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Advocate & Legal Consultant

Off: Room No. 23, 3rd Floor, Building No. 42, Perin Nariman Street (Bazargate Street), Opp. VT Station, Fort, Mumbai-400001

To,
Chief Manager,
State Bank of India
SEEPZ Branch
Mumbai

Date: 20-10-2016

TITLE INVESTIGATION REPORT (TIR)

Annexure-A1:

Details of the property offered as the security

1.	(a) N-11 (b)	
1.	a) Name & Constitution of the Borrower	M/s Tara Jewels Limited
	b) Whether the loan proposal is for Rs. 1.00 crore and above? (Search for not less than 30 years is mandatory in such cases.)	Yes
2.	Name and constitution of the intended Mortgagor	M/s Divya Real Estate Private Limited
3.	Relationship between intended mortgagor and borrower (Please specify whether the intended mortgagor and borrower are one and the same or related as guarantor, coborrower, power of attorney, etc.)	Mortgagor is a Company constituted under the provision of the Companies Act, 1956
4.	Description of property/ properties	Flat No. 401 on 4 th Floor, in the Building known as Pushpanjali Apartment, situated on the Plot of Land bearing CS No. 135, New Survey No. 1/1661, Final Plot No. 1252, TPS IV at Lower Parel Division, Prabhadevi Road, Prabhadevi, Mumbai-400025 (Said Premises)
4.1	Survey / Door No.	Flat No. 401
4.2	Extent	NA



दस्तऐवजाचा/अर्जाचा अनुक्रमांक दिनांक 93/90/9 ध्सन २० 9४3 दस्तऐवजाचा प्रकार सादर करणाराचे नाव-माधव खालीलप्रमाणे की मिळाली:--नोंदणी फी नक्कल फी (फोलिओ पृष्ठांकनाची नक्कल फी टपालखर्च नकला किंवा जापने (कलम ६४ ते ६७) शोध किंवा निरीक्षण दंड-कलम. २५ अन्वये कलम ३४ अन्वये प्रमाणित नकला (कलम ५७) (फोलिओ इतर फी (मागील पानावरील) वाब क. नोदणीकृत डाकेने पाठवली जाईल. रोजी तयार होईल व या कार्यालयात देण्यात येईल. दुय्यम निवंधक. नावे नोंदणीकृत डाकेने पाठवावा. दस्तऐवज खाली नाव दिलेल्या व्यक्तीच्या हवाली करावा. सह जिल्हा निवंदिक गर्ग-२, (अभिलेख)

ये.का.मु.-५,००० पु. (१०० पानी)-- १९-२०१३-पीए ४'-(ईए) १५९

क्तर भीची अनुसूची

- १. जादा नोदणी भी अनुच्छेद सतरा किंवा अठरा अन्ये.
- किनवात भी
- फाईल करण्याची भी,
- अनुच्छेद अकरा अन्वये.
- अनुच्छेद वीस अन्वये.
- मुखत्यारनामा अनुप्रमाणनः ।
- .सि उम्हार
- .कि ाबा कि
- . पृष्टिन । मांउदी । में इंग
- . फिडमहं उत्हाम इंछरडिम .5
- कि गाम तरम उद्योग इंधर्राहीम
- अदय. ۶٥.
- परिचारिका किया स्त्री परिचाराची सेवा.
- न्युन आकारिक फीची वसुली. ۶۶.
- जड संग्रहाच्या वस्तुच्या विकीचे उत्पन्त.
- विलेख इ. च्या नकला पाठविण्याचा टपाल खर्च. ጶጶ
- मेंच प्राप्त . 199

भूता.

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दुयम निवंधक

दस्तऐवय परत केला.

