



# Saquib R. Momin

B.Com. L.L.B. CS (Inter)

Advocate High Court

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H. No. 46, Gala No. 06, First Floor, Near Bombay Farsan Mart, Mandai, Bhiwandi, Dist. Thane 421302

## TITLE CERTIFICATE

Date: 31/10/2023

To,  
The Chief Manager,  
Bank of India,  
Bhiwandi Branch,  
Kasar Alley, Bhiwandi - 421302.

Approved  
कृते बैंक ऑफ इंडिया  
FOR BANK OF INDIA  
Momin  
मुख्य प्रबन्धक/Chief Manager  
भिचंडी शाखा/Bhiwandi Branch

Dear Sir,

Ref: Title Opinion of Residential Flat No. 302, on 3<sup>rd</sup> Floor, in the Building known "MARINA TOWERS-I", Millat Nagar, 4<sup>th</sup> Nizampura, Bhiwandi, the area admeasuring about 740.75 Sq. Ft. (Carpet), equivalent to 82.61 Sq. Mtrs (Built up), constructed on N.A land bearing Plot No. 3 & 4, Survey No. 36/1-A, 36/1-Part, 74/2-Part, 102-Part, corresponding to C.T.S No. 4032 Part, 4033 Part, & 4038 Part, totally area admeasuring 1240 Sq. Mtrs. Situated at Mauje: Nizampura, Taluka: Bhiwandi, Dist. Thane.

I, on the basis of Original and Copies of Title Deeds forwarded to me pertaining to the said flat and the other information submitted by you, have conducted a detailed search and investigation and submit my report as under: -

1. Name(s) and Address(es) of the Mortgagor(s)/Title holder(s)

1. SMT. SWALEHA HABIB KHAN (CHAUDHARY) ALIAS SALEHA HABIBULLAH CHAUDHARY, residing at House No.1373, Flat No.302, 3rd Floor, Marina 1, Marina CHSL, Nasik Road, Millat Nagar, Bhiwandi, Dist. Thane - 421302.

2. The following Title deeds seen by me:

1) Original Agreement to Sale was executed and registered on dated 07/01/2011 between "Vendor/s" M/s. R. K. Builders (a Partnership Firm) through its partner Mr. Ashfaqe Bashir Kharbe, & "Purchaser" Mrs. Swaleha Habib Khan



(Handbook), which is duly registered in the State Registrar of Assurances at H/13-1, vide Serial No. 102/2011 along with Registration Receipt No. 169 dated 02/01/2011 and Index II.

- (ii) Copy of 2/3 Extracts issued by Tahsil Sajib Nizampur, Taluka: Bhiwandi, Dist: Thane, dated 01/11/2008.
- (iii) Copy of C.T.R. No. 4013 Part, issued by T.R., dated 18/04/1995.
- (iv) Copy of C.T.R. No. 4013 Part, issued by T.R., dated 18/04/1995.
- (v) Copy Revised Commencement Certificate/ Construction Permission bearing No. B.P.K/104/Nizampur/2008-2009 J.K.N.R.V/30, issued by Bhiwandi Nizampur City Municipal Corporation, dated 18/04/2009.
- (vi) Copy of N.A. Order bearing No. K. Madhusal/K-1/F-8/1A/P/SR/36/2002, issued by Dist. Collector, Thane, dated 13/12/2002.
- (vii) Copy of Approved Plan bearing No. B.P.K/104/Nizampur/2008-2009 J.K.N.R.V/30, issued by Bhiwandi Nizampur City Municipal Corporation, dated 18/04/2009.
- (viii) Copy of Floor Plan.
- (ix) Copy of Occupancy Certificate bearing No. B.P.K/104/2008-2009 J.K.N.R.V/561 issued by Bhiwandi Nizampur City Municipal Corporation, dated 25/05/2011.

