

# The Legalist

Advocates & Consultants

Address: 1105, Prasad Chambers, Tata Road, Opera House, Mumbai - 400 004.

Tele Fax No. 022 - 23675761. E-mail: thearsgroup@gmail.com

## Annexure-B

### Report of Investigation of Title in respect of immovable Property (All columns/items are to be completed/commented by the Advocate)

SBI/1131-6

1	a)	Name of the Branch/ Business Unit/Office seeking opinion.	State Bank of India, SME Branch, S.V. Road, Borivali West, Mumbai	
	b)	Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	Instructions from Branch	
	c)	Name of the Borrower.	M/s. Ashirwad Buildhome Private Limited	
2	a)	Type of Loan		
	b)	Type of property	Flat	
3.	a.	Name of the unit/concern/ company/person offering the property/ (ies) as security.	Mrs. Rehana Ebrahim Shaikh	
	b.	Constitution of the unit/concern/person/ body/authority offering the property for creation of charge.	Individual	
	c.	State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	Guarantor	
4	a.	Value of Loan (Rs. in crores)		
5		Complete or full description of the immovable property (ies) offered as security including the following details.	Shop No.6 admeasuring 710 sq. Ft. area on Ground Floor including Basement of the Building known as "Ayesha Apartment" situated at 2nd Hasnabad Lane, Santacruz (W), Mumbai-400054, constructed on land bearing CTS No. H/359 to 365 of Bandra West, Taluka Andheri, Mumbai Suburban District.	
	a)	Survey No.	CTS No. H/359 to 365	
	b)	Door/House no. (in case of house property)	Shop No.6 on Ground Floor including Basement of the Building known as "Ayesha Apartment"	
	c)	Extent/ area including plinth/ built up area in case of house property	Admeasuring 710 sq. Ft. Area	
	d)	Locations like name of the place, village, city, registration, sub-district etc. Boundaries.	Situated at Bandra West, Taluka Andheri, Mumbai Suburban District.	
6	a)	Particulars of the documents scrutinized-serially and chronologically.		
	b)	Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified. <b>Note:</b> Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined.		
Sr. No	Date	Name / Nature of document	Original/ certified copy/ certified extract/ photocopy etc.	In case of copies, whether the original was scrutinized by the advocate.
1	29.01.1999	Deed of Declaration dated 29.01.1999 executed by Rehana Ebrahim Shaikh, therein as Purchaser/Confirming Party READ WITH Articles of Agreement dated 22.12.1986 between Shri Ahmed Gulam Nabi Sheikh, therein as Party of the First Part and Rehana Ebrahim Shaikh, therein as party of the Other Part,	Original	Original Scrutinized by us





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		duly registered with Sub-Registrar of Assurances bearing Document No. BDR1-285-1999 at Andheri-1.		
2	29.01.1999	Registration Receipt dated 29.01.1999 for Rs. 2,850/- in name of Mr. Rehan Ibrahim	Original	Original Scrutinized by us
3	20.07.1990	Occupation Certificate bearing No. CE/8401/BSII/AH dated 20.07.1990 issued by Municipal Corporation of Greater Bombay in respect of the building on Plot No. 359 to 365 Santracruz (W)	Photocopy	Photocopy Scrutinized by us
4	23.05.2015	Property Tax Assessment bill in name of Rashiduddin S & others	Photocopy	Photocopy Scrutinized by us
5	05.02.2018	Property Tax payment Receipt Bearing No. 299781 dated 05.02.2018	Photocopy	Photocopy Scrutinized by us
6		NOC Letter dated NIL issued by A.S. Builders, granting its no objection for creation of charge on Shop No.6 owned by Mrs. Rehana Ibrahim Shaikh	Original	Original Scrutinized by us
7	a	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 receipts along with the TIR.) (HL : If the value of loan => Rs.1 crore and in case of commercial loans irrespective of the loan component)	Original Verified.	
	b	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 submitted? (In case originals title deed is not produced for comparing with the certified or ordinary copies, the matter should be handled more diligently & cautiously).	No	
8	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?	Yes, from the year 2002	
	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 any online portal and if so whether such verification was made?	No	
	d)	Whether proper registration of documents completed. Details thereof to be provided.	Deed of Declaration dated 29.01.1999 READ WITH Articles of Agreement dated 22.12.1986, duly registered with Sub-Registrar of Assurances bearing Document No. BDR1-285-1999 at Andheri-1	
9	a)	Property offered as security falls within the jurisdiction of which sub-registrar office?	Andheri	
	b)	Whether it is possible to have registration of documents in respect of the property in question, at more than one office of	Yes	





