



VIJAY B. CHAVAN

ADVOCATE HIGH COURT

Office : 3, Sarang Building, Sitaram Jadhav Marg, Lower Parel (W), Mumbai - 400 013.

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TO,

17th FEBRUARY 2024

THE COSMOS CO-OPERATIVE BANK LTD,
Malad East
Mumbai.

- SUBJECT:** Search and title report for Flat No. B/102, area admeasuring 530 square feet super Built up area on the First Floor in the Building known as "Poonam Park", society known as Poonam Park Co-Operative Housing Society Ltd, situate at Survey No. 148. Hissa No 9 Part and Survey No 148, Hissa No. 2/6, lying, being and situate at village Virar, Tal. Vasai, Dist. Palghar within the local limits of Vasai Virar City Municipal Corporation owned by Mr. Naresh Muljibhai Rathod.
- Name Of The Branch** : Malad East
- Name Of The Owner** : Mr. Naresh Muljibhai Rathod.
- Documents Seen** : **YES as mentioned below.**

I have perused the following documents for the purposes of furnishing this legal opinion:

Sr. No.	Description of document	Execution date	Document no.
1	Photocopy of Commencement Certificate as required Under Section 45 issued by City and Industrial Development Corporation	25 th September 95.	CIDCO/VVSR / BP-1254/E/ 4980
2	Photocopy of Agreement for sale between M/s. Poonam Developers as the builders and Smt. Savita (Savitaben) Muljibhai Rathod as the Purchaser	11 th July 2000	3545/2000.
3	Certified copy of Gift deed	21 st	VSI2/ 22718



	BETWEEN Smt. Savita (Savitaben) Muljibhai Rathod as the Doner and Mr Chandrakant Mulji Rathod and Mr. Yogesh Muljibhai Rathod as the confirming party AND Mr. Naresh Muljibhai Rathod as the Doner, registration receipt and index II extract.	December 2023	OF 2023.
4.	Photocopy of Grant of Part and final occupancy certificate for Wing B issued by the CIDCO authority.	12 th November 1998	

5. DESCRIPTION OF PROPERTY/ PROPERTIES/ NATURE OF TITLE

1.	Name of the owner/ Mortgagor	Mr. Naresh Muljibhai Rathod
2.	Extent of area	Flat No. B/102, area admeasuring 530 square feet super Built up area on the First Floor in the Building known as "Poonam Park" (Poonam Park Co-Operative Housing Society Ltd),
3.	Survey no/Gat No./CTS No.	situate at Survey No. 148. Hissa No 9 Part and Survey No 148. Hissa No. 2/6
4.	Is property leasehold/freehold/Govt. grant etc.	FREEHOLD
5.	Nature of property	Residential flat
6.	Location	lying, being and situate at village Virar, Tal. Vasai, Dist. Palghar within the local limits of Vasai Virar

		City Corporation	Municipal
7.	Boundaries on or towards for the Plot/Room	Not provided	
8.	Confirmed the boundaries of the Room/plot as per approved plan and as per title deed.	Not provided	

6. TRACE OF TITLE/ HISTORY OF PASSING OF TITLE DETAILS OF ANTECEDENT TITLE DEEDS:

It appears that, by an Agreement for Sale dated 15th February, 1995, entered into between M/S. GURUPRASAD CONSTRUCTION have agreed to sell the Land admeasuring 847 Square yard equivalent to 708 Square meters. Out of Survey No. 148, Hissa No. 9 Part, admeasuring H.R.O-29-5, and Survey No 148 Hissa No. 2/6, admeasuring H.R. 0-24-3, lying, being and situated at Village Virar, Taluka Vasai, District Thane, within the area of Sub- Registrar at Vasai No. II Virar (hereinafter called "The said Land"), to M/s. POONAM DEVELOPERS for the price and on the terms and conditions mentioned therein.

It appears that, M/S. GURUPRASAD CONSTRUCTION have executed a Power of Attorney in favour of Mr. MANEK JUGRAJ MEHTA, a proprietor of M/S. POONAM DEVELOPERS, with a right to develop the said Land. M/S. GURUPRASAD CONSTRUCTION have given peaceful and vacant possession with a right to develop the same. The development permission is granted to construct the residential building with shop line on the said land by the City and industrial Development Corporation of Maharashtra Ltd., vide his letter bearing No. CIDCO/VVSR/BP-1254/E/4980.