के. के. में - ५,००० मु. (१०० पीना) – १५-२०१३ - में . एक . फे

	Location		Prabhadevi	
4.3				
4.4	Boundaries			
	East	West	North	South
5.	List of documents del	ivered to Advocate	(a) Copy of S	ale Deed dated 16-04-1999
	for		between M	Irs. Kalavati Chandmal Chhajed
	verification (specify	original/certified	on the On	e Hand and M/s Divya Real
	extracts/ copies, etc.)			ite Limited on the Other Hand
6.	Location Details		As above	·
6.1	•	Address of the	As above	
	property/			
	properties.			
6.2	Prominent landmark		NA	<u> </u>
6.3	Bus route	· · · · · · · · · · · · · · · · · · ·	NA	
6.4	Bus stop		NA	
7.	Rough location sketch		NA	
7.1	Approach sketch to the location		NA	
7.2	Exact location of cons	struction/ purchase	As above	
	and			
	working plan	1		
8.	Please mention detail	s about the builder	NA	
-	(if applicable) Name of the Firm			
8.1 8.2	Address of the Firm	·	NA NA	•
8.3	Telephone No.	·	NA NA	
8.4	Contact person	· · · · · · · · · · · · · · · · · · ·	NA NA	
8.5	Is the builder/ project	in the Bank's latest		
5.5	approved list. Men			•
	approved list. Well	tion the date of		
	the builder and valid	dity of the current		
	approval.	in the durithme		



Annexure - B: Report of Investigation of Title in respect of immovable Property.

(All columns/items are to be completed/commented by the panel advocate)

	T	
1	a) Name of the	
	Branch/ Business	· ·
,	Unit/Office seeking	·
-	opinion.	
	b) Reference No. and	
	date of the letter	·
	under the cover of	
	which the documents	
	tendered for scrutiny	•
	are forwarded.	
	c) Name of the	M/s Tara Jewels Limited
	Borrower.	
2.	a) Name of the	M/s Divya Real Estate Private Limited
	unit/concern/	
1	company/person	
	offering the property/	
	(ies) as security.	
	b) Constitution of the	M/s Divya Real Estate Private Limited, a Private Limited Company
	unit/concern/	constituted under the provisions of Companies Act, 1956
	person/body/authority	
	offering the property	'
	for creation of charge.	
	c) State as to under	Mortgagor as owner of the Property
	what capacity is	, and the same respons,
	security offered	
	whether as joint	4
	applicant or borrower	
	or as guarantor, etc.)	
3.	Complete or full	Flat No. 401 on 4th Floor, in the Building known as Pushpanjali
	description of the	Apartment, situated on the Plot of Land bearing CS No. 135, New
	immovable	Survey No. 1/1661, Final Plot No. 1252, TPS IV at Lower Parel
	property/(ies) offered	Division, Prabhadevi Road, Prabhadevi, Mumbai-400025 (Said
	as security including	Premises)
	the following details.	
	(a) Survey No.	CS No. 135, New Survey No. 1/1661, Final Plot No. 1252
	(b) Door/House No. (in	Flat No. 401
	case of house	
	property)	
	(c) Extent/ area	700 sq. ft Built-up
	including plinth/ built	
	up area in case of	
	house property	
	(d) Locations like	As above
	name of the place,	·
	village, city,	
	registration, sub-	
	district etc.	
	Boundaries.	
4.	a) Particulars of the	
	documents	
	scrutinized-serially and	
		(0)

