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Advocate High Court

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Ref No: BJ/SBI/Diamond Garden/LO/June/2021

Date:- 20/07/2021

To,
The Assistant General Manager,
State Bank of India,
Diamond Garden Branch,
Mumbai.

Annexure – B

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


1.	a) Name of the Branch/ Business Unit Office seeking opinion?	State Bank of India, Diamond Garden Branch.
	b) Reference No. and date of the letter under the under the cover of the documents tendered for scrutiny?	Letter dated 28/06/2021.
	c) Name of the Borrowers?	M/s. HOTEL SOUTHSON PVT LTD.
2.	a) Name of the Unit/ Concern/ Company/ person offering the property/(ies) as security?	M/s. HOTEL SOUTHSON PVT LTD.
	b) Constitution of the unit/concern/person offering the property for creation of charge?	Private Limited company
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.?)	Borrowers.



3.	Complete or full description of the immovable property/(ies) offered as security including the following details?	Commercial Premises No. G - 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A - Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai - 400071. (Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban).
	a) Survey No.	Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban.
	b) Door no. (in case of house property)	Commercial Premises No. G - 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A - Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai - 400071. (Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban).



		Mumbai Suburban).		
	c) Extent/ area including plinth/ built up area in case of house property	Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area.		
	d) Locations like name of the place, village, city, registration, sub-district etc.	Village – Chembur, Taluka – Kurla, District – Mumbai Suburban.		
4.	a) Particulars of the documents scrutinized- serially and chronologically?	Mentioned herein under.		
	b) Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified? Note: Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined?	Mentioned herein under.		
	Sr. No.	Date of Document	Name of the parties	Original/ Certified Photocopy/ true copy
	1.	25/10/2010	Deed of Sale dated 25/10/2010 executed between M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as “THE DEVELOPER” and M/s. HOTEL SOUTHSON PVT LTD., referred as “THE	Original

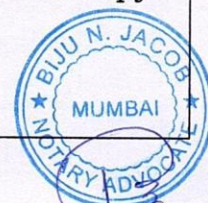




		PURCHASER" duly registered with the Sub-registrar of Assurances at Kurla 1 under Serial no. Kurla1 - 11849 - 2010.	
2.	25/10/2010	Registration Receipt No. 11964 dated 25/10/2010 issued in the name M/s. HOTEL SOUTHSON PVT LTD., through its Authorized Signatory Mr. KRISHNAN KANNAN NAIKER for amount of Rs. 31,840/-.	Original
3.	08/12/2009	Deed of Lease dated 08/12/2009 executed between M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as "THE LESSOR" and STATE BANK OF PATIALA referred as "THE PURCHASER" duly registered with the Sub-registrar of Assurances at Kurla 1 under Serial no. Kurla1 - 11571 - 2009.	Original
4.	08/12/2009	Registration Receipt No. 11907 dated 08/12/2009 issued in the name STATE BANK OF PATIALA for amount of Rs. 30,320/-.	Original
5.	14/08/2018	Maintenance Bill dated 14/08/2018 issued by THE BUREAU CHAMBERS CONDOMINIUM in the name of M/s. HOTEL SOUTHSON PVT LTD.	Photo copy
6.	23/10/2010	Board of Resolution dated 23/10/2010 issued by M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.,	Photo copy
7.	09/09/2010	Board of Resolution dated 09/09/2010 issued by M/s. HOTEL SOUTHSON PVT LTD.	Photo copy
8.	15/10/2010	Loan Closed Letter dated 15/10/2010 issued by THE SARASWAT CO -	Photo copy



