



MDP & PARTNERS

ADVOCATES & SOLICITORS

NISHIT DHRUVA
PRAKASH SHINDE
MALAV VIRANI
HETA MODI

ASHOK PARANJPE
A.K. MISHRA
TUSHAR KADAM
EKTA TRIPATHI

Ref. MDP/ND/MV/SU/SJD/521/4811/2019

December 20, 2019

To,

Indusind Bank Limited,
Commercial Banking Group,
11th Floor, One Indiabulls Centre,
Tower One, Senapati Bapat Road,
Lower Parel (West), Mumbai – 400013.

Kind Attn.: Shreejith Mohan

Dear Sir / Madam,

Re: Title Opinion in respect of the following property:

5 (five) fully paid up shares of the face value of Rs. 50/- each bearing distinctive nos. 1 to 5 (both inclusive) comprised in Share Certificate No. 1 dated March 31, 1998 issued by the Sunflower Cooperative Housing Society Limited along with incidental rights to Flat No. 101 admeasuring 648.84 sq. ft. located on 1st floor in the building to be known as 'Sunflower' of Sunflower Cooperative Housing Society Limited, Thakur Park, Kolkalyan, Vakola, Santacruz (east), Mumbai 400 055 constructed on the all that pieces and parcels of lands bearing C.T.S. Nos. 3161, 3162, 3163, 3171 and 3172 situated at Village Kolkalyan, Taluka Andheri, District Mumbai Suburban.

A/c:- "Nobel Hygiene Private Limited".

As per your instructions we have investigated title of the captioned property offered to the Bank by way of mortgage. We have investigated the title after following guidelines in the checklist provided by the Bank and our report is as under:

Sr. No.	Description	Comments
1.	Name and address of the title holder	Mrs. Kamini Kamal Johari and Mr. Kamalkumar Johari Address: Flat No. 101, 1st Floor, Sunflower Cooperative Housing Society Limited, Thakur Park, Kolkalyan, Vakola, Santacruz (east), Mumbai 400 055
2.	Constitution	Individuals
3.	Details of the Property	5 (five) fully paid up shares of the face value of Rs. 50/- each bearing distinctive nos. 1 to 5 (both

Sr. No.	Description	Comments
	Certificates/Search Notes.	<p>issued by Aarti Makwana, following are the encumbrances:</p> <ul style="list-style-type: none"> a. Notice of Intimation dated September 18, 2013, bearing Registration Serial No. AND-6- 709 of 2013, Mr. Kamal Kumar Johari and Mr. Kamalkumar Manohardas Johari have mortgaged / created a charge over the Subject Property in favor of State Bank of India; b. Notice of Intimation dated January 13, 2014, bearing Registration Serial No. AND-3-51 of 2014, Mr. Kamal Kumar Johari and Mr. Kamalkumar Manohardas Johari have mortgaged / created a charge over the Subject Property in favor of State Bank of India; c. Notice of Intimation dated November 2, 2015, bearing Registration Serial No. AND-4-1858 of 2013, Nobel Hygiene Private Limited through director Mr. Kamal Kumar Johari have mortgaged / created a charge over the Subject Property in favor of State Bank of India; d. Notice of Intimation dated March 10, 2017, bearing Registration Serial No. AND-4-509 of 2017, Mr. Kamal Kumar Johari and Mr. Kamalkumar Manohardas Johari have mortgaged / created a charge over the Subject Property in favor of State Bank of India.
9.	Particulars of any charges/ encumbrances found to be recorded/registered on the property	<p>: As per the Search Report dated December 9, 2019, issued by Aarti Makwana, following are the encumbrances:</p> <ul style="list-style-type: none"> a. Notice of Intimation dated September 18, 2013, bearing Registration Serial No. AND-6- 709 of 2013, Mr. Kamal Kumar Johari and Mr. Kamalkumar Manohardas Johari have mortgaged / created a charge over the Subject Property in favor of State Bank of India; b. Notice of Intimation dated January 13, 2014,

Sr. No.	Description	Comments
16.	Application of Urban Land (Ceiling & Regulation) Act Tenancy Laws (Both agricultural and city tenants) State and Central enactments.	: No, as per the documents provided to us.
17.	Any charges registered with Registrar of Companies under the Companies Act, 1956 (applicable if the mortgagor is a limited company)	: Not Applicable

21. FINAL CERTIFICATE

In view of the foregoing, subject to charge of State Bank of India and whatever stated herein, we certify that the title of Mrs. Kamini Kamal Johari and Mr. Kamalkumar Johari in respect of the Subject Property is clear and marketable and a valid mortgage can be created.

Equitable / Registered mortgage can be created in favor of Indusind Bank subject to deposit of the following documents:

- i. Original Agreement for Sale dated March 10, 1992, executed between M/s. Jesal Construction as the Builder/Chief Promoter and Mrs. Hamida Banu Safdar Khan as the Purchaser.
- ii. Original Deed of Transfer dated November 24, 1995 executed between Mrs. Hamida Banu Safdar Khan as the Vendor/Transferor and Mrs. Kamini Kamal Johari & Mr. Kamal Kumar Johari as the Purchasers/Transferees. Photocopy of the Share Certificate dated March 31, 1998 issued by Sunflower Co-operative Housing Society Limited.
- iii. Original Confirmation Deed dated October 21, 2002 bearing registration serial no. BDR-1-5630, executed by Mrs. Kamini Kamalkumar Johari and Mr. Kamalkumar Manohardas Johari.
- iv. Original No Objection Certificate for creation of mortgage / No Dues Certificate / the letter recording the satisfaction of the charge issued by State Bank of India;
- v. Original No Objection Certificate needs to be obtained from Sunflower Co-operative Housing Society Limited.
- vi. Photocopies of the latest maintenance bills and the payment receipts thereof.

Remarks:

ANNEXURE A

1. We have perused the 1995 Deed and the recitals records that vide the Agreement for Sale dated March 10, 1992, Mrs. Hamida Banu Safdar Khan agreed to purchase the said Subject Property from M/s. Jesal Construction for a consideration and on the terms and conditions more particularly contained therein;
For the purpose of this report we have not been provided with the copy of the above document.
2. Vide the Deed of Transfer dated November 24, 1995 Mrs. Hamida Banu Safdar Khan sold, assigned and transferred the said Subject Property to Mrs. Kamini Kamal Johari and Mr. Kamal Kumar Johari for a consideration and on the terms and conditions more particularly contained therein.
3. The owners and occupants of the various premises / units / flats formed and registered the Society under the provisions of the Maharashtra Co-operative Societies Act, 1960 and by virtue of being the owner of the said Subject Property, Mrs. Kamini Kamal Johari and Mr. Kamal Kumar Johari are admitted as a member to the said Society and issued 5 (five) fully paid up shares of Rs. 50/- each bearing distinctive numbers 1 to 5 (both inclusive) comprised in Share Certificate No. 1 dated March 31, 1998 in favour of Mrs. Kamini Kamal Johari and Mr. Kamal Kumar Johari;
4. Vide 2002 Declaration, Mrs. Kamini Kamal Johari and Mr. Kamal Kumar Johari confirmed the execution of Deed of Transfer dated November 24, 1995 in respect of the Subject Property and payment of deficit stamp duty;
5. Pursuant to the 1995 Deed and 2002 Declaration, Mrs. Kamini Kamal Johari and Mr. Kamal Kumar Johari became the owner of the said Subject Property.