_						
	4	ologically.	4.5			
	(a)	Nature of				
}	docun	nents verified				
	and	as to whether				
1	they :	are originals or		•		
	certific	ed copies or				
	registr	ation extracts	·			
	, -	ertified.				·
	1	Only originals or				
1	1	ed extracts from				
		registering/land/				
					•	
	revenu	•				
.	author					
-	exami				·	
	SI.	Date	Name/ Nature of	Original/	certified	
	No.	,	the Document	copy/	certified	
				extract/		
L				photocopy,	etc.	
1	1.	16-04-1999	Deed between Mrs. Kalavati	Сору	-	
		·	Chandmal Chhajed on the One			
		_	Hand and M/s Divya Real Estate			•
			Private Limited on the Other Hand		-	
ŀ			bearing Registration No.	,		
			BBE/1886/1999			
5.	Wheth	er certified	No			
J .	copy					
	docum					
	1					
	obtain					. [
1.	1	nt sub-registrar				1
	l	and compared	• .			1
	1	the documents				1
	made available by the proposed mortgagor?					Ì
					•	
i	(Please also enclose all					
	such certified copies		•			1
	and	relevant fee				
	receipts along with the					
	TIR.)	•				İ
6.		Whether the	Yes from 2002 to till date			
"	record		res from 2002 to till date			1
	office	or revenue			•	
		ities relevant to				.
	the	1				
		property in				ļ
		on are available				
	for	verification	•			
		h any online				
		or computer	•			
	system					
	p) ·	If such	Cross verified from the concerned of	fice of Sub-Re	egistrar of	
	online/	computer/	Assurance			
	record	s are available,				
]]	whethe	'	·	•		ĺ
		ition or cross				ŀ
		ng are made				
		he comments/				
L	t	comments/	(0.3 K	(S)		
			S. Compress to	13 En		
			II Z (MANI/STZA-BI)			
			Isha	/"//		
		•	<i>₩</i> ±	// \		

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	findings in this regard.	
	c) Whether the	No .
	genuineness of the	
	stamp paper is	
	possible to be got	
	verified from any	
•	online portal and if so	
	whether such	
	verification was	
<u></u>	made?	
7.	a) Property offered as	Sub-Registrar of Assurance at Mumbai
	security falls within	,
1	the jurisdiction of	·
	which sub-registrar	,
	office?	·
	b) Whether it is	Yes
'	possible to have	,
	registration of	
	documents in respect	
1	of the property in	·
	question, at more than	·
	one office of sub-	·
	registrar/ district	
	registrar/ registrar-	
	general. If so, please	
	name all such offices?	
ļ	c) Whether search has	Yes
	been made at all the	·
Li	offices named at (b)	
	above?	
	d) Whether the	No
	searches in the offices	
	of registering	·
	authorities or any	
	other records reveal	
	registration of multiple	
	title documents in	·
	respect of the	· ·
لــــــا	property in question?	

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 PER EXHIBIT-A ANNEXED HERETO
9.	Nature of Title of the intended Mortgagor	NA CJ KA

	The state of the s	
	over the Property (whether full ownership	
	rights, Leasehold Rights, Occupancy/	. 1
	Possessory Rights or Inam Holder or Govt.	
	Grantee/Allottee etc.)	
10.	If leasehold, whether;	NA
	a) lease Deed is duly stamped and registered	NA
	b) lessee is permitted to mortgage the	NA
	Leasehold right,	·
	c) duration of the Lease/unexpired period of	NA
	lease,	
	d) if, a sub-lease, check the lease deed in	NA
	favour of Lessee as to whether Lease deed	
	permits sub-leasing and mortgage by Sub-	
	Lessee also.	
	e) Whether the leasehold rights permits for	NA
	the creation of any superstructure (if	
	applicable)?	
	f) Right to get renewal of the leasehold rights	NA
· ,	and nature thereof.	·
11.	If Govt. grant/ allotment/Lease-cum/Sale	NA
	Agreement, whether;	
	grant/ agreement etc. provides for alienable	NA NA
	rights to the mortgagor with or without	
	conditions,	
	the mortgagor is competent to create charge	NA NA
	on such property,	
	whether any permission from Govt. or any	NA .
	other authority is required for creation of	110
İ	mortgage and if so whether such valid	
	permission is available.	
12.	If occupancy right, whether;	Yes
	a) Such right is heritable and transferable,	Yes
ļ	b) Mortgage can be created.	Yes, already mortgaged to State Bank of
	b) Wortgage can be created.	India Consortium
13.	Nature of Minor's interest, if any and if so,	
15.		NA
	whether creation of mortgage could be	
٠	possible, the modalities/procedure to be	·
	followed including court permission to be	,
	obtained and the reasons for coming to such conclusion.	
1.4		N.
14.	If the property has been transferred by way of Gift/Settlement Deed, whether:	No .
		110
	a) The Gift/Settlement Deed is duly stamped	NA
	and registered	ALA
	b) The Gift/Settlement Deed has been	NA
	attested by two witnesses;	
	c) The Gift/Settlement Deed transfers the	NA
	property to Donee;	
	d) Whether the Donee has accepted the gift	NA
	by signing the Gift/Settlement Deed or by a	
	separated writing or by implication or by	
	actions;	
	e) Whether there is any restriction on the	NA .
[Donor in executing the gift/settlement deed	OJKE
L	in question;	
		(MAH/5121-8/2005) 7-XV