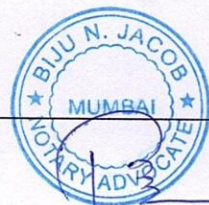
			OPERATIVE BANK LIMITED in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.	
9.	12/07/2010		Full Occupation Certificate dated 12/07/2010 issued by Slum Rehabilitation Authority in the name of Mr. MUKESH BAHADUR of M/s. CONSTULANTS COMBINED with Ref. No. SRA/ENG/1680/ME/PL/AP.	Photo copy
10.	08/05/2006		Order dated 08/05/2006 issued by Collector Office Mumbai Suburban in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. C/Office - AC/33/KV - 269/02.	Photo copy
11.	27/06/2006		Property Card dated 27/06/2006.	Photo copy
12.	13/04/2006		Proposed Slum Rehabilitation Scheme dated 13/04/2006 issued by Slum Rehabilitation Authority in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ENG/1199/ME/PL/LOI.	Photo copy
13.	31/05/2006		Society Registration Certificate dated 31/05/2006 in the name of JAI AMBE (CHEMBUR) SRA CO - OPERATIVE HOUSING SOCIETY LIMITED.	Photo copy
14.	18/08/2006		Commencement Certificate dated 18/08/2006 issued by MCGM in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ENG/1680/ME/PL/AP.	Photo copy
15.	27/06/2006		Intimation of Disapproval dated 27/06/2006 issued by Slum Rehabilitation Authority in the name of	Photo copy



			M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ENG/1680/ME/PL/AP.	
	16.	14/09/2006	Title Clearance Certificate dated 14/09/2006 issued by Advocate Harakhchand & Co.	Photocopy
	17.	18/12/2007	NOC dated 18/12/2007 issued by Collector Office Mumbai Suburban in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. C/Office – AC/33/KV – 361/07.	Photo copy
	18.	15/05/1996	Certificate of Incorporation dated 15/05/1996 in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.	Photo Copy
	19.	22/03/1996	Memorandum of Association dated 22/03/1996 executed by M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.	Photo Copy
	20.	08/12/2009	Undertaking dated 08/12/2009 executed by M/s. HOTEL SOUTHSON PVT LTD., which is duly Notarized.	Photo Copy
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 receipt along with the TIR).		Yes.	
	b) i) Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's office have been verified page by page with the original documents		Yes.	



	Submitted?	
	ii) Where the certified copies of the title documents are not available, the copy provided should be compared with the original to ascertain whether the total page numbers in the copy tally page by page with the original produced. (In case originals title deed is not produced for comparing with the certified or ordinary copies should be handled more diligent & cautiously.)	Certified copies of the title documents are compared with the original documents and the total page numbers in the copy and contains therein are tally page by page with the original produced.
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?	Since 2004 to 2021 partly available with concern Records.
	b) If such online/ computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	Yes.
	c) Whether the genuineness of the stamp paper is possible to be got verified from online portal and if so whether such verification was made?	Stamp duty is paying through online.
7.	a) Property offered as security falls within the Jurisdiction of which sub - registrar office?	Kurla.
	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 office?	Sub Registrar of Assurance at Kurla



	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?	As stated herein under.
8.	Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder. And wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title. (In case of property offered as security for loans of Rs. 1.00 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory.(Separate Sheets may be used)	As stated herein under.

WHEREAS SARASWATIBAI DALVI was the Original Owner of land bearing Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban.

And whereas prior to August 2006 the said larger property bearing Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban consisted a land together with hutments and structures standing thereon occupied by several unauthorized occupants.



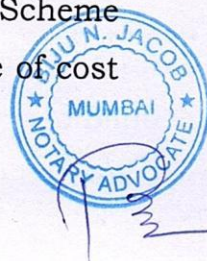
AND WHEREAS by a Notification bearing no. ENC/DCK - III.SR/105 dated 20/11/1985 published in Maharashtra Government Gazette dated 05/06/1986 the Deputy Collector (Encroachment) and Competent Authority Kurla III Chembur declared the said larger property as slum under the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971.

AND WHEREAS Memorandum of Association dated 22/03/1996 executed by M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.

AND WHEREAS Certificate of Incorporation dated 15/05/1996 in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.

AND WHEREAS by a Deed of Conveyance dated 27/02/1997 registered with Sub - Registrar of Assurances Mumbai under Serial No. BBJ - 895 - 1997 between SARASWATIBAI DALVI referred as Owner of the One Part and M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as Developer of the Other Part in respect of Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban.