It appears that, the Commencement Certificate as required Under Section 45 of the Maharashtra Regional and Town Planning Act, 1966 is also granted by the City and Industrial Development Corporation of Maharashtra Ltd., vide letter No. CIDCO / VVSR / BP-1254 / E / 4980 dated 25th September 1995.

The CIDCO authority issued Grant of Part and final occupancy certificate dated 12th November 1998 for Wing B issued by the CIDCO authority.

It appears that, by Agreement for sale dated 11th July 2000 M/s. Poonam Developers as the builders transferred and conveyed the right, title and interest in respect of the Flat No.B/102, area admeasuring 530 square feet super Built up area on the First Floor in the Building known as "Poonam Park" (Poonam Park Co-Operative Housing Society Ltd), situate at Survey No. 148. Hissa No 9 Part and Survey No 148. Hissa No. 2/6, lying, being and situate at village Virar, Tal. Vasai, Dist. Palghar within the local limits of Vasai Virar City Municipal Corporation (hereinafter referred to as "the said Flat" in favour of Smt. Savita (Savitaben) Muljibhai Rathod as the Purchaser for the price and on the terms and ocnditiosn mentioned therein. the said Agreement dated 11th July 2000 is duly registered under serial NO. No.3546/2000.

It appears that, by Gift deed dated 21st December 2023 Smt. Savita (Savitaben) Muljibhai Rathod as the Doner and Mr Chandrakant Mulji Rathod and Mr. Yogesh Muljibhai Rathod as the confirming party transferred and conveyed the right, title and interest in respect of the said flat in favour of Mr. Naresh Muljibhai Rathod as the Doner for the consideration in respect of love and affection. The said Gift deed dated 21st December 2023 is duly registered under serial NO. VSI2/22718 OF 2023.

That the search taken in the office of sub registrar at Mumbai suburban district from 1995 to 2024 appears that, there is no encumbrance in respect of the said flat. The said search report is enclosed herewith.

A. DETAILED INFORMATION ABOUT PROPERTY TO BE MORTGAGED:

Details	Remark of counsel
1. Whether the documents of title given raise any doubts or suspicion	No
2. Are all the original title deeds available with the mortgagor; if not, the reasons for non-availability of the same; in	I have been provided with photocopies of all the documents as mentioned above therefore I suggest to take on record the Original documents more particularly mentioned in clause 25.

case the properties are mortgaged to some other entity, is the original title deed lying with such entry, have the certified true copy of any/ all of the title deeds and lodgment receipt + acknowledgement letter from registrar for the same.	
3. Whether any of the property intended to be given by way of mortgage is subject to any minor's or any other claims? if yes, state whether requisite permission from the concerned court has been obtained and produced or to be obtained?	No
4. Whether the property proposed to be mortgaged is subject to the provisions contained under any special enactment/local laws. State implications of such enactment on the charge proposed to be created?	No
5. Whether property to be mortgaged is coming under any restrictions on transfer and whether required permission/consent as per terms of grant/allotment etc. obtained	No restrictions for transfer of flat.
6. Whether provisions of	No

urban ceiling act are applicable? if applicable whether permission obtained.	
7. Whether the user land has converted under land revenue law? whether N.A. Permission/Change of user permission is obtained/	Yes
8. Whether required documents are available for creating valid equitable mortgage?	Yes
9. What is the tenure of land? (in case of Lease Property) and whether necessary consent permission of lessor obtained.	N.A.
10. Whether the land is adiwasi (tribal) Land?	No
11. Whether the land/property is owned by HUF? if yes then what precautions to be taken by the Bank while accepting property owned by HUF?	No
12. Is land/property subject to any reservations/acquisitions/ requisitions?	No
13. Whether plans for constructions are sanctioned?	Not provided called upon to comply clause 25
14. Whether commencement certificate issued?	Yes
15. Whether the project is registered under RERA? and registration certificate	N.A.

is obtained on
16. Whether certificate

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is obtained on record	
16. Whether completion certificate is obtained?(applicable to property which is of ready possession/resale)	Yes
17. Whether there are any restrictions from corporation such as "education Zone", "Green Zone" etc.?	No
18. Is the land taken on lease from state industrial development corporation? If yes whether tripartite agreement executed?	NO
19. Whether there are any prior encumbrances. If yes details thereof?	No
20. Evidence of possession, findings on documents and revenue records, details of property tax, land revenue, society maintenance charges or any other statutory dues paid up to date or payable.	Latest Property tax paid receipt and latest Maintainace paid receipt be taken on record
21. In case of companies/societies/association/trust whether.	--
a. Memorandum/bye-laws of the society/association authorized to offer its property as security.	N.A
b. Requisite resolutions have been duly passed by the company/society/associati on permitting mortgage of	NOC to Mortgage shall be issued by the society.