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f) Whether the Donee is in possession of the gifted property; g) Whether any life interest is reserved for the Donor or anyother person and whether there is a need for any other person to join the creation of mortgage; h) Any other aspect affecting the validity of the title passed through the gift/settlement deed. 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. (b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share. (c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon. (d) In respect of partition by a decree of court, whether such decree has become final and all other conditions/ formalities are completed/compiled with. (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? 16. Whether the title documents include any testamentary documents /wills? (a) In case of wills, whether the will is registered will or unregistered will? (b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court? (c) Whether the original will is available? (e) Whether the original death certificate of the testator is available? (f) What are the circumstances and/or documents to establish the will in question is he last and final will of the testator? (Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuinnessy validity of the will, all parties have acted upon the will, availability of Mother/Original title deeds are to be explained.)			· · · · · · · · · · · · · · · · · · ·
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		•	
deeds are to be explained.)			
		deeds are to be explained.)	OJ K
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17.	(a) Whether the property is subject to any	No
	wakf rights?	
ł l	(b) Whether the property belongs to church/	NA
	temple or any religious/other institutions	
1 1	having any restriction in creation of charges	
	on such properties?	
	(c) Precautions/ permissions, if any in respect	NA
	of the above cases for creation of mortgage?	
18.	(a) Where the property is a HUF/joint family	No
-0.	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.	
	(b) Please also comment on any other aspect	NA
	which may adversely affect the validity of	
		, *
	security in such cases?	N.o.
19.	(a) Whether the property belongs to any trust	No
1	or is subject to the rights of any trust?	
	(b) Whether the trust is a private or public	NA
1	trust and whether trust deed specifically	
	authorizes the mortgage of the property?	
	(c) If so additional precautions / permissions	NA ·
	to be obtained for creation of valid	
İ	mortgage?	
	(d) Requirements, if any for creation of	NA
	mortgage as per the central/state laws	·
	applicable to the trust in the matter.	
20.	(a) If the property is Agricultural land,	No
	whether the local laws permit mortgage of	
	Agricultural land and whether there are any	
	restrictions for creation/enforcement of	
	mortgage.	
	(b) In case of agricultural property other	NA
	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?	
	(c) In the case of conversion of Agricultural	NA
-	land for commercial purposes or otherwise,	
	whether requisite procedure followed /	
	permission obtained.	·
21.	Whether the property is affected by any local	NA .
	laws or other regulations having a bearing on	
	the creation security (viz. Agricultural Laws,	
1	weaker Sections, minorities, Land Laws, SEZ	
	regulations, Costal Zone Regulations,	
	Environmental Clearance, etc.),	
22		NA NA
22.	1	IND.
	pending or proposed land acquisition	
	proceedings?	112
	(b) Whether any search/enquiry is made with	1
	the Land Acquisition Office and the outcome	
<u> </u>	of such search/enquiry.	
23.	(a) Whether the property is involved in or	No OSAL
	Į.	// \Z\\