**3. Description of Immoveable property:**

Survey/CTS No	Extent Areas (in acres/hectares)	Location	Boundaries of Property
Constructed on N.A land bearing Plot No. 3 & 4, Survey No. 36/1-A, 36/1-Part, 74/2-Part, 102-Part corresponding	Admeasuring area 82.61 Sq. Mtrs (Built up).	Residential Flat No. 302, on 3 <sup>rd</sup> Floor, in the Building known "MARINA TOWER-1", Millat Nagar, 4 <sup>th</sup> Nizampur,	North: As Per Plan South: As Per Plan East: As Per Plan West: As Per Plan



<p>to C.T.S No. 4032 Part, 4033 Part, &amp; 4038 Part, totally area admeasuring 1240 Sq. Mtrs. Situated at Mauje: Nizampura, Taluka: Bhiwandi, Dist. Thane. Within the limits of Bhiwandi Nizampur City Municipal Corporation.</p>		<p>Bhiwandi, the area admeasuring about 740.75 Sq. Ft. (Carpet), equivalent to 82.61 Sq. Mtrs (Built up), constructed on N.A land bearing Plot No. 3 &amp; 4, Survey No. 36/1-A, 36/1-Part, 74/2-Part, 102-Part, corresponding to C.T.S No. 4032 Part, 4033 Part, &amp; 4038 Part, totally area admeasuring 1240 Sq. Mtrs. Situated at Mauje: Nizampura, Taluka: Bhiwandi, Dist. Thane.</p>
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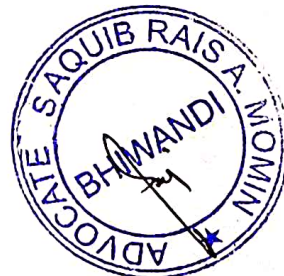
4. Search in sub-registrar's Office:

I have taken search in respect of the said property for the last 30 years that is from 1994 to 2023, in office of the Sub-Registrar Bhiwandi in the Registrar Index II, under bank Challan No. MH010348861202324E dated 31/10/2023 amounting Rs.750/-, the original receipt is enclosed with this report, where in no adverse entry is found in the records pertaining to the said property. Title to the said Flat will be clear, marketable and free from encumbrances.

i. Location of property:

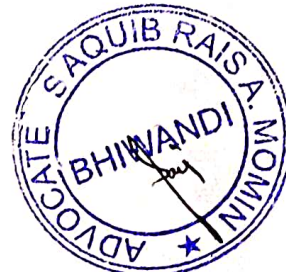
Residential Flat No. 302, on 3<sup>rd</sup> Floor, in the Building known "MARINA TOWERS-I", Millat Nagar, 4<sup>th</sup> Nizampura, Bhiwandi, the area admeasuring about 740.75 Sq. Ft. (Carpet), equivalent to 82.61 Sq. Mtrs (Built up), constructed on N.A land bearing Plot No. 3 & 4, Survey No. 36/1-A, 36/1-Part, 74/2-Part, 102-Part, corresponding to C.T.S No. 4032 Part, 4033 Part, & 4038 Part, totally area admeasuring 1240 Sq. Mtrs. Situated at Mauje: Nizampura, Taluka: Bhiwandi, Dist. Thane. Within the limits of Bhiwandi Nizampur City Municipal Corporation Bhiwandi, Dist. Thane and within the limits of Sub-Registrar Bhiwandi.

ii. Investigation, flow/tracing of Title and Search:



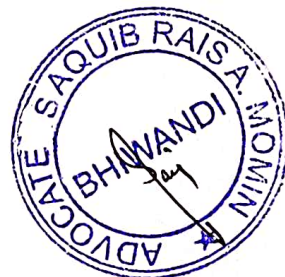
I have found following transactions regarding the said property:

- a. It is observed that Originally Land owned by Mr. Santosh Baburao Mhatre, in respect of land bearing Survey Nos. 74/2, 36/1, 36/4, 34, 73/1, corresponding to C.T.S No. 4032/1, 4033/2, 4033/1, 4033/1, 4026/1, & 4027/1, area admeasuring 7995.50 Sq. Mtrs, which is situated at Mauje: Nizampur, Taluka: Bhiwandi, Dist. Thane.
- b. That Conveyance Deed was executed on dated 21/04/1995 and registered on dated 06/07/1995 between "Vendor" Mr. Santosh Baburao Mhatre, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaque Bashir Kharbe, Mr. Irfan Abdul Hameed Nachan and Mr. Shamsuddin Gulam Haidar Bute, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 1736/1995.
- c. It is observed that Originally Land owned by 1) Mrs. Mehmooda Yusuf Fakhir, 2) Mrs. Akila Akhtar Haris, 3) Mrs. Mehjabin Umar Pathan, 4) Aziza Hanif Goldaj, 5) Noorunnisa Ahmed Patel, 6) Tariq Ahmed Patel, 7) Kamran Ahmed Patel, 8) Musaddik Ahmed Patel, 9) Fayyaz Ahmed Patel, 10) Safiya Jafar Kazi, 11) Firoza Hisamuddin Kazi, 12) Abdul Mateen Mohammed Siddique Patel, 14) Sofi Mushtaque Patel, 15) Imran Mushtaque Patel, 16) Farhan Mushtaque Patel, 17) Musharrat Mushtaque Patel and others, in respect of land bearing Survey Nos. 36/1, 34, 74, 102, 73/1 Part, area admeasuring 13000 Sq. Yds, i.e., 10868 Sq. Mtrs, which is situated at Mauje: Nizampur, Taluka: Bhiwandi, Dist. Thane.
- d. That Conveyance Deed was executed on dated 07/01/1996 and registered on dated 14/02/1996 between "Vendor" Mrs. Mehmooda Yusuf Fakhir, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaque Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 22/1996.
- e. That Conveyance Deed was executed on dated 09/01/1996 and registered on dated 14/02/1996 between "Vendor/s" 1) Sofi Mushtaque Patel, 2) Imran



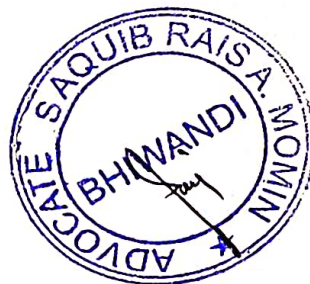
Mushtaque Patel, 3) Farhan Mushtaque Patel, 4) Musharrat Mushtaque Patel, through their power of attorney holder Mr. Zuber Yusuf Patel, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaque Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 23/1996.

- f. That Conveyance Deed was executed and registered on dated 14/02/1996 between "Vendor/s" 1) Khalid Yusuf Patel, 2) Zuber Yusuf Patel, 3) Musaddique Yusuf Patel, 4) Amatullah Yusuf Patel, 5) Abdul Rab Yusuf Patel, 6) Abdul Hafiz Yusuf Patel, 7) Khadija Abdul Kadir Tatli, 8) Sameera Abdul Kadir Mulla, 9) Mushtari Shamim Bahauddin, 10) Amatullah Asmat Nachan, through their power of attorney holder Mr. Zuber Yusuf Patel, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaque Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 24/1996.
- g. That Conveyance Deed was executed and registered on dated 19/02/1996 between "Vendor/s" 1) Akila Akhtar Haris, 2) Mehjabin Umar Pathan, 3) Aziza Hanif Goldaj, through their power of attorney holder Mr. Zuber Yusuf Patel, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaque Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 729/1996.
- h. That Conveyance Deed was executed and registered on dated 19/02/1996 between "Vendor/s" 1) Noorunnisa Ahmed Patel, 2) Tariq Ahmed Patel, 3) Kamran Ahmed Patel, 4) Musaddik Ahmed Patel, 5) Fayyaz Ahmed Patel, through their power of attorney holder Mr. Zuber Yusuf Patel, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaque Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 730/1996.
- i. That Conveyance Deed was executed and registered on dated 28/02/1996 between "Vendor" Mrs. Safiya Jafar Kazi through her power of attorney holder Mr. Shabbir Yusuf Patel, & "Purchaser" M/s. R. K. Builders through its partner



Mr. Ashfaqe Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 888/1996.

- j. That Conveyance Deed was executed and registered on dated 08/03/1996 between "Vendor" Mr. Abdul Majid Mohammed Siddique, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaqe Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 1061/1996.
- k. That Conveyance Deed was executed and registered on dated 19/03/1996 between "Vendor" Mr. Abdul Mateen Mohammed Siddique Patel, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaqe Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 1238/1996.
- l. That Conveyance Deed was executed and registered on dated 23/09/1996 between "Vendor" M/s. R. K. Builders through its partner Mr. Malik Kazi Patel, & "Purchaser" Mr. Ashfaqe Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 4191/1996.
- m. That Conveyance Deed was executed and registered on dated 04/10/1996 between "Vendor" Mrs. Firoza Hisamuddin Kazi, & "Purchaser" M/s. R. K. Builders through its partner Mr. Ashfaqe Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 4400/1996.
- n. That Confirmation Deed was executed and registered on dated 12/09/1997 between "Vendor" Mr. Athar Mohammed Siddique Patel, & "Purchaser" M/s. R.K. Builders through its partner Mr. Ashfaqe Bashir Kharbe, which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide Serial No. 4144/1997.
- o. That Confirmation Deed was executed and registered on dated 12/09/1997 between "Vendor" Mr. Alim Mohammed Siddique Patel through his power of attorney holder Mr. Athar Mohammed Siddique Patel, & "Purchaser" M/s. R.K.