AND WHEREAS the said larger property bearing Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban is also reserved for public purpose of court housing under the Development Plan of M (West) Ward of Mumbai Municipal Corporation. However as per the Notification dated 03/06/1992 issued u/s 31 of Maharashtra Regional & Town Planning Act. If there is slum on the plot of land reserved for any public purpose and the slum is so declared by the Collector of slums the same can be developed in accordance and the Slum Redevelopment Authority permitted the M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., to develop the said property bearing Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban as per SRA Scheme whereby a built up area of 116.16 Sq. Mtrs., is to be surrendered free of cost for Court and Court Staff housing.



AND WHEREAS Proposed Slum Rehabilitation Scheme dated 13/04/2006 issued by Slum Rehabilitation Authority in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ ENG/ 1199/ ME/ PL/LOI.

AND WHEREAS Order dated 08/05/2006 issued by Collector Office Mumbai Suburban in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. C/Office – AC/33/KV – 269/02.

AND WHEREAS the occupants of hutments and structures formed a housing society by name of JAI AMBE (CHEMBUR) SRA CO – OPERATIVE HOUSING SOCIETY LIMITED under no. MUM/SRA/HSG/TC/11128/2006 dated 31/05/2006.

AND WHEREAS Intimation of Disapproval dated 27/06/2006 issued by Slum Rehabilitation Authority in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ ENG/ 1680/ME/PL/AP.

AND WHEREAS Commencement Certificate dated 18/08/2006 issued by MCGM in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ENG/1680/ME/PL/AP.

AND WHEREAS thereafter the Occupants and hutment dwellers gave their irrevocable consent to the M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., for developing the said property bearing Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban.

AND WHEREAS thereafter the M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., proceeded to demolish the structures and hutments in occupation of the hutments dwellers and other occupants.

AND WHEREAS as the Slum Rehabilitation Scheme and the approved buildings plans, the M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., constructed building on the said property bearing Plot No. 447, C. T. S. No.



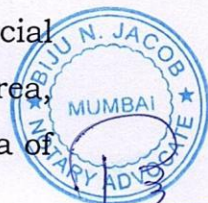
1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban which is known as THE BUREAU.

AND WHEREAS NOC dated 18/12/2007 issued by Collector Office Mumbai Suburban in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. C/Office - AC/33/KV - 361/07.

AND WHEREAS out of unsold premises, the M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., has granted lease an initial period of Five Years commencing from 08/12/2009 with Two Renewal options of Five Years each in favour of STATE BANK OF PATIALA in respect of Commercial Premises No. G - 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A - Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai - 400071. (Plot No. 447, C. T. S. No. 1304, Village - Chembur, Taluka - Kurla, District - Mumbai Suburban) with the terms and conditions and refundable interest free security deposit of Rs. 25,00,000/- and Deed of Lease dated 08/12/2009 executed between M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as "THE LESSOR" and STATE BANK OF PATIALA referred as "THE PURCHASER" duly registered with the Sub-registrar of Assurances at Kurla 1 under Serial no. Kurla 1 - 11571 - 2009 said and stamp duty has been paid on paid instrument a sum of Rs. 7,80,000/- under the Provision of Article 36 of Bombay Stamp Act, 1958.

AND WHEREAS Full Occupation Certificate dated 12/07/2010 issued by Slum Rehabilitation Authority in the name of Mr. MUKESH BAHADUR of M/s. CONSTULANTS COMBINED with Ref. No. SRA/ENG/1680/ME/PL/AP.

AND WHEREAS M/s. HOTEL SOUTHSON PVT LTD., approached M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., to purchase Commercial Premises No. G - 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of



Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban) and executed an Deed of Sale dated 25/10/2010 between M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as “THE DEVELOPER” and M/s. HOTEL SOUTHSOON PVT LTD., referred as “THE PURCHASER” duly registered with the Sub-registrar of Assurances at Kurla 1 under Serial no. Kurla 1 – 11849 – 2010 for amount of Rs. 3,45,00,000/-.

Thereafter M/s. HOTEL SOUTHSOON PVT LTD., created charge on Commercial Premises No. G – 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban) in favour of STATE BANK OF INDIA, CHEMBUR BRANCH and filed Notice of Intimation dated 07/09/2018 which duly registered with the Sub-registrar of Assurances at Kurla 3 under Serial no. Kurla 3 – 4641 – 2018 registered on dated 26/09/2018.