		
	subject matter of any litigation which is	
	pending or concluded?	
	(b) If so, whether such litigation would	NA
	adversely affect the creation of a valid	
	mortgage or have any implication of its	
i	future enforcement?	
	(c) Whether the title documents have any	NA
	court seal/marking which points out any	
	litigation/attachment/security to court in	·
1	respect of the property in question? In such	
	case please comment on such seal/marking.	
24.	(a) In case of partnership firm, whether the	No
	property belongs to the firm and the deed is	
	properly registered.	
	(b) Property belonging to partners, whether	NA .
		I NA
	thrown on hotchpot? Whether formalities for	·
	the same have been completed as per	į
	applicable laws?	- "
	(c) Whether the person(s) creating mortgage	NA .
	has/have authority to create mortgage for	
	and on behalf of the firm.	
25.	Whether the property belongs to a Limited	Said premises Owner by M/s Divya Real
	Company, check the Borrowing powers,	Estate Private Limited and Resolution
	Board resolution, authorization to create	given for creation of Mortgage in favour
	mortgage/execution of documents,	of SBI Consortium
	Registration of any prior charges with the	
	Company Registrar (ROC), Articles of	·
	Association /provision for common seal etc.	
26.	In case of Societies, Association, the required	NA
20.	authority/power to borrower and whether	140
	the mortgage can be created, and the	. 1
	requisite resolutions, bye-laws.	
27		No
27.	(a) Whether any POA is involved in the chain of title?	, .
	(b) Whether the POA involved is one coupled	NA
1		NA
	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.	
ì	(c) In case the title document is executed by	NA NA
	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).	
		No
]	(d) In case of Builder's POA, whether a	
	certified copy of POA is available and the	
L	same has been verified / compared with the	I Superistration of the state o
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	original POA.	
	(e) In case of Common POA (i.e. POA other	NA
	than Builder's POA), please clarify the	·
	following clauses in respect of POA.	
	i. Whether the original POA is verified and	(i) NA
	the title investigation is done on the basis of	·
ļ	original POA?	
1	ii. Whether the POA is a registered one?	(ii) NA
	iii. Whether the POA is a special or general	(iii) NA
	one?	
	iv. Whether the POA contains a specific	(iv) NA
	authority for execution of title document in	(-, -, -, -, -, -, -, -, -, -, -, -, -, -
	question?	
	(f) Whether the POA was in force and not	NA NA
	revoked or had become invalid on the date of	IVA .
	execution of the document in question?	·
	(Please clarify whether the same has been	
	ascertained from the office of sub-registrar	<u>'</u>
	also?)	
	(g) Please comment on the genuineness of	NA
	POA?	
	(h) The unequivocal opinion on the	NA
	enforceability and validity of the POA?	
28.	Whether mortgage is being created by a POA	NA ·
	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.	
29.	If the property is a flat/apartment or	(a) NA
23.	residential/commercial complex, check and	(b) NA
	• •	1 ' '
	comment on the following:	(c) NA
	(a) Promoter's/Land owner's title to the land/	(d) NA
	building;	(e) Yes
	(b) Development Agreement/Power of	1
	Attorney;	(g) NA
	(c) Extent of authority of the	(h) NA
	Developer/builder;	(i) NA
