. Whether the documents in hand are compared with the certified copies and whether the documents given raise any doubt or suspicion.	The documents in hand are Xerox. Certified copy of last title deed is not yet received. We shall issue Supplemental Report on comparison of certified copy with the last original Title Deed deposited with your branch.
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
5. 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 Certified copy as obtained from the registrar's office.	As per clause (3) hereinabove.
6. Whether the photographs of parties as affixed in correspondence deed title deed tally with the photographs given in the certified copy as obtained from the registrar's office.	As per clause (3) hereinabove.

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7.	Whether contents of the as given 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 is its effect?	As per clause (3) hereinabove.
8.	Whether the property has been mutated in the name of the person offering the mortgage?	This clause is applicable to the land. In the present case the property offered is a flat. Hence, it is not applicable
9.	Whether equitable mortgage can be created at the place where the branch disbursing the loan is situated?	No. Registered Mortgage can be created in respect of the said premises.
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.
12.	Whether all the approvals, clearance/ sanctions required for creation of the mortgage have been obtained? If not obtained, what are such sanctions, approvals and clearances yet to be obtained.	Yes. Documents are required for creation of mortgage as stated in Clause "B" - 1 hereinabove;
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?	Not Applicable
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?	The land is freehold.
17.	What is the rate of sharing of unearned income with lessor, in the event of sale of the property?	Not Applicable
18.	Whether copy of title deed favouring lessor (other than Govt.) is made available to examine the validity of the lease?	Not Applicable
19.	Whether terms & conditions given in the lease deed have been complied with? If any condition is violated, effect thereof.	Not Applicable
20.	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.

21.	In respect of agriculture land, whether land is declared surplus or under consolidation of holdings?	Not Applicable.
22.	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.)	This clause is applicable to the land. In the present case the property offered is a flat. Hence, it is not applicable.

DATE : 19.05.2018

PLACE : Mumbai

  
ANIL SAN & CO.  
ADVOCATES

Dated : May 19, 2018

### CHAIN OF TITLE

Re.: Property situated at ; Flat No. 07 adm. 486 Sq.ft.  
Carpet area on the 3rd floor in the Building known  
as "BHAVANI NIWAS BUILDING" situated at  
Dr. Ramesh Pradhan Road, Talao Pali, Thane  
(West) 400 601.  
Owned by : MR. MANDAR DILIP NAIK

1. As per Property Card dtd. 20.10.2015 issued by City Survey Officer, Thane, one SMT. SATYABHAMABAI KRISHNAJI PALVANKAR was the owner of the land bearing CTS No. 13, Tika No. 16, adm. 1102.84 Sq.mtrs. of Village Panchpakhadi, Taluka and District Thane (hereinafter referred to as "the said Property").

2. By Construction Loan Agreement dtd. 6<sup>th</sup> February, 1973 made between SMT. SATYABHAMABAI KRISHNAJI PALVANKAR as the Landlady of the First Part AND SHRI. MANSEY DAYA SATRA as the Prospective Tenant of the Second Part, the Landlady let out to the Prospective Tenant on Tenancy basis the flat viz.: Flat No. 07 adm. 486 Sq.ft. Carpet area on the 3rd floor in the Building known as "BHAVANI NIWAS BUILDING" situated at Dr. Ramesh Pradhan Road, Talao Pali, Thane (West) 400 601 (hereinafter referred to as "the said premises") at the loan amount of Rs. 11,000/- and on monthly tenancy rent of Rs. 136.08 and terms and conditions as stated therein.

3. SMT. SATYABHAMABAI KRISHNAJI PALVANKAR constructed the Building known as "BHAVANI NIWAS BUILDING" on the said property (hereinafter referred to as "the said Building" and Municipal Corporation of the City of Thane has issued Occupation Certificate bearing No. V.P. 938 DTD. 6.2.1986 in respect of the said Building.

4. SMT. SATYABHAMABAI KRISHNAJI PALVANKAR has executed her last Will dtd. 11.4.1985 and registered under Sl. No. 1301/1985 on 15.04.1985 with Sub-Registrar of Assurances at Thane.