9.	Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee/Allottee etc.)	Ownership rights.
10	If leasehold, whether;	Not Applicable.
	a) lease Deed is duly stamped and registered	Not Applicable.



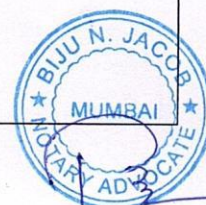
	b) lessee is permitted to mortgage the Leasehold right,	Not Applicable.
	c) duration of the Lease/unexpired period of lease,	Not Applicable.
	d) if, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by Sub- Lessee also.	Not Applicable.
	e) 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 Govt. grant/ allotment/ Lease-cum/ Sale Agreement, whether;	Not Applicable.
	a) grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions,	NA
	b) the mortgagor is competent to create charge on such property.	NA
	c) Whether any permission from Govt., or any other authority is required for creation of mortgage and if so whether such valid permission is available.	No.
12	If occupancy right, whether;	
	a) Such right is heritable and transferable,	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 including court permission to be obtained and the	Not Applicable.



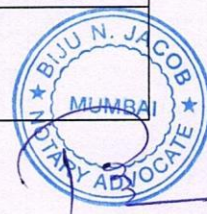
	reasons for coming to such conclusion.	
14	If the property has been transferred by way of Gift/ Settlement Deed, whether:	Not Applicable.
	a) The Gift/ Settlement Deed is duly stamped and registered;	Not Applicable.
	b) The Gift/ Settlement Deed has been attested by two witnesses;	Not Applicable.
	c) The 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.
	h) Any other aspect affecting the validity of the title passed through the gift/ settlement deed?	Not Applicable.
15.	a) In case of partition/ family settlement deeds, whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and 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 the partition made is valid in law and the mortgagor has acquired a mortgageable 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 precautions to be taken for avoiding multiple mortgages?	Not Applicable.
16.	Whether the title documents include any testamentary documents/wills? (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	Not Applicable.



	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 deeds are to be explained.)	
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 restriction in creation of charges on such properties?	Not Applicable.
	(c) Precautions/ permissions, 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	Not Applicable.



	specifically authorizes the mortgage of the property?	
	(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	(a) 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?	No Restriction.
	(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, Costal Zone Regulations, Environmental Clearance, etc.),	No.
22.	(a) Whether the property is subject to any pending or proposed land	No.



	acquisition proceedings?	
	(b) Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry.	No outcome.
23.	(a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No litigation is pending.
	(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/ marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please comment on such seal/marking?	Not Applicable.
24.	(a) In case of partnership firm, whether the property belongs to the firm and the deed is properly 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	Property belongs to company so Board resolution is necessary.



	mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc.	
	b) i) Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm?	No
	ii) If Yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (ROC) in respect of such vendor company/ LLP (seller) and the vendee company (purchaser)?	N.A
	iii) Whether the above search of charges reveals any prior charges/ encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller) ?	N.A
	iv) If the search reveals encumbrances/ charges, whether such charges/encumbrances have been satisfied?	N.A
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?	No.
	b) Whether the POA involved is one	Not Applicable.



	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.	
	<p>(c) In case the title document is executed by the POA holder, please clarify whether the POA involved is</p> <p>(i) one executed by the Builders viz. Companies/ Firms/ Individual or Proprietary Concerns in favor of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or</p> <p>(ii) other type of POA (Common POA).</p>	<p>Not Applicable.</p> <p>Not Applicable.</p> <p>Not Applicable.</p>
	(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.
	<p>(e) In case of Common POA (i. e. POA other than Builder's POA), please clarify the following clauses in respect of POA?</p> <p>i) Whether the original POA is verified and the title investigation is done on the basis of original POA?</p>	<p>Not Applicable.</p> <p>Not Applicable.</p>



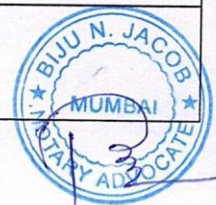
	ii) Whether the POA is a registered one?	Not Applicable.
	iii) Whether the POA is a special or general one?	Not Applicable.
	iv) Whether the POA contains a specific authority for execution of title document in question?	Not Applicable.
	(f) Whether the POA was in force and not revoked or had become invalid 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:	Unit
	a) Promoter's/Land owner's title to the land/ building;	Promoter's have development rights to construct and sell.
	b). Development Agreement/ Power of Attorney;	Not Applicable