	(d) Independent title verification of the Land	(j) NA
	and/or building in question;	(k) NA
	(e) Agreement for sale (duly registered);	(I) NA
	(f) Payment of proper stamp duty;	(m) NA
	(g) Requirement of registration of sale	(n) NA
	agreement, development agreement, POA,	(o) Charge / Mortgage should be noted in
i	etc.;	the record of Society
	(h) Approval of building plan, permission of	(p) No
	appropriate/local authority, etc.;	(q) Yes
	(i) Conveyance in favour of Society/	,
	Condominium concerned;	
	(j) Occupancy Certificate/allotment	
	letter/letter of possession;	
		<u>'</u>
	(k) Membership details in the Society etc.;	
	(I) Share Certificates;	
	(m) No Objection Letter from the Society;	AJ KU
<u> </u>	(n) All legal requirements under the	
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		·
	local/Municipal laws, regarding ownership of	
	flats/Apartments/Building Regulations,	·
J	Development Control Regulations, Co-	
[operative Societies' Laws etc.;	
	(o) Requirements, for noting the Bank	•
	charges on the records of the Housing	
	Society, if any;	
	(p) If the property is a vacant land and	
	construction is yet to be made, approval of	
Ì	lay-out and other precautions, if any.	
	(q) Whether the numbering pattern of the	
	units/flats tally in all documents such as	•
	approved plan, agreement plan, etc.	
30.	Encumbrances, Attachments, and/or claims	Mortgaged in favour of State Bank of
	whether of Government, Central or State or	India. The Deed of Mortgage was duly
	other Local authorities or Third Party claims,	registered in the Office of Sub-Registrar of
	Liens etc. and details thereof.	Assurance
31.	The period covered under the Encumbrances	Mortgaged in favour of State Bank of
	Certificate and the name of the person in	India. The Deed of Mortgage was duly
	whose favour the encumbrance is created	registered in the Office of Sub-Registrar of
	and if so, satisfaction of charge, if any.	Assurance
32.	Details regarding property tax or land	NA
i	revenue or other statutory dues paid/payable	
	as on date and if not paid, what remedy?	
33.	(a) Urban land ceiling clearance, whether	NA .
	required and if so, details thereon.	,
	(b) Whether No Objection Certificate under	
•	the Income Tax Act is required/ obtained.	
34.	Details of RTC extracts/mutation extracts/	NA .
	Katha extracts pertaining to the property in	
25	question.	Yes
35.	Whether the name of mortgagor is reflected	res
	as owner in the revenue/Municipal/Village records?	
26	(a) Whether the property offered as security	Yes
36.	is clearly demarcated?	
	(b) Whether the demarcation/ partition of	
	the property is legally valid?	
	(c) Whether the property has clear access as	
	per documents?	
37.	Whether the property can be identified from	Yes, no discrepancies observed
37.	the following documents, and	i res, no discrepancies, observed
	discrepancy/doubtful circumstances, if any	
	revealed on such scrutiny?	
	(a) Document in relation to electricity	
	connection;	
	(b) Document in relation to water	
	connection;	• ·
	(c) Document in relation to Sales Tax	
	Registration, if any applicable;	
	(d) Other utility bills, if any.	
38.		No
	whether there is a difference/discrepancy in	
	any of the title documents or any other	0.16
	documents (such as valuation report, utility	/, U = 4 .\\
		S (MAINS RAI-BORNE) 5
		(2) "AVE) A