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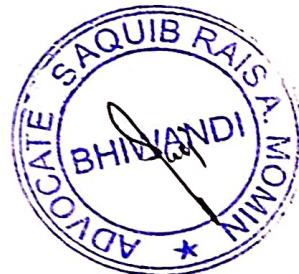
## CERTIFICATE

I have examined the Original Title Deeds intended to be deposited relating to the aforesaid property(ies) and offered as security by way of Equitable Mortgage and that the documents of title referred to in the Opinion are valid evidence of right, title and interest and that if the said Equitable Mortgage is created, it will satisfy the requirement of creation of equitable mortgage.

I hereby further certify that I have searched and verified the information furnished in this report and have compared the Title Deeds given to me with the records/ copy of it in the office of Sub-Registrar and have found both tallying with each other. I confirm having made search in Land/Revenue record. I also confirm having verified and checked the records of the relevant Government Sub-registrar's office, Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Registrar of Companies Office. I do not find anything adverse which would prevent the Title holders from creating a valid mortgage. The statements and other information given in the report are correct & true.

I certify that, there are no prior Mortgage/Charges/encumbrances whatsoever, as could be seen from the Encumbrance Certificate (in State of Maharashtra, there is no provision under Registration Act, 1908 to issue non-encumbrance Certificate by Registrar, hence Search Report is considered here) 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, charges or claims.

I certify that, Smt. Swaleha Habib Khan (Chaudhary) alias Saleha Habibullah Chaudhary, has got a valid, clear, absolute and marketable title over the property shown above free of any encumbrances, charge or claims. There are no legal impediments for creation of the mortgage under any applicable law/ rules in force.



I certify that mortgage over the said property(ies) can be enforced through process of law including under the provisions of SARFAESI Act for recovery of dues to the Bank.

If **Smt. Swaleha Habib Khan (Chaudhary) alias Saleha Habibullah Chaudhary**, is personally present and deposit the following title deeds in Original with intention to create equitable mortgage, it will satisfy the requirement of creation of equitable mortgage. The following person/s should be present personally to deposit the original title deeds with your Branch for creation of equitable mortgage. **Smt. Swaleha Habib Khan (Chaudhary) alias Saleha Habibullah Chaudhary**.

The following documents in Original have to be obtained for creation of valid equitable mortgage by deposit of title deed.

- a) **Original Agreement to Sale** was executed and registered on dated 07/01/2011 between "Vendor/s" M/s. R. K. Builders (a Partnership Firm) through its partner Mr. Ashfaque Bashir Kharbe, & "Purchaser" Mrs. Swaleha Habib Khan (Choudhary), which is duly registered in the Sub-Registrar of Assurance at BVD-1, vide **Serial No. 165/2011** along with Registration Receipt No. 165 dated 07/01/2011 and Index-II.
- b) **Original NOC** from Marina Tower Co-Operative Housing Society Limited to be obtained favouring Bank of India to Mortgage Flat No. 302.
- c) **Original Share Certificate** issued by Marina Tower Co-Operative Housing Society Limited. In the name of Mrs. Swaleha Habibullah Chaudhary.
- d) Copy Revised Commencement Certificate/ Construction Permission bearing No. B.P.K/104/Nizampur/2008-2009 J.K.N.R.V/50, issued by Bhiwandi Nizampur City Municipal Corporation, dated 18/04/2009.
- e) Copy of Occupancy Certificate bearing No. B.P.K/104/2008-2009 J.K.N.R.V/561 issued by Bhiwandi Nizampur City Municipal Corporation, dated 25/05/2011.