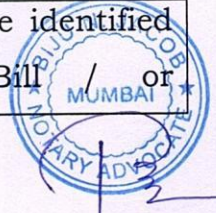
c) Extent of authority of the Developer/builder;	Develop and Sell.
d) Independent title verification of the Land and/or building in question;	Independent title of the said Property verified.
e) Agreement for sale (duly registered);	Yes.
f) Payment of proper stamp duty;	Yes.
g) Requirement of registration of sale agreement, development agreement, POA, etc.;	Not Applicable.
h) Approval of building plan, permission of appropriate/local authority, etc.;	Yes. Commencement Certificate dated 18/08/2006 issued by MCGM in the name of M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., with Ref. No. SRA/ ENG/ 1680/ ME/PL/AP.
i) Conveyance in favour of Society/ Condominium concerned;	N. A.
(j) Occupancy Certificate/allotment letter/letter of possession;	Yes, Full Occupation Certificate dated 12/07/2010 issued by Slum Rehabilitation Authority in the name of Mr. MUKESH BAHADUR of M/s. CONSTULANTS COMBINED with Ref. No. SRA/ENG/1680/ME/PL/AP.
(k) Membership details in the Society etc.;	Not Applicable.
(l) Share Certificates;	Not yet issued.
(m) No Objection Letter from the Society;	NOC from M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., in favour of STATE BANK OF INDIA.



	(n) All legal requirements under the local/Municipal laws, regarding ownership of flats/ Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.;	Complied.
	(o) Requirements, for noting the Bank charges on the records of the Housing Society, if any;	Yes
	(p) If the property is a vacant land and construction is yet to be made, approval of lay-out 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?	There are no encumbrance charges except charge of STATE BANK OF INDIA, CHEMBUR BRANCH.
31.	The period covered under the Encumbrances Certificate and the name of the person in whose favor the encumbrance is created and if so, satisfaction of charge, if any.	1991 to 2021.
32.	Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Not Produced.
33.	a) Urban land ceiling clearance, whether required and if so, details	Not Applicable.



	thereon	
	b) Whether No Objection Certificate under the Income Tax Act is required/ obtained.	No documents in respect of any pendency of I.T department is not furnished for scrutiny. Bank to obtain declaration from Borrower to that effect and if any proceeding is pending certificate under section 281 to be obtained.
34.	Details of RTC extracts/ mutation extracts/ Katha extracts pertaining to the property in question.	Unit offering as security.
35.	Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Not Applicable.
36.	a) Whether the property offered as security is clearly demarcated?	Yes.
	b) Whether the demarcation/ partition of the property is legally valid?	Yes. Property is a part of Commercial complex.
	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?	Yes, Property can be identified from Electricity Bill / or Maintenance Bill.
	a) Document in relation to electricity connection;	Yes.
	b) Document in relation to water connection;	Yes.
	c) Document in relation to Sales Tax Registration, if any applicable;	Yes.
	d) Other utility bills, if any.	Yes, Property can be identified from Electricity Bill / or



		Maintenance Bill.
38.	In respect of the boundaries of the property, whether there is a difference/discrepancy in any of the title documents or any other documents (such as valuation report, utility bills, etc.) or the actual current boundary? If so please elaborate/comment on the same.	Yes. Property is a part of Commercial complex.
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.)	Yes.
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 restriction.
41	Whether the Bank will be able to enforce SARFESI 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	Not Applicable.



	deposit of certified extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	
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.	Not Applicable.
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.	<p>(1) Physical inspection of Flat before sanctioning to ensure the existence, present status and confirm actual possession and enjoyment of Flat by mortgagor.</p> <p>(2) In view of various frauds taking place it is advised to verify the genuineness of the title Deed before creation of mortgage.</p> <p>(3) Noting of charge with Builder by Letter through by RPAD and with SRO by giving Notice of Intimation of creation of EM within 30 days.</p>
46	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	M/s. HOTEL SOUTHSOON PVT LTD.
47	1) Whether the Real Estate Project comes under Real Estate (Regulation	N.A.



	and Development) Act, 2016?	
	2) Whether the Project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished.	N.A.
	3) Whether the registered agreement for Sale as prescribed in the above Act./ Rules there under is executed ?	NA
	4) 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.

