

Mukund R. Odhekar

B. Com. LL.B. ADVOCATE

RESI : " Shivdurga ", S. No. 575, Plot No. 3, Dr. Homi Bhabha Nagar, Nasik 422 011
OFF : 19, Shivram Sankul, Near CBS, Kanhera Wadi, Nasik 422 001. Mobile 93256 68069

Ref. No. TSR/Sept/2023

Date: - 06/09/2023

TITLE REPORT

01.	Date of receipt Original Title Deeds/Documents from the Branch	Name and designation of the official who delivered the Original Title Deeds/ Documents.	Date of receipt Original Title Deeds/Documents along with the Search Report	Name and designation of the official to whom the Original Title Deeds/Documents along with the Search Report is delivered.
	Date - 01/09/2023	Union Bank of India, Karad Branch, Dist. Satara.	Date - 06/09/2023	Union Bank of India, Karad Branch, Dist. Satara.
02.	Name of the Account and details of the Borrower/s	MR. BHASKAR MAHADU LOHAKARE		
03.	Full Description of Property			
3.1	Nature of the Immovable Property	All that piece and parcel of the area adm. 500.00 Sq. Mtrs., and constructed Farm House thereon out of area adm. 5500.00 Sq. Mtrs., out of S. No. 356/2/2 total area adm. 23000.00 Sq. Mtrs., situated at village - Nashik , Tal and Dist. Nashik. Within the local limits of Nashik Municipal corporation Nashik. The same is bounded as Lay out Plan.		
3.2	i) Survey No. ii) Hissa No. iii) Ghat No. vi) Town Survey No. v) Khasra No. vi) Patta No. vii) Khata No. viii) Plot No. Local name of the filed as applicable including sub - division should be mentioned.	As above.		
3.3	Number / Identification details as per Building map/ plan.	area adm. 500.00 Sq. Mtrs., and constructed Farm House thereon out of area adm. 5500.00 Sq. Mtrs., out of S.		

			No. 356/2/2 total area adm. 23000.00 Sq. Mtrs., situated at village – Nashik , Tal and Dist. Nashik
	3.4	Extent of Property	area adm. 500.00 Sq. Mtrs., and constructed Farm House thereon out of area adm. 5500.00 Sq. Mtrs. , out of S. No. 356/2/2 total area adm. 23000.00 Sq. Mtrs., situated at village – Nashik , Tal and Dist. Nashik
	3.5	Name/s of owner/s.	MR. BHASKAR MAHADU LOHAKARE
	3.6	Nature of ownership <input type="checkbox"/> Freehold <input type="checkbox"/> Lease hold (mention the residual lease term clearly) <input type="checkbox"/> License <input type="checkbox"/> Undivided Interest (mention the shares) <input type="checkbox"/> Trust Property (mention whether the borrower is a Trustee or beneficiary) <input type="checkbox"/> Assignee/Grantee of Govt. <input type="checkbox"/> Cultivating tenant <input type="checkbox"/> Title only by possession (mention whether adverse possession/or others) <input type="checkbox"/> As a Member/share holder of society <input type="checkbox"/> As a mortgagee <input type="checkbox"/> As a servant owner of easement right Any other (Please mention the nature of ownership here)	Freehold property. Not Applicable. Not Applicable. Not Applicable. Not Applicable. Not Applicable. Not Applicable. Not Applicable. Not Applicable. Not Applicable. Not Applicable.
04.	<p>Tracing of title:-</p> <p>The advocate submitting the opinion should give a flow chart of 30 years title ordinarily. In the event it is not possible, it should be at least for a period of 13 years giving reasons why 30 years is not possible in terms of circular IC No. 6118 dated 15th November 2000. The Flow chart ideally should be as follows -</p> <p>This is to certify that, I have investigated the title of the property described above & for that purpose I have caused to inspect the Revenue Records & searches from the available records from the year 1992 to 2023.</p> <ol style="list-style-type: none"> Originally S. No. 356/2 owned and possessed by Mr. Mahadu Bhau Lohakare before the year 1989. The owner Mr. Mahadu Bhau Lohakare got partitioned of the said land as per the order passed by Tahsildar Nashik vide No. Case Work/Adhi/Abhi/23/88 dated 31/12/1988. Thereby the area of S. No. 356/2 has been divided and 		

subject matter of present title i.e. area adm. 2H.21R + PK 0H.09R = 2H.30R came to the share of Mr. Bhaskar Mahadu Lohakare and accordingly his name has been mutated to the property extract vide Mutation Entry No. 25300 dated 14/01/1989.