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		sub-registrar/ district registrar/ registrar- general. If so, please name all such offices?	
	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	No
10	a	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.	As per Flow of Title attached herewith.
	b	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)	No
	c	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 reasons for coming to such conclusion.	Not Applicable
11	a	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
		<b>If Ownership Rights,</b>	
	a	Details of the Conveyance Documents	Deed of Declaration dated 29.01.1999 READ WITH Articles of Agreement dated 22.12.1986, duly registered with Sub-Registrar of Assurances bearing Document No. BDR1-285-1999 at Andheri-1
	b	Whether the document is properly stamped.	Yes
	c	Whether the document is properly registered.	Yes
		<b>If leasehold, whether;</b>	Not Applicable
	a	The Lease Deed is duly stamped and registered	Not Applicable
	b	The 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
		<b>If Govt. grant/ allotment/Lease-cum/Sale Agreement / Occupancy / Inam Holder / Allottee etc, whether;</b>	Not Applicable
	a	grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions?	Not Applicable
	b	the mortgagor is competent to create charge on such property?	Not Applicable
	c	any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is	Not Applicable





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		available?	
		<b>If occupancy right, whether;</b>	Not Applicable
	a	Such right is heritable and transferable,	Not Applicable
	b	Mortgage can be created.	Not Applicable
12		Has the property been transferred by way of Gift/Settlement Deed	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
	d	Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	Not Applicable
	e	The Gift/Settlement Deed transfers the property to Donee;	Not Applicable
	f	Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separate writing or by implication or by actions?	Not Applicable
	g	Whether the Donee is in possession of the gifted property?	Not Applicable
	h	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
	i.	Any other aspect affecting the validity of the title passed through the gift/settlement deed.	Not Applicable
13		Has the property been transferred by way of partition / family settlement deed	No
	a	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	Not Applicable
	c	Whether the mortgagor is in possession and enjoyment of his share.	Not Applicable
	d	Whether the partition made is valid in law and the mortgagor has acquired a mortgageable title thereon.	Not Applicable
	e	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
	f	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
14		Whether the title documents include any testamentary documents /wills?	No
	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 testator?	Not Applicable
	g	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.	Not Applicable
15		Whether the property is subject to any wakf rights / belongs to church / temple or any religious / other institutions	No





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	a	any restriction in creation of charges on such properties?	Not Applicable
	b	Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	Not Applicable
16	a	Where the property is a HUF/joint family property?	Not Applicable
	b	Whether 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
	c	Please also comment on any other aspect which may adversely affect the validity of security in such cases?	Not Applicable
17.	a	Whether the property belongs to any trust or is subject to the rights of any trust?	No
	b	Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	Not Applicable
	c	If YES, 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
18		Is the property an <b>Agricultural land</b>	No
	a	whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage?	Not Applicable
	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
19	a	Whether the property is affected by any local laws or special enactments or other regulations having a bearing on the security creation/mortgage (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.)?	No
	b	Additional aspects relevant for investigation of title as per local laws.	Not Applicable
20	a	Whether the property is subject to any pending or proposed land acquisition proceedings?	No
	b	Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry?	Not Applicable
21	a	Whether the property is involved in or subject matter of any litigation which is pending or concluded?	Yes, lis-pendence notice found in search.
	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/markings?	No
22	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 partner(s), 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





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23	a	Whether the property belongs to a Limited Company, check the Board resolution, authorisation to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc.	Not Applicable
	b/1	Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm? Yes / No.	Not Applicable
	b/2	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)?	Not Applicable
	b/3	Whether the above search of charges reveals any prior charges/encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller)?	Not Applicable
	b/4	If the search reveals encumbrances / charges, whether such charges / encumbrances have been satisfied?	Not Applicable
24		In case of Societies, Association, the required authority/power to borrow and whether the mortgage can be created, and the requisite resolutions, bye-laws.	Not Applicable
25	a	Whether any POA is involved in the chain of title during the period of search?	No
	b	Whether the POA involved is one 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.	Not Applicable
	c	In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour 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 (ii) other type of POA (Common POA).	Not Applicable
	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
	e	In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA.	Not Applicable
		i) Whether the original POA is verified and the title investigation is done on the basis of original POA?	Not Applicable
		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
26		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	Not Applicable