Date: 20/07/2021

Place: Mumbai

BIJU N. JACOB

BIJU N. JACOB
Notary Advocate
425, Biryia House,
265, Bazar Gate Street,
Fort, Mumbai - 400 001.



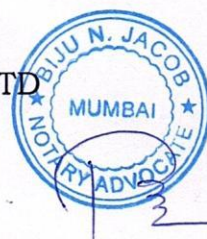
CERTIFICATE OF TITLE

1. We have examined the Original of the title deed the which are intended to be deposited relating to the schedule property and offered as security by way of Equitable Mortgage and that the documents of 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. We have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure B and the other relevant factors.
3. We confirm having made a search in the Land/ Revenue records. We 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) we find that the above said property is not mortgaged by the Borrowers/owners with charge of STATE BANK OF INDIA, CHEMBUR BRANCH. We are liable/responsible, if any loss is caused to the Bank due to negligence on our part or by our agent in making search.
4. Following scrutiny of Land Records/ Revenue Records, 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 except charge of STATE BANK OF INDIA, CHEMBUR BRANCH. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.
5. There is no are prior Mortgage as could be seen from the Encumbrance Certificate for the period from 1991 - 2021 pertaining to the Immovable Property/(ies) covered by above said Title Deeds. The property is free



from all other encumbrances except charge of STATE BANK OF INDIA, CHEMBUR BRANCH.

6. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrower M/s. HOTEL SOUTHSOON PVT LTD.
7. We certify that M/s. HOTEL SOUTHSOON PVT LTD., has an 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.
8. 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:
 1. Original Deed of Sale dated 25/10/2010 executed between M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as "THE DEVELOPER" and M/s. HOTEL SOUTHSOON PVT LTD., referred as "THE PURCHASER" duly registered with the Sub-registrar of Assurances at Kurla 1 under Serial no. Kurla 1 - 11849 - 2010.
 2. Original Registration Receipt No. 11964 dated 25/10/2010 issued in the name M/s. HOTEL SOUTHSOON PVT LTD., through its Authorized Signatory Mr. KRISHNAN KANNAN NAIKER for amount of Rs. 31,840/-.
 3. Original Deed of Lease dated 08/12/2009 executed between M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., referred as "THE LESSOR" and STATE BANK OF PATIALA referred as "THE PURCHASER" duly registered with the Sub-registrar of Assurances at Kurla 1 under Serial no. Kurla 1 - 11571 - 2009.
 4. Original Registration Receipt No. 11907 dated 08/12/2009 issued in the name STATE BANK OF PATIALA for amount of Rs. 30,320/-.
 5. NOC from M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD., in favour of STATE BANK OF INDIA.
 6. True copy of Board resolution of M/s. HOTEL SOUTHSOON PVT LTD.



There are no legal impediments for creation of the Mortgage under any applicable Law/ Rules in force.

It is certified that the property is SARFAESI compliant.

SCHEDULE OF THE PROPERTY


Commercial Premises No. G – 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban).

Place: Mumbai

Date: 20/07/2021

Encl:- Search Report

BIJU N. JACOB

 **BIJU N. JACOB**
Notary Advocate
205, Biry House,
265, Bazar Gate Street,
Fort, Mumbai - 400 001.



BIJU N. JACOB
Advocate High Court

Office Address:

405, Biry House,
265, Bazargate Street,
Fort, Mumbai- 400 001
Email: bijunjabob@gmail.com

Mob: 9930581047

Date: 20/07/2021

Sub: Investigation of title on Commercial Premises No. G – 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban).

Dear Sir,

As per your instructions, I have taken the search of above mentioned property at Kurla Sub – Registrar Office from 1991 to 2021 (30 Years). During the course of my search, the following details were found:-

1991 to 2021 at Kurla Registrar Office:-

1991 }
NIL*
1996 }

1997 } BBJ – 895 – 1997

An entry for Deed of Conveyance

Date: 27/02/1997

Reg: 27/02/1997

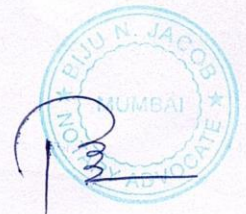
SARASWATIBAI DALVI

To

M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.