3. The owner Mr. Mahadu Bhau Lohakare got partitioned of the said land as per the order passed by Tahsildar Nashik vide No. Adhi/Abhi/Kavi/Vatap Case No./154/90 dated __/09/1990. Thereby the S. No. 356/2 has been divided into Three Parts and subject matter of present title i.e. S. No. 356/2/2 area adm. 2H.21R + PK 0H.09R = 2H.30R came to the share of Mr. Bhaskar Mahadu Lohakare and accordingly his name has been mutated to the property extract vide Mutation Entry No. 27307 dated 24/09/1990.
4. There was a charge of Nashik Shiwar Left Bank Canal Vividha Karayakari Seva Sahakari Society over the said property. The owner repaid the said loan and the charge of said society has been deleted from the property extract vide Mutation Entry No. 29974 dated 05/12/1992.
5. The owner availed loan from Bank of India and mortgage the S. No. 356/2/2 in favor of said bank. Therefore the charge of said bank has been mutated to the property extract vide Mutation Entry No. 46527 dated 25/06/2002.
6. The owner Mr. Bhaskar Mahadu Lohakare got partitioned of S. No. 356/2/2 area adm. 2H.21R + PK 0H.09R = 2H.30R. The Tahsildar Nashik passed an order RTS/SR/Vatap/42/2013 dated 26/08/2013. Thereby the area of S. No. 356/2/2 has been divided as follows –

S. No.	Area	Pot Kharaba	Akar/Assessment	Holder
356/2/2 (P)	0H.53R	0H.02R	1.71	Bhaskar Lohakare
356/2/2 (P)	0H.48R	0H.02R	1.55	Malini B. Lohakare
356/2/2 (P)	0H.62R	0H.03R	2.01	Lalit B. Lohakare
356/2/2 (P)	0H.58	0H.02R	1.88	Rahul B. Lohakare

and accordingly effect of the same has been mutated to the property extract vide Mutation Entry No. 90434 dated 30/08/2013.

7. The owner Bhaskar Lohakare prepared a building Plan for construction of Farm House over the area adm. 500.00 Sq. Mtrs., out of **area adm. 5500.00 Sq. Mtrs.**, out of **S. No. 356/2/2(P)** and the same is approved by Nashik Municipal Corporation Nashik vide No. LND/BP/49/Panchvati dated 19/04/2000.
8. The owner Bhaskar Lohakare completed the Farm House construction over the area adm. 500.00 Sq. Mtrs., out of **area adm. 5500.00 Sq. Mtrs.**, out of **S. No. 356/2/2** and the Nashik Municipal Corporation Nashik issued a Completion Certificate on 12/12/2001 vide No. Javak No./Nagar Rachana/003442 (Panchvati).