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		place, where it is executed.	
27	I.	<b>If the property is a flat/apartment or residential/commercial complex</b>	Shop
	a	Promoter's/Land owner's title to the land/ building;	Clear
	b	Development Agreement/Power of Attorney;	Yes
	c	Extent of authority of the Developer/builder;	To sale
	d	Independent title verification of the Land and/or building in question;	Yes, Last 30 Years.
	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.;	Duly registered
	h	Approval of building plan, permission of appropriate/local authority, etc.;	Yes
	I	Conveyance in favour of Society/ Condominium concerned;	Society not formed
	j	Occupancy Certificate/allotment letter/letter of possession;	Yes, Occupation Certificate bearing No. CE/8401/BSII/AH dated 20.07.1990
	k	Membership details in the Society etc.;	Society not formed
	l	Share Certificates;	Society not formed
	m	No Objection Letter from the Society;	Yes from builder M/s A. S Builders
	n	All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, Cooperative Societies' Laws etc.;	Yes
	o	Requirements, for noting the Bank charges on the records of the Housing Society, if any;	Yes with builder M/s A. S Builders
	p	If the property is a vacant land and construction is yet to be made, approval of layout 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
	II. A	Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act, 2016? Y/N.	No
	II. B	Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished,	Not Applicable
	II.C	Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?	Not Applicable
	II.D	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
28		Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	<b>Subject to existing charge of State Bank of India</b>
29		The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	Period - From 1994 to 2023
30		Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Property tax bill and payment receipt to be taken on record.
31	a	Urban land ceiling clearance, whether required and if so, details thereon	Not Applicable
	b	Whether No Objection Certificate under the Income Tax Act is required / obtained?	No notice of the pendency of any





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			proceedings by Income Tax Department is produced to us. Declaration in this respect may be obtained from the mortgagor(s).
32	a	Details of RTC extracts/mutation extracts/ Katha extract pertaining to the property in question.	Not Applicable
	b	Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Not Applicable
33	a	Whether the property offered as security is clearly demarcated?	Yes
	b	Whether the demarcation/ partition of the property is legally valid?	Yes
	c	Whether the property has clear access as per documents? (The property should be legally accessible through normal carriers to transport goods to factories/houses, as the case may be).	Yes
34	a	Whether the property can be identified from the following documents:	
		a) Document in relation to electricity connection;	Electricity Bill
		b) Document in relation to water connection;	Not Applicable.
		c) Document in relation to Sales Tax Registration, if any applicable;	Not Applicable.
		d) other utility bills, if any.	Not Applicable
	b	Discrepancy/doubtful circumstances, if any revealed on such scrutiny?	Not Applicable
35	a	Whether the documents i.e. Valuation report/approved sanction plan reflect/indicate any difference/discrepancy in the boundaries in relation to the Title Document/other document. (If the valuation report and /or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on receipt of the same).	Valuation Report may be referred
36	a	Whether the Bank will be able to enforce SARFAESI Act, if required against the property offered as security?	Yes
	b	<b>Property is SARFAESI compliant (Y/N)</b>	Yes
37	a	Whether original title deeds are available for creation of equitable mortgage	Original Title Deeds deposited with State Bank of India. Charge created by Registered Mortgage.
	b	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	Not Applicable
38		Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	Not Applicable
39		The specific persons who are required to create mortgage/to deposit documents creating mortgage.	<b>Mrs. Rehana Ebrahim Shaikh</b>

Date: - 02.06.2023

Place: -Mumbai

For The Legalist

Advocate





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## Annexure-C: Certificate of title

1. I have examined the **Original** Title Deeds (As stated in para 6(b) in Annexure B) intended to be deposited relating to the schedule property/(ies) and offered as security by way of **Registered 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 **Registered Mortgage** is created, it will satisfy the requirements of creation of **Registered Mortgage** and I further certify that:

2. I 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. I confirm having made a search in the Land/ Revenue records. I 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). I do not find anything adverse which would prevent the Title Holders from creating a valid Mortgage. I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search. **subject to existing charge of State Bank of India.**

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. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.

5. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from **1994 to 2023** pertaining to the Immovable Property/(ies) covered by above said Title Deeds. The property is free from all Encumbrances. **subject to existing charge of State Bank of India.**

6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank (Delete, whichever is inapplicable). **NOT APPLICABLE.**

7. Minor/(s) and his/ their interest in the property/(ies) is to the extent of \_\_\_\_\_ (Specify the share of the Minor with Name). (Strike out if not applicable). **NOT APPLICABLE.**

8. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrower **M/s. Ashirwad Buildhome Private Limited, subject to existing charge of State Bank of India.**

9. I certify that **Mrs. Rehana Ebrahim Shaikh** have 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. **subject to existing charge of State Bank of India.**

10. In case of creation of **Registered Mortgage**, we certify that the deposit of following title deeds/ documents would create a valid and enforceable mortgage:

Sr. No.	Particulars
1	Original Deed of Declaration dated 29.01.1999 executed by Rehana Ebrahim Shaikh, therein as Purchaser/Confirming Party READ WITH Articles of Agreement dated 22.12.1986 between Shri Ahmed Gulam Nabi Sheikh, therein as Party of the First Part and Rehana Ebrahim Shaikh, therein as party of the Other Part, duly registered with Sub-Registrar of Assurances bearing Document No. BDR1-285-1999 at Andheri-1.
2	Original Registration Receipt dated 29.01.1999 for Rs. 2,850/- in name of Mr. Rehan Ibrahim
3	Copy of Occupation Certificate bearing No. CE/8401/BSII/AH dated 20.07.1990 issued by Municipal Corporation of Greater Bombay in respect of the building on Plot No. 359





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	to 365 Santracruz (W)
4	Copy of Property Tax Assessment bill and payment receipt
5	Copy of Latest copy of Electricity Bill
6	Original NOC letter from M/s A. S Builders for creating charge in favour of bank.

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

12. It is certified that the property is SARFAESI compliant.

## SCHEDULE OF THE PROPERTY (IES)

Shop No.6 admeasuring 710 sq. Ft. area on Ground Floor including Basement of the Building known as "Ayesha Apartment" situated at 2nd Hasnabad Lane, Santacruz (W), Mumbai-400054, constructed on land bearing CTS No. H/359 to 365 of Bandra West, Taluka Andheri, Mumbai Suburban District.