24. whether # complete missing link
 25. Whether docum

the properties in favor of the Bank.	
c. Such resolution sets out the names of the persons who are authorized to create charge over the properties.	N.A.
d. In case of public charitable trust whether permission of charity commissioner for borrowing and mortgaging trust property is obtained and conditions stipulated if any.	Not applicable
22. In case of devolution of property by a will/succession.	Not applicable
A. Whether probate of will/succession certificate / letter of administration obtained? details thereof	Not applicable
B. If probate/ succession certificate / letters of administration not obtained, then how the mortgagor proposes to prove the title?	Not applicable
C. The safeguards suggested to ensure title to the property offered as security.	No
23. a. whether title deeds perused are in conformity with the search taken? b. whether the registered title deeds are in conformity with the scanned copies of the same or IGR site?	Yes Confirmed Index II with the IGR Maharashtra.

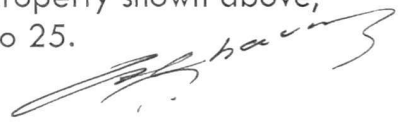
24. whether the chain of title is complete without any missing links	Yes
25. Whether any other documents to be obtained/compliances to be made so as to create valid mortgage.	List of documents to be obtained: <ol style="list-style-type: none">1. Original Agreement for sale dated 11th July 2000 between M/s. Poonam Developers as the builders and Smt. Savita (Savitaben) Muljibhai Rathod as the Purchaser, registration receipt and index II extract.2. Original Gift deed dated 21st December 2023 BETWEEN Smt. Savita (Savitaben) Muljibhai Rathod as the Doner and Mr Chandrakant Mulji Rathod and Mr. Yogesh Muljibhai Rathod as the confirming party AND Mr. Naresh Muljibhai Rathod as the Doner, registration receipt and index II extract.3. Original Affidavit of non-encumbrance.4. Original NOC to mortgage issued by the Society (confirm the possession of Mr. Naresh Muljibhai Rathod in respect of the flat and also confirm the Occupation Certificate, share certificate and NOC to mortgage with the office of the society)5. Original Valuation Report.6. Original Share certificate in the name of Mr. Naresh Muljibhai Rathod.



	<p>7. Photocopy of latest property tax paid receipt.</p> <p>8. Photocopy of Maintenance paid receipt.</p> <p>9. Photocopy of occupation certificate.</p> <p>10. Photocopy of demarcated area of the flat on the approved sanctioned plan issued by the corporation.</p>
<p>26. a. whether any charge on subject property is found on CERSAI portal?</p> <p>b. if Yes, its Details.</p>	<p>Not Found</p>

CERTIFICATE OF TITLE AND NO ENCUMBRANCE

I have examined Photocopy of title deeds relating to Flat No. B/102, area admeasuring 530 square feet super Built up area on the First Floor in the Building known as "Poonam Park" society known as Poonam Park Co-Operative Housing Society Ltd, situate at Survey No. 148. Hissa No 9 Part and Survey No 148. Hissa No. 2/6, lying, being and situate at village Virar, Tal. Vasai, Dist. Palghar within the local limits of Vasai Virar City Municipal Corporation and records of Rights for last 30 years vide search Receipt GRN No.MH015788735202324P. I certify that Mr. Naresh Muljibhai Rathod have an absolute, clear and marketable title over the property shown above, subject to compliance as suggested under paragraph No 25.



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Search Report

Date : 17th FEBRUARY 2024

The Manager,
Cosmos Bank,
Malad (E) Branch, Mumbai.

Ref: Flat No. B/102, area admeasuring 530 square feet super Built up area on the First Floor in the Building known as "Poonam Park" (Poonam Park Co-Operative Housing Society Ltd), situate at Survey No. 148, Hissa No 9 Part and Survey No 148, Hissa No. 2/6, lying, being and situate at village Virar, Tal. Vasai, Dist. Palghar within the local limits of Vasai Virar City Municipal Corporation.