bills, etc.) or the actual current boundary? If so please elaborate/ comment on the same. 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.) 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. 41. Whether the Bank will be able to enforce SAFESI Act, if required against the property offered as security? 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 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. 44. Additional aspects relevant for investigation of title as per local laws. 45. Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security. 66. The specific persons who are required to create mortgage/to deposit documents creating mortgage. 67. Registration of Charge in Registrar of Companies. 88. Borrowers			
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Note: In case separate sheets are required, the same may be used, signed and annexed.

Date:

Place: Mumbai

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Signature of the Advocate

Annexure - C: Certificate of title.

- 1. I have examined the Copy of Title Deeds 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 Sub-Registrar(s) Office(s). I found that the charge has already been created in favour of State Bank of India by way of 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.
- 4. At your request, we have caused to conduct search for the last thirty years from 1987 up to 2016 with respect to the Said Plot the availability of the Documents during search is annexed hereto as Exhibit-B.
- 5. Following scrutiny of Land Records/ Revenue Records, relative Title Deeds, I hereby certify the genuineness of the Title Deeds. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.
- 6. There is prior Mortgage/ Charges/ encumbrances in favour of State Bank of India.
- 7. I certify that the above title deed seems to be genuine and a mortgage has already been created on said premises the said Mortgage would be enforceable under SARFAESI Act, 2002.
- 8. We suggest the following documents may be taken in deposit by the bank:
 - a. Original Sale Deed between Mrs. Kalavati Chandmal Chhajed on the One Hand and M/s Divya Real Estate Private Limited on the Other Hand bearing Registration No. BBE/1886/1999
 - b. Original Registration Receipt bearing Serial No. BBE/1886/1999
 - c. Original Index-II bearing Serial No. BBE/1886/1999
 - d. Original Board resolution in favour of Chairman and Managing Director for creation of Mortgage
 - e. NOC from Society Authority for creation of Mortgage
 - f. Upto date tax paid receipts
 - g. Original Share Certificate
 - h. Copy of Occupancy Certificate
- 9. There are no legal impediments for creation of the Mortgage under any applicable Law/Rules in force.

SCHEDULE OF THE PROPERTY (IES)

All piece and parcel of Flat No. 401 on 4th Floor, in the Building known as Pushpanjali Apartment, situated on the Plot of Land bearing CS No. 135, New Survey No. 1/1661, Final Plot No. 1252, TPS IV at Lower Parel Division, Prabhadevi Road, Prabhadevi, Mumbai-400025 (Said Premises)

Place: Date:

Signature of the Advocate

EXHIBIT-A

SCHEDULE OF TITLE FLOW

- (1) On perusal of documents in hand, it appears that by an Agreement for Sale dated 18-08-1992 M/s Avarsekar & Sons Pvt. Ltd. sold the said Premises to Mrs. Kalavati Chandmal Chhajed on the terms and conditions mentioned therein.
- (2) Thereafter, the said Mrs. Kalavati Chandmal Chhajed by an Sale Deed dated 16-04-1999 sold the said Premises to M/s Divya Real Estate Private Limited on the terms and conditions mentioned therein. And the said Sale Deed was duly registered in the office of Sub-registrar of Assurance at Bombay under Document Serial No. BBE/1886/1999 on 16-11-1999.
- (3) M/s Divya Real Estate Private Limited created Registered Mortgage in favour of State Bank of India consortium. The Deed of Mortgage was duly registered in the Office of Sub-Registrar of Assurance, Bombay under Serial No. BBE-2/07429/2010 on 09-09-2010
- (4) M/s Divya Real Estate Private Limited created Registered Mortgage in favour of State Bank of India consortium. The Deed of Mortgage was duly registered in the Office of Sub-Registrar of Assurance, Bombay under Serial No. BBE-2/0794/2011 on 01-02-2011
- (5) M/s Divya Real Estate Private Limited along with M/s Tara Jewels Limited through Nalini Rajan, Director created Registered Mortgage in favour of State bank of India. The Deed of Mortgage was duly registered in the Office of Sub-Registrar of Assurance, Andheri-4 under Serial No. BDR-15-3795-2012 on 04-04-2012.
- (6) M/s Divya Real Estate Private Limited along with M/s Tara Jewels Limited through Nalini Rajan, Director created Registered Mortgage in favour of State bank of India. The Deed of Mortgage was duly registered in the Office of Sub-Registrar of Assurance, Andheri-1 under Serial No. BDR-1-8847-2013 on 21-08-2013
- (7) M/s Divya Real Estate Private Limited along with M/s Tara Jewels Limited through Sanjay Seth, Director created Registered Mortgage in favour of State bank of India. The Deed of Mortgage was duly registered in the Office of Sub-Registrar of Assurance, Andheri-4 under Serial No. BDR-1-5595-2014 on 14-07-2012
- (8) Thereafter, vide Deed of Ratification & Rectification supplemental to Deeds / Mortgage / Further Charge dated 14-07-2014 to record certain ratification and rectification bearing Document No. BDR-1/6890/2014 dated 28-08-2014.