Date: -02.06.2023

Place: -Mumbai

For, The Legalist



Advocate





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## ANNEXURE-1 FLOW OF TITLE

1. It is observed from the documents that One Naziruddin S. A. Ali and 20 others (hereinafter as **"Original Owners"**) being absolutely seized and possessed of or otherwise well and sufficiently entitled to all that piece and parcel of land ground hereditaments and premises admeasuring about 2042 Sq.yards equivalent to 1707.03 Sq.mtrs in CTS No. 110 and lying being and situate at 2<sup>nd</sup> Hasnabad Lane, Santacruz (West), Bombay, on land bearing CTS No. H-359, H-365 (N.A No. 273), Bandra and Bounded as, On or towards the East by 2<sup>nd</sup> Hasnabad Lane, On or towards the west by the Property bearing CTS No. 345, on or towards the South by the property Bearing CTS No. 370 and On or towards the North by the Property bearing CTS No. 358, Mumbai Suburban District. (hereinafter as **"Said Land"**).
2. It is observed that said land was occupied by several tenants and chawals and Builders have agreed to provide to the said Tenants on the said land a permanent accommodation in the new proposed building to be constructed on the said land.
3. It is observed that by an Agreement dated 12.10.1984, said Original Owners agreed to sell the said Land for consideration and on terms and conditions stated therein to M/s A. S Builders and accordingly put in possession of the said land.
4. It is observed that said M/s A. S Builders got approval of the plan for construction of the building "Ayesha Apartment" on the land bearing CTS No. H/359 to 365 of Bandra West, Taluka Andheri, Mumbai Suburban District and accordingly the construction of the said building was completed and an Occupation Certificate bearing No. CE/8401/BSII/AH dated 20.07.1990 was obtained from Municipal Corporation of Greater Bombay in respect of the said building on Plot No. 359 to 365 Santracruz (West).
5. It is observed form the recital that one Rehana Ebrahim Shaikh was the tenant in the existing chawl on the said land and were paying monthly rent of Rs. 16/- to the said Original Owners.
6. It is observed from the documents that by Deed of Declaration dated 29.01.1999 executed by Rehana Ebrahim Shaikh, therein as Purchaser/Confirming Party READ WITH Articles of Agreement dated 22.12.1986 between Shri Ahmed Gulam Nabi Sheikh, therein as Party of the First Part and Rehana Ebrahim Shaikh, therein as party of the Other Part, said Party of the First Part agreed to provide to the Party of the Second Part permanent Accommodation being Shop No.5 admeasuring 710 sq. Ft. area on Ground Floor including Basement of the Building known as "Ayesha Apartment" situated at 2nd Hasnabad Lane, Santacruz (W), Mumbai- 400 054, constructed on land bearing CTS No. H/359 to 365 of Bandra West, Taluka Andheri, Mumbai Suburban District (hereinafter as **"Said Property"**), duly registered with Sub-Registrar of Assurances bearing Document No. BDR1-285-1999 at Andheri-1.
7. It is observed that said Agreement dated 22.12.1986 was executed by Shri Ahmed Gulam Nabi Sheikh as Proprietor of M/s A. S Builders. We are informed that flat/shop purchasers of the said building have not formed any cooperative society and the said building is still managed by the M/s A. S Builders. It is further observed that NOC is issued by M/s A. S Builders to SBI in respect of Shop No.5 for creating mortgage. Since, Society is not formed and land is still in individual names, we recommend to create charge by a Registered Mortgage.
8. It is further observed from the search that captioned property is mortgaged with State Bank of India by registered mortgage bearing (1) Document No. Andheri-4/517/2018 for the loan amount of Rs. Rs. 17,10,00,000/- and (2) Document No. Andheri-4/517/2018 for the loan amount of Rs. Rs. 6,22,00,000/-. Said charge is valid and subsisting as on date and therefore, title of the captioned property is **subject to existing charge of State Bank of India**.
9. It is observed from the MCA portal, public documents that following charge information are uploaded in respect of the captioned borrower company. Bank may ensure the security provided for respective each open charge(s);





# The Legalist

Advocates & Consultants

Address: 1105, Prasad Chambers, Tata Road, Opera House, Mumbai - 400 004.

Tele Fax No. 022 - 23675761. E-mail: thearsgroup@gmail.com

Company CIN/FCRN/LLPIN/FLLPIN U65923MH1995PTC085422

Company / LLP Name

ASHIRWAD BUILDHOME PRIVATE LIMITED

## Charges Registered

SNo	SRN	Charge Id	Charge Holder Name	Date of Creation	Date of Modification	Date of Satisfaction	Amount	Address
1	G78091121	100157324	State Bank of India	30/01/2018	-	-	171000000.0	SBI SME, S.V. RoadBorivali WestMumbaiMH400092IN

10. Subject to what is stated hereinabove and relying on the documents submitted to us and the search caused in the concerned Sub-registrar office, we are of the opinion that **Mrs. Rehana Ebrahim Shaikh**, have marketable title free from all encumbrances to the captioned property, **subject to existing charge of State Bank of India.**

For, The Legalist



Dhiren Akbari  
Partner





# The Legalist

Advocates & Consultants

Address: 1105, Prasad Chambers, Tata Road, Opera House, Mumbai - 400 004.

Tele Fax No. 022 - 23675761. E-mail: thearsgroup@gmail.com

Ref No. SBI/1131-6

Date: 02.06.2023

To,  
State Bank of India,  
Mumbai.

## SEARCH REPORT

**Sub:** Shop No.6 admeasuring 710 sq. Ft. area on Ground Floor including Basement of the Building known as "Ayesha Apartment" situated at 2nd Hasnabad Lane, Santacruz (W), Mumbai-400054, constructed on land bearing CTS No. H/359 to 365 of Bandra West, Taluka Andheri, Mumbai Suburban District.

I have taken search from 1994 to 2023 (30 years), Challan No. MH003007883202324E & MH002587107202324P for Rs. 750/- within the Sub-Registrar Office Andheri.