9. There was a charge of Bank of India and mortgaged the S. No. 356/2/2 in favor of said society on 18/06/2002. However the owner repaid the said loan and bank issued a No Dues Certificate on 05/09/2023. Thereby the charge Bank of India has been discharged from and over the said property. The charge of said Bank also mutated to other rights column of property extract, the same is yet not removed / deleted from the other rights column of the property extract. It is advisable that, the charge of Bank of India has to be deleted/ removed from the property extract.
10. The owenr Bhaskar Lohakare utilized the said land (i.e. **area adm. 500.00 Sq. Mtrs.**, out of area adm. 5500.00 Sq. Mtrs., out of **S. No. 356/2/2** total area adm. 23000.00 Sq. Mtrs., situated at **village - Nashik**, Tal and Dist. Nashik) for Farm House without prior permission from competent authority. Thereafter the owner obtained the permission from Collector Nashik for use the said land for **Non - Agricultural purpose for Farm House** vide No. Masha/Kaksh/3/2/Anadhikrut Binsheti/SR/33/2023 dated 09/08/2023 and the same is regularized.
11. Mutation Entry No. 103319, dated 03/12/2016 shows that, as per Letter bearing Outward No.701/2016, Nashik, dated 15/10/2016, there is a proposal of sub division of Survey Nos. 1 to 1094 of village Nashik. As per said proposal sanction has been given regarding sub division of lands at Nasik City into 5. Divisions. That, in order to take the effect of said sub division, proposal was presented by Talathi, Nasik vide its Letter, bearing Outward No.2416/2016 dated 29/11/2016. In view of it, Letter bearing No.Kaksha-4/ Ku. Kaa. Setu-606/201, dated 30/11/2016 issued by Collector, Nashik and Letter, bearing No. Ku.Kaa. / Kavi. 1392/2016, dated 03/12/2016 issued by Tahsildar, Nashik has been received. Hence, on the basis of it the lands in Nasik City have been sub divided in to 5 divisions namely Nasik City-1, Nasik City-2, Nasik City-3, Nasik City-4 and Nasik City-5 and respective survey numbers have been included in the said divisions. Accordingly, it appears that Survey No.905 has been included in Nasik City-4. Further it appears that consecutive mutation entry number for Nasik City-4 is 4000001 and onwards.
12. Mutation Entry No. 200248, 200863 & 202235 are in respect of computerization of revenue record.
13. The Hissa No. 2/2 was wrongly typed/Mentioned in Commencement Certificate and Completion Certificate as Hissa No. 2/1. However the NMC issued a Letter on 01/09/2023 for the same and corrected the said mistake.
14. I hereby certify that I have searched and verified the information furnished in this report and the title of the said property i.e. **area adm. 500.00 Sq. Mtrs., and constructed Farm House thereon out of area adm. 5500.00 Sq. Mtrs.**, out of **S. No. 356/2/2** total area adm. 23000.00 Sq. Mtrs., situated at **village - Nashik**, Tal and Dist. Nashik, **is free, clear and marketable.** The incumbents

	<p>- MR. BHASKAR MAHADU LOHAKARE acquired ownership rights over the said property. And they can mortgage said property in favor of Union Bank of India by way of Simple Mortgage Deed.</p> <p>15. I have taken search of Index II Register of last 30 years the registers from 1992 to 2023 in the office of Sub-Registrar, and also on internet. The records of Sub-Registrar, Nasik 6 & 7 are not available nor the online record available. No adverse entry has been found during the search. Receipt issued by the Sub-Registrar, Nasik is attached herewith.</p> <p>16. The same is ancestral property, there is no title deed in favor of Mortgagor/Borrower, and therefore bank can create a charge over the said property by way of Simple Registered Mortgage.</p>		
05.	Title deeds/document details under which ownership is acquired		
		Name /Nature of Deed	Details like office of the Reg. and Reg. No. and Date
	MR. BHASKAR MAHADU LOHAKARE	Ancestrally	NA.
06.	<p>List of encumbrances</p> <p>1) Nature of Encumbrance :</p> <ul style="list-style-type: none"> <input type="checkbox"/> Charge under Contract <input type="checkbox"/> Mortgage <input type="checkbox"/> Negative Lien <input type="checkbox"/> Lease/Tenancy <input type="checkbox"/> Right of Maintenance/reversion <input type="checkbox"/> Charge by operation of Law <input type="checkbox"/> Preemption rights <input type="checkbox"/> Right to specific performance under an agreement to sell <input type="checkbox"/> Liens/First Charge under laws <input type="checkbox"/> Right of reversion to Government <input type="checkbox"/> Lis Pendens <p>2) Name of the person in whose favor encumbrance is subsisting</p> <p>3) Date on which encumbrance has come into existence.</p>		<i>No Encumbrance</i>
07.	<p>View on encumbrance</p> <p>In the case of encumbrance, the advocate should clearly opine as to :</p> <ul style="list-style-type: none"> <input type="checkbox"/> How far such an encumbrance would affect the value of the property. <input type="checkbox"/> Any permission/approvals are required for the Bank to create security <input type="checkbox"/> The extent to which Bank's security would be jeopardized because of encumbrance <input type="checkbox"/> Manner and cost of removal of 		<i>No Encumbrance</i>

