

Dated : 7th September, 2018

CHAIN OF TITLE

Re.: Property situated at ; Flat No. 205, adm. 655 sq. ft.
Super BUA, on the 2nd Floor, of the Bldg. No. 22B,
known as "THE BIMBISAR NAGAR NISARG CO-
OP. HSG. SOC. LTD.", situated at Code No. 177,
Bimbisar Nagar, Western Express Highway, Goregaon
(East), Mumbai 400 065.

Belonging to : MR. MAHENDRA SHRIRAM THAKUR.

1. Maharashtra Housing Area Development Board (hereinafter referred to as the said Authority) is possessed of or otherwise well and sufficiently entitled to a piece or parcel of developed land situated at CTS No. 258(Part), Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 65 (hereinafter referred to as "the said Land").
2. MR. MAHENDRA SHRIRAM THAKUR applied to Maharashtra Housing Area Development Authority for allotment of flat in one of the buildings constructed by the said Authority on the said land situate at Bimbisar Nagar.
3. The Authority has approved the said application of the allottee MR. MAHENDRA SHRIRAM THAKUR and by Provisional Offer Letter had agreed to allot the flat viz. Flat No. 205, adm. 655 sq. ft. Super BUA, on the 2nd Floor, of the Bldg. No. 22B, known as "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", situated at Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065 (hereinafter referred to as "the said premises") at the price and on the terms and conditions as stated therein.
4. After making full and final payment the MHADA vide Allotment Letter bearing Ref. No. DIR/MKT/ALLOT/BIM.GORE/7199/2003 dtd. 01.10.2003 allotted the said premises to MR. MAHENDRA SHRIRAM THAKUR at the price and on the terms and conditions as stated therein.
5. A Co-op. Hsg. Soc. known as "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD." is formed and registered vide Reg. No. MUM/MHADB/HSG/(TC)/12270/2004-2005 (hereinafter referred to as "the said Society") under M.C.S. Act, 1960.


UNISAN & Co.
ADVOCATES.

ANNEXURE – IV
September 7, 2018.

SPECIAL REPORT ON TITLE

Re.: Property situated at; Flat No. 205, adm. 655 sq. ft. Super BUA, on the 2nd Floor, of the Bldg. No. 22B, known as "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", situated at Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065.

Belonging to : MR. MAHENDRA SHRIRAM THAKUR

	Aspects to be considered	COUNSEL'S STATEMENT
A	PARTICULARS	MR. MAHENDRA SHRIRAM THAKUR
	1. Name of the Borrower with address :	Flat No. 205, 2nd Floor, Bldg. No. 22B, "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065.
	2. Name of the person offering Mortgage with percentage/ constitution and address	MR. MAHENDRA SHRIRAM THAKUR Flat No. 205, 2nd Floor, Bldg. No. 22B, "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065.
	3. Details of the property to be mortgaged : As per title deed – As per present position	Flat No. 205, adm. 655 sq. ft. Super BUA, on the 2nd Floor, of the Bldg. No. 22B, known as "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", situated at Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065.
B.	INVESTIGATION :	
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)	a) Original Provisional Offer Letter issued by MHADA in favour of MR. MAHENDRA SHRIRAM THAKUR. b) Original Allotment Letter bearing Ref. No. DIR/MKT/ALLOT/BIM.GORE/7199/2003 dtd. 01.10.2003 issued by MHADA in favour of MR. MAHENDRA SHRIRAM THAKUR. c) Original Share Certificate. f) NOC from the Society to mortgage the said premises. g) NOC from MHADA to mortgage the said premises. h) Latest maintenance Bill/Receipt issued by the said Society in respect of the said premises. i) Copy of Occupation Certificate.

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2.	Whether certified copies have been obtained from the Registrar's office.	In the present case MHADA has not stipulated that, the Allotment Letter is required to be registered. Therefore, none of the documents is registered in respect of the said premises. Hence, this clause is not applicable.
3.	Whether the documents in hand are compared with the certified copies and whether the documents given raise any doubt or suspicion?	As per clause (3) hereinabove.
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?	As per clause (3) hereinabove.
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 conveyance deed/title deed tally with the photograph seen in the certified copy as obtained from the registrar's office?	As per clause (3) hereinabove.
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?	Yes.
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.

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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?	The land is leasehold.
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.

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DATE : 07.09.2018.

PLACE : Mumbai


UNISAN & CO.
ADVOCATES

UNISAN & Co.

ADVOCATES

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

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

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

E-mail : unisan.adv@gmail.com

ANNEXURE - V

CERTIFICATE

REF. NO.: US\PNB\MDV-0486/18-19

September 7, 2018

To,
Chief Manager,
Punjab National Bank,
Mandvi Branch,
33, Daryasthan Street,
Mandvi,
Mumbai 400 003.

Re.: Opinion on investigation of title and obtaining of search report in respect of property viz. Flat No. 205, adm. 655 sq. ft. Super BUA, on the 2nd Floor, of the Bldg. No. 22B, known as "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", situated at Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065.

Belonging to : MR. MAHENDRA SHRIRAM
THAKUR

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.

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.

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The search report of which is annexed hereto, conducted by 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. MAHENDRA SHRIRAM THAKUR has 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 subject to deposit of the **following** original title deed

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

- ✓ a) Original Provisional Offer Letter issued by MHADA in favour of MR. MAHENDRA SHRIRAM THAKUR.
- ✓ b) Original Allotment Letter bearing Ref. No. DIR/MKT/ALLOT/BIM.GORE/7199/2003 dtd. 01.10.2003 issued by MHADA in favour of MR. MAHENDRA SHRIRAM THAKUR. *Duplicate*
- 2/16/2019 ✓ c) Original Share Certificate. *Duplicate*
- ✓ d) NOC from the Society to mortgage the said premises.
- e) NOC from MHADA to mortgage the said premises.
- ✓ f) Latest maintenance Bill/Receipt issued by the said Society in respect of the said premises.
- ✓ g) Copy of Occupation Certificate.

UNISAN & Co.
ADVOCATES.

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

Annexure V-B

September 7, 2018.

SEARCH REPORT

Account : MR. MAHENDRA SHRIRAM THAKUR
B.O. : Mandvi Branch

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 Goregaon and Borivali. The encumbrance certificate was obtained from the Sub-Registrar, Goregaon and Borivali 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 07.09.2018 for the period of 2005 to 2018 at the following Sub-Registrar / Offices :-

S.R.O. Goregaon and Borivali from 2005 to 2018 (14 years) :

2005 :	Nil	2006 :	Nil	2007 :	Nil	2008 :	Nil
2009 :	Nil	2010 :	Nil	2011 :	Nil	2012 :	Nil
2013 :	Nil	2014 :	Nil	2015 :	Nil	2016 :	Nil
2017 :	Nil	2018 :	Records Books Not Ready.				

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SCHEDULE

Flat No. 205, adm. 655 sq. ft. Super BUA, on the 2nd Floor, of the Bldg. No. 22B, known as "THE BIMBISAR NAGAR NISARG CO-OP. HSG. SOC. LTD.", constructed on land bearing C.T.S. No. 258 (Pt.), S. No. 14/B (Pt.), Village Goregaon, situated at Code No. 177, Bimbisar Nagar, Western Express Highway, Goregaon (East), Mumbai 400 065.

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 Goregaon and Borivali	07.09.2018	Details stated in clause No. 2 hereinabove

6. A study of the following documents disclosed :

Details of documents perused	Information
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Defects noticed are indicated in the Certificate given by me.

Yours faithfully,


UNISAN & Co.
ADVOCATES.