### AT ANDHERI SUB REGISTRAR OFFICE FROM 1994 TO 2023 (30 YEARS) COMPUTER - ANDHERI

1994 to 1998 - Nil - No ENTRY

1999 - ENTRY

<b>Confirmation Deed</b>	Av Rs. -/-
<b>Scheduled Property</b>	of Shop No. 6, admeasuring 710 Sq. Ft. area on the Ground Floor of the building situated at Hsanabad Lane, Santacruz, Mumbai 400054 (CTS No. 350) of Village Bandra
<b>Name of Party</b>	Rehana Ebrahim Sheikh
	<b>And</b>
<b>Exe Date:</b>	29.01.1999
<b>Reg Date:</b>	30.01.1999
<b>Document Serial No.</b>	Andheri-1/285/1999

2000 to 2017 - Nil - No ENTRY

2018 - ENTRY

<b>Mortgage Deed</b>	Av Rs. 17,10,00,000/-
<b>Scheduled Property</b>	of (1) Flat No. 901, (2) Flat No. 902, (3) Flat No. 903, (4) Flat No. 1001 of the building known as "Rehana Heights" situated at Chepal Road, Santacruz West, Mumbai 400054, (5) Shop No. 5 & (6) Shop No. 6 of the building known as "Aaysa Apartment" situated at 2 <sup>nd</sup> Hasnabad Lane, Santacruz west, Mumbai 400054 (CTS No. H/338 to 341) of Village Bandra
<b>Name of Party</b>	Ibrahim Gulamnabi Sheikh and 2 others
	<b>And</b>
	State Bank of India through its Authorized Officer Rahul Kumar
<b>Exe Date:</b>	30.01.2018
<b>Reg Date:</b>	30.01.2018
<b>Document Serial No.</b>	Andheri-4/517/2018

2019 to 2021 - Nil - No ENTRY

2022 - ENTRY

<b>Mortgage Deed</b>	Av Rs. 6,22,00,000/-
<b>Scheduled Property</b>	of (1) Flat No. 901, admeasuring 882 Sq. Ft. area, (2) Flat No. 902, admeasuring 1118 Sq. Ft. area, (3) Flat No. 903, admeasuring 882 Sq. Ft. area, (4) Flat No. 1001, admeasuring 942.71 Sq. Ft. area along with attached terrace admeasuring 1585 Sq. Ft. area of the building known as "Rehana Heights" situated at Chepal Road, Santacruz West, Mumbai 400054 and (5) Shop No. 5 & (6) Shop No. 6, each admeasuring 710 Sq. Ft. area of the building known as "Aaysa Apartment" situated at 2 <sup>nd</sup> Hasnabad Lane, Santacruz west, Mumbai 400054 (CTS No. H/338 to 341) of Village Bandra
<b>Name of Party</b>	State Bank of India
	<b>And</b>
	Ibrahim Gulamnabi Sheikh and 3 others





# The Legalist

Advocates & Consultants

Address: 1105, Prasad Chambers, Tata Road, Opera House, Mumbai - 400 004.

Tele Fax No. 022 - 23675761. E-mail: thearsgroup@gmail.com

Exe Date:	18.08.2022
Reg Date:	20.09.2022
Document Serial No.	Andheri-7/15981/2022

2023 - Nil - No ENTRY

**Note: -**

1. Index II of Power of Attorney and Will is not available in records.
2. The computerized records of Sub-Registrar of Assurances are not maintained properly.
3. Index-II (Manual & computerized) are missing from the records and hence this search report is based upon the available Index-II and subject to torn records/ missing records.
4. All records available for public search in respect of captioned property is diligently verified in the search. However, computerized records are not updated in real time basis and there is time gap between the registration of document and availability of document for public inspection on the Government Portal. The transactions covered in the search report are based on the data available on the Government Portal as on date of search.