5. On 17.06.1985 SMT. SATYABHAMABAI KRISHNAJI PALVANKAR died and left her last Will dtd. 11.4.1985 and left behind her surviving her legal heirs her three sons viz.; Abhimanyu, Sadanand and Chandrakant and married daughters viz.; Mrs. Suman Atmaram Khopkar, Mrs. Vasanti Sumant Pevekar and Mrs. Asha Gajanan Shrivartkar.

6. As per the said Will dtd. 11.4.1985, SMT. SATYABHAMABAI KRISHNAJI PALVANKAR bequeathed the said Building to one of her sons Mr. Chandrakant K. Palvankar.

7. The names of three sons viz.; Abhimanyu Krishnaji Palvankar, Sadanand Krishnaji Palvankar and Chandrakant Krishnaji Palvankar was recorded on 23.10.1986 in the property card by the City Survey Officer, Thane.

8. By Sale Deed dtd. 19<sup>th</sup> August, 1989 bearing Registration No. TNN-1/6809/1989 on 06.10.1989 with Sub-Registrar of Assurances at Thane and made between MR. CHANDRAKANT KRISHNAJI PALVANKAR as Vendor of the One Part AND SHRI. MANSHI DAYA SATRA as the Purchaser of the Other Part, the Vendor sold to the Purchaser the said premises on ownership basis on payment of 100 times monthly rent of Rs. 13,608/- and terms and conditions as stated therein.



9. By an Agreement for Sale dtd. 18<sup>th</sup> June, 2001 made between SHRI. MANSI DAYA SATRA as the Transferor of the One Part AND SHRI. MEGHJI DEVSHI CHEDDA as the Transferee of the Other Part, the Transferor sold to the Transferee the said premises at the price and on the terms and conditions as stated therein.

10. By Deed of Declaration dtd. 24<sup>th</sup> February, 2010 alongwith Agreement for Sale dtd. 18<sup>th</sup> June, 2001 confirmed by Mr. Meghji Devshi Chedda and bearing Registration No. TNN-1/1644/2010 on 24.02.2010 with Sub-Registrar of Assurances at Thane -1.

11. By Sale Deed dtd. 9<sup>th</sup> February, 2016 bearing Registration No. TNN-5/1976/2016 on 09.02.2016 with Sub-Registrar of Assurances at Thane - 5 and made between SHRI. MEGHJI DEVSHI CHEDDA as the Transferor of the One Part AND MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE as the Transferees of the Other Part, the Transferor sold to the Transferees the said premises at the price and on the terms and conditions as stated therein.

12. By an Agreement for Sale dtd. 23<sup>rd</sup> January, 2018 bearing Registration No. TNN-1/1246/2018 on 23.01.2018 with Sub-Registrar of Assurances at Thane -1 and made between MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE as the Vendors of the One Part AND MR. MANDAR DILIP NAIK as the Purchaser of the Other Part, the Vendors sold to the Purchaser the said premises at the price and on the terms and conditions as stated therein.

12. The said Original Registration Receipt in respect of Document No. TNN-1/6809/1989 on 06.10.1989 is lost and misplaced by MR. MANDAR DILIP NAIK. The said fact of loss of the said receipt was reported to Wagle Estate Police Station, Thane City on 08.05.2018 bearing Reg. No. 509/2018.

  
UNISAI & Co.  
ADVOCATES.

**Annexure VB**  
May 19, 2018

Account : **SEARCH REPORT**  
B.O. : MR. MANDAR DILIP NAIK  
Opera House Branch, Opera House, Mumbai.

Search report relates to searches made in :

- a) Sub-Registrar Office.
- b) Registrar of Companies.
- c) Courts.
- d) Other offices.
  - a) Office of the Co-operative Society.
  - b) \_\_\_\_\_ Development Authority.  
(DDA/HUDA/and the like)

e) Any other documents

- i) Receipt for payment of Municipal Taxes etc. :- Bank should obtain the same.

1. Sub Registrar /Registrar of Assurance Office at Thane - 1, 2 and 5 . The encumbrance certificate was obtained from the Sub-Registrar, Thane - 1, 2 and 5 for the period from 2005 to 2018 and the same disclosed following encumbrances (Certificate enclosed):

- a) NIL

(If there is no system of issue of encumbrance certificate in the office of Sub-Registrar, it be stated accordingly)

- There is no provision under The Maharashtra Registration Rules, 1961 for issuance of encumbrance certificate unlike other states viz: Karnataka, Andhra Pradesh, Tamilnadu and Union Territory of Dadra and Nagar Haveli.