Dear Sir,

As per your instruction, I have carried out an independent search in respect of official website IGR MAHARASHTRA in respect of Sub Registrar's Offices at Palghar District for the period from 1995 to 2024 (30 Years) respectively.

While taking the search, I have found following documents Registered / Index-II therein (please see the pages attached herein).

Search at the Sub Registrar Office of Assurance at Palghar District, for the period from 1995 to 2024:-

1995	Nil/ TORNED
1996	Nil/ TORNED
1997	Nil / TORNED
1998	Nil/ TORNED
1999	Nil/ TORNED
2000	Transaction

Schedule of property: , इतर माहितीसदनिका ;, मौजे गाव विरार पूनम पार्क फ्लॅट नं .102, पहीला माळा बी विंग सुपर विल्टप

Agreement for sale between: {"पूनम डेव्हतर्फे भागीदार री मनिक ले ., मेहता यांच्या तर्फे कुम्हणून मोती .सू .
"-मेहता)And {"मवितावेन मुलजीबाई राठोड"-}

Date of execution of document: 11th July 2000.

Date of registration: 21th September 2000.

Document No.: Vasai-2/3546/2000.

2001	Nil/ TORNED
2002	Nil/ TORNED
2003	Nil



2004	Nil
2005	Nil
2006	Nil
2007	Nil
2008	Nil
2009	Nil
2010	Nil
2011	Nil
2012	Nil
2013	Nil
2014	Nil
2015	Nil
2016	Nil
2017	Nil
2017	Nil
2018	Nil
2019	Nil
2019	Nil
2020	Nil
2021	Nil
2022	Nil
2022	Nil

2023
Schedule of property: इतर माहितीगाव मौजे विरार ;सर्व्हे नं 148,हिस्सा नं 2/6 या मिळकतीवरील पुनम पार्क,पुनम पार्क कोऑप हौसिंग- सोसायटी लि इमारतीमधील सदनिका क्रं बी/102,पहिला मजला,एरिया 530 चौ फुट सुपर बिल्टअप या मिळकतीचे बक्षीसपत्र

Gift deed between: {"मान्यता देणार "-चंद्रकांत मुलजी राठोड -,"मान्यता देणार "-योगेश मुलजीभाई राठोड -,"सविता
"--मुलजीभाई राठोड (सविताबेन)}**And** {"नरेश मुलजीभाई राठोड"--}

Date of execution of document: 21th December 2023,

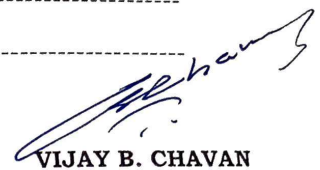
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Date of registration: 21th December 2023,
Document No.: Vasai-2/22718/2023.

2024

Nil / NOT UPDATED

Note: This report is subject to mutilated records and torn pages.


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CHALLAN
MTR Form Number-6



MH015800354202324P		BARCODE		Date	17/02/2024-13:33:32	Form ID				
Department		Inspector General Of Registration		Payer Details						
Type of Payment		Search Fee Other Items		TAX ID / TAN (If Any)						
Office Name		VSI1_VASAI NO 1 SUB REGISTRAR		PAN No.(If Applicable)						
Location		PALGHAR		Full Name	Mr Naresh Mujibhai Rathod					
Year		2023-2024 One Time		Flat/Block No.						
Account Head Details		Amount In Rs.		Premises/Building						
0030072201 SEARCH FEE		300.00		Road/Street						
				Area/Locality						
				Town/City/District						
				PIN						
				Remarks (If Any)	Flat No B 102 Poonam Park CHS Virar Survey No 148 Search from 1995 to 2006					
				Amount In	Three Hundred Rupees Only					
Total		300.00		Words						
Payment Details			SBIEPAY PAYMENT GATEWAY				FOR USE IN RECEIVING BANK			
Cheque-DD Details			Bank CIN	Ref No	10000502024021702179	9345345407733				
Cheque/DD No.			Bank Date	RBI Date	17/02/2024-13:34:28	Not Verified with RBI				
Name of Bank			Bank-Branch		SBIEPAY PAYMENT GATEWAY					
Name of Branch			Scroll No. , Date		Not Verified with Scroll					

Department ID :

Mobile No. : 9320749383

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

सदर चलान "टाइप ऑफ पेमेंट" मध्ये नमुद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करताच्या दस्तारासाठी लागू नाही.