

DAS ASSOCIATES

ADVOCATES & LEGAL CONSULTANTS

105, Bombay Samachar Marg, Office No. 23A, 2nd Floor, Opp. Bharat House, Fort, Mumbai - 400 001.
Email : advocateprasaddas@yahoo.com Tel : 022-2269 0208

Prasad Das
B.Com, MBA, LL.B.
ADVOCATE - HIGH COURT
Cell : 98200 90208

Rajendra Prasad Tiwari
B.Com., LL.B.