2. Personal search was carried out by us for the purpose. Inspection was made on 16.05.2018 for the period of 2005 to 2018 at the following Sub-Registrar / Offices :-

S.R.O. at Thane - 1, 2 and 5 from 2005 to 2018 (14 years) :

2005 :	Nil	2006 :	Nil	2007 :	Nil	2008 :	Nil
2009 :	Nil						
2010 :	By Deed of Declaration dtd. 24 <sup>th</sup> February, 2010 alongwith Agreement for Sale dtd. 18 <sup>th</sup> June, 2001 confirmed by Mr. Meghji Devshi Chedda and bearing Registration No. TNN-1/1644/2010 on 24.02.2010 with Sub-Registrar of Assurances at Thane -1.						
2011 :	Nil						
2012 :	Nil	2013 :	Nil	2014 :	Nil	2015 :	Nil

- 2016 : By Sale Deed dtd. 9<sup>th</sup> February, 2016 bearing Registration No. TNN-5/1976/2016 on 09.02.2016 with Sub-Registrar of Assurances at Thane - 5 and made between SHRI. MEGHJI DEVSHI CHEDDA as the Transferor of the One Part AND MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE as the Transferees of the Other Part
- 2017 : Nil
- 2018 : Record books are not ready (Index No. II Entry)  
By an Agreement for Sale dtd. 23<sup>rd</sup> January, 2018 bearing Registration No. TNN-1/1246/2018 on 23.01.2018 with Sub-Registrar of Assurances at Thane -1 and made between MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE as the Vendors of the One Part AND MR. MANDAR DILIP NAIK as the Purchaser of the Other Part

### SCHEDULE

Flat No. 07 adm. 486 Sq.ft. Carpet area on the 3rd floor in the Building known as "BHAVANI NIWAS BUILDING" constructed on the portion of land bearing City Survey No. 13, Tikka No. 16 of Village Panchpakhadi, Tal. & Dist. Thane within the limits of Thane Municipal Corporation and within the Registration District and Sub-District of Thane situated at Dr. Ramesh Pradhan Road, Talao Pali, Thane (West) 400 601.

#### The search report did not disclose the encumbrances

3. The Ownership of the property being of an Individual, therefore search was not conducted in the offices of the registrar of companies:-

ROC	INFORMATION
N.A	N.A.

4. 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
High Court Bombay Supreme Court of India	-----	-----

5. Searches made / Inspections carried out in the following offices disclosed :

Office	Date of search / Inspection	Information
1) Sub-Registrar of Assurances at Thane - 1, 2 and 5	16.05.2018	Details stated in clause No. 2 hereinabove

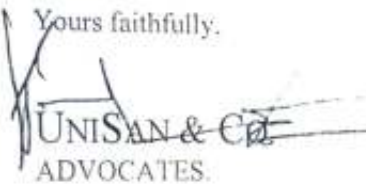
6. A study of the following documents disclosed :

Details of documents perused	Information
By Deed of Declaration dtd. 24 <sup>th</sup> February, 2010 alongwith Agreement for Sale dtd. 18 <sup>th</sup> June, 2001 confirmed by Mr. Meghji Devshi Chedda.	bearing Registration No. TNN-1/1644/2010 on 24.02.2010 with Sub-Registrar of Assurances at Thane -1

:: 3 ::

By Sale Deed dtd. 9 <sup>th</sup> February, 2016 and made between SHRI. MEGHJI DEVSHI CHEDDA as the Transferor of the One Part AND MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE as the Transferees of the Other Part	bearing Registration No. TNN-5/1976/2016 on 09.02.2016 with Sub-Registrar of Assurances at Thane - 5
By an Agreement for Sale dtd. 23 <sup>rd</sup> January, 2018 made between MR. SANJAY TUKARAM MHASE AND MRS. NIRMALA TUKARAM MHASE as the Vendors of the One Part AND MR. MANDAR DILIP NAIK as the Purchaser of the Other Part	bearing Registration No. TNN-1/1246/2018 on 23.01.2018 with Sub-Registrar of Assurances at Thane -1

Yours faithfully,



UNISAN & Co.  
ADVOCATES.