[Schedule:- Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban.]

1998 }
NIL*
2008 }



2009 } Kurla 1 – 11571 – 2009

An entry for Deed of Lease

Date: 08/12/2009

Reg: 08/12/2009

M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.

To

STATE BANK OF PATIALA

[Schedule:- Commercial Premises No. G – 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban)].

2010 } Kurla 1 – 11849 – 2010

An entry for Deed of Sale

Date: 25/10/2010

Reg: 25/10/2010

M/s. BALAN & CHHEDA DEVELOPERS PVT. LTD.

To

M/s. HOTEL SOUTHSON PVT LTD.

[Schedule:- Commercial Premises No. G – 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban).]

2011 }

NIL*

2017 }

2018 } Kurla 3 – 4641 – 2018

An entry for Notice of Intimation

Date: 07/09/2018

Reg: 26/09/2018

M/s. HOTEL SOUTHSON PVT LTD.

To

STATE BANK OF INDIA, CHEMBUR BRANCH

[Schedule:- Commercial Premises No. G – 1, Admeasuring area 148.6 Sq. Mtrs., Carpet area, Basement Admeasuring area 111.4 Sq. Mtrs., Carpet area, (inclusive area of Generator Room) together with Multi Low level



Mechanical Parking Space in Basement 13.75 Sq. Mtrs., i.e. 148 Sq. Ft., Built up area of the Parking area, Ground Floor, A – Wing, Composite Building known as THE BUREAU, R. C. Marg, Chembur, Mumbai – 400071. (Plot No. 447, C. T. S. No. 1304, Village – Chembur, Taluka – Kurla, District – Mumbai Suburban).]

2019 }

NIL*

2021 }

Note: *this sign indicates that SPT- Subject to Some Pages Torn. In the office of the Sub-Registrar most of the records (Index II) Manual Record found in torn and mutilated condition, so there is a chance of Manual Mistake.

Yours Truly,

Biju N. Jacob

BIJU N. JACOB
Notary Advocate
205, Biryas House,
265, Bazar Gate Street,
Fort, Mumbai - 400 001.

(1)-(T)-(2)



CHALLAN MTR Form Number-6

स्टेट बँक ऑफ इंडिया/State Bank of India
Date Received डाक प्राप्त

10 NOV 2021



(8594) डा. ज. नगर भा. 10/11/2021

GRN	MH003860927202122E	BARCODE			Date	20/07/2021-14:42:05	Form ID		
Department Inspector General Of Registration				Payer Details					
Search Fee				TAX ID / TAN (If Any)					
Type of Payment Other Items				PAN No.(If Applicable)					
Office Name KRL1_JT SUB REGISTRAR KURLA NO 1				Full Name		BIJU N JACOB			
Location MUMBAI									
Year 2021-2022 From 01/01/1991 To 20/07/2021				Flat/Block No.					
Account Head Details			Amount In Rs.		Premises/Building				
0030072201 SEARCH FEE			750.00		Road/Street				
					Area/Locality		FORT		
					Town/City/District				
					PIN		4 0 0 0 0 1		
					Remarks (If Any)				
					Commercial Premises No G 1 Building THE BUREAU Chembur				
Total			750.00		Amount In		Seven Hundred Fifty Rupees Only		
					Words				
Payment Details PUNJAB NATIONAL BANK				FOR USE IN RECEIVING BANK					
Cheque-DD Details				Bank CIN		Ref. No.		03006172021072000517 323056842	
Cheque/DD No.				Bank Date		RBI Date		20/07/2021-14:43:51 Not Verified with RBI	
Name of Bank				Bank-Branch		PUNJAB NATIONAL BANK			
Name of Branch				Scroll No. , Date		Not Verified with Scroll			

Department ID :

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document

Mobile No. : 9930581047

सदर चलन "टाइप ऑफ पेमेंट" मध्ये नमुद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करावयाच्या दस्त्यासाठी लागू नाही.