	encumbrance	
<p>08. Regulatory Issues: Clearly provide the following details :</p> <p><input type="checkbox"/> Whether the property is affected by Land Ceiling Law</p> <p><input type="checkbox"/> Whether the property is affected by Land fragmentation Law</p> <p><input type="checkbox"/> Whether the property is affected by forest law</p> <p><input type="checkbox"/> Whether the property is affected by Planning Law</p> <p><input type="checkbox"/> Whether the property is affected by Urban Land Ceiling Law</p> <p><input type="checkbox"/> Whether the property is affected by rent restriction/control Law</p> <p><input type="checkbox"/> Whether the property is affected by Environment Law</p> <p><input type="checkbox"/> Whether the property is affected by user restrictions under Municipal/revenue Law</p> <p><input type="checkbox"/> Any other regulatory issue relating to property such as requirement of permission from Development Authority under law relating to Industrial Parks</p> <p><u>Advocate has to give a report clearly that property is not subject any regulatory issues, if nothing above is applicable</u></p>	<p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p>	<p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p> <p>No.</p>
<p>09. Views on regulatory hurdles If the property is affected by regulatory issues, the Advocate has to give a clear view, as to :</p> <p><input type="checkbox"/> How far such an encumbrance would affect the value of the property.</p> <p><input type="checkbox"/> Any permission/approvals are required for the Bank to create security</p> <p><input type="checkbox"/> The extent to which Bank's security would be jeopardized because of encumbrance</p> <p><input type="checkbox"/> Manner and cost of removal of encumbrance</p>		<p>No.</p>
<p>10. List of documents/deeds provided to the Advocate and perused by him</p>		<ul style="list-style-type: none"> • Photocopies of 7/12 extracts • Photocopies of Mutation Entries. • Copy of Commencement Certificate dated 19/04/2000. • Copy of Completion Certificate dated 12/12/2001. • Copy of Tahilder Nashik dated 26/08/2013

		<ul style="list-style-type: none"> • Copy of NA order dated 09/08/2023. • Copy of Letter issued by NMC dated 01/09/2023. • Copy of No Dues Certificate dated 05/09/2023.
11.	<p>List of documents found out, while examining the deeds as above and in the search in the offices of registrar/revenue authorities affecting the property and examined</p> <p>(advocate should take out certified and examine the same in the case of documents found out by him during examination as above in column 10)</p>	NA.
12.	<p>List of further documents called for, examined and perused</p>	NA
13.	<p>Whether the documents examined are duly stamped as per the Stamp Act</p>	Yes.
14.	<p>Whether the Registration endorsements are in order</p>	Yes.
15.	<p>Certificate of examination</p>	<p>"This is to certify that I have examined each and every page of the documents required for giving the title clearance certificate and do not find that transaction under the documents sham and fictitious'.</p>
16.	<p>Certificate of title</p>	<p>"This is to certify that the title to the property of the borrower is clear and marketable (subject to the charge of Corporation Bank (Now Union Bank of India).)) and without any further act on the part of borrower"</p> <p style="text-align: center;">OR</p> <p>"This is to certify that the title to the property of the borrower is clear and marketable (subject to the charge of Corporation Bank (Now Union Bank of India).)), and if the following acts/deeds are done or caused to be done:</p>
17.	<p>List of documents to be deposited for creating the mortgage by deposit of title deeds</p>	<ul style="list-style-type: none"> • Photocopies of 7/12 extracts • Photocopies of Mutation Entries. • Copy of Commencement Certificate dated 19/04/2000. • Copy of Completion Certificate dated 12/12/2001.

		<ul style="list-style-type: none">• Copy of Tahilder Nashik dated 26/08/2013• Copy of NA order dated 09/08/2023.• Copy of Letter issued by NMC dated 01/09/2023.• Copy of No Dues Certificate dated 05/09/2023.
18.	Any other suggestion or Advise to protect the security interest of the Bank.	After perusal of all above mentioned documents I am suggested to bank obtained document mentioned herein above & the charge is to be created by way of Simple Register Mortgage over the said property in favor of Union Bank & The charge of Union Bank of India is to be mutated to the property extract.
19.	Whether the provision of Securitization Act is applicable	The Provision of the Securitization & Reconstruction of Financial Assets & Enforcement of Security Interest Act, 2002 are applicable on the said property.

Place: Nashik.

Date: 06/09/2023.

Signature of the Advocate