Yours truly,

For, The Legalist



Aw

Avichal Gajera





CHALLAN  
MTR Form Number-6

SBI-1131-6



GRN	MH003007883202324E	BARCODE			Date	02/06/2023-18:37:01	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 BDR1_JT SUB REGISTRAR ANDHERI NO 1				Full Name		THE LEGALIST		
Location MUMBAI								
Year 2023-2024 One Time				Flat/Block No.				
Account Head Details			Amount In Rs.	Premises/Building				
0030072201 SEARCH FEE			450.00	Road/Street				
				Area/Locality				
				Town/City/District				
				PIN				
				Remarks (If Any)				
				Shop No 6 Gr Flr Ayesha Apartment Vil Bandra Ta Andheri CTS No H/359				
				to 365				
				Amount In	Four Hundred Fifty Rupees Only			
Total			450.00	Words				
Payment Details STATE BANK OF INDIA				FOR USE IN RECEIVING BANK				
Cheque-DD Details				Bank CIN	Ref. No.	00040572023060245109	CKX0734966	
Cheque/DD No.				Bank Date	RBI Date	02/06/2023-18:24:37	Not Verified with RBI	
Name of Bank				Bank-Branch		STATE BANK OF INDIA		
Name of Branch				Scroll No. , Date		Not Verified with Scroll		

Department ID :

Mobile No. :

9428491104

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

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



MH002587107202324P	Government of Maharashtra	Regn. 39 M
Department of Registration and Stamps		
02 Jun 2023	Receipt	Receipt no.: 1112935021
	Name of the Applicant :	AVICHAL GAJERA
	Details of property of which document has to be searched :	Dist :Mumbai Sub-urban District Village :Bandra S.No/CTS No/G.No. : 365
	Period of search :	From :2012 To :2023
	Received Fee :	300
The above mentioned Search fee has been credited to government vide GRN no :MH002587107202324P		
As this is a computer generated receipt, no stamp or signature is required.		
For Physical search in office, Please bring this receipt along with mentioned Gras Challan.		
Payment of search fee through GRAS challan can be verified on 'gras.mahakosh.gov.in/challan/views/frmSearchChallanWithoutReg.php'.		



30/06/2023

## सूची क्र.2

दुय्यम निबंधक : सह दु.नि. अंधेरी 1  
[BDR1]Note:-Generated Through eSearch  
Module,For original report please  
contact concern SRO office.

दस्त क्रमांक : 285/1999

नोदणी :

Regn:63m

## गावाचे नाव : 1) सान्ताकुझ

(1)विलेखाचा प्रकार	मान्यतापत्र
(2)मोबदला	-
(3) बाजारभाव(भाडेपट्ट्याच्या बाबतितपट्टाकार आकारणी देतो की पट्टेदार ते नमुद करावे)	-
(4) भू-मापन,पोटहिस्सा व घरक्रमांक(असल्यास)	1) पालिकेचे नाव:मुंबई मनपाइतर वर्णन : इतर माहिती: दुकान, शॉप नं.6, तळमजला, 2रा हसनाबाद लेन, सांताकुझ प.मुं.54( ( C.T.S. Number : 350 ; ) )
(5) क्षेत्रफळ	1) 710 चौ.फूट
(6)आकारणी किंवा जुडी देण्यात असेल तेव्हा.	
(7) दस्तऐवज करून देणा-या/लिहून ठेवणा-या पक्षकाराचे नाव किंवा दिवाणी न्यायालयाचा हुकुमनामा किंवा आदेश असल्यास,प्रतिवादिचे नाव व पत्ता.	1): नाव:- - रेहना इब्राहिम शेख वय:-; पत्ता:-रोड नं: सांताकुझ प.मुं.54, शहराचे नाव: मुंबई उपनगर पिन कोड:- पॅन नं:-
(8)दस्तऐवज करून घेणा-या पक्षकाराचे व किंवा दिवाणी न्यायालयाचा हुकुमनामा किंवा आदेश असल्यास,प्रतिवादिचे नाव व पत्ता	
(9) दस्तऐवज करून दिल्याचा दिनांक	29/01/1999
(10)दस्त नोंदणी केल्याचा दिनांक	30/01/1999
(11)अनुक्रमांक,खंड व पृष्ठ	285/1999
(12)बाजारभावाप्रमाणे मुद्रांक शुल्क रुपये	Rs.26900/-
(13)बाजारभावाप्रमाणे नोंदणी शुल्क रुपये	-
(14)शेरा	-
मुल्यांकनासाठी विचारात घेतलेला तपशील:-:	
मुद्रांक शुल्क आकारताना निवडलेला अनुच्छेद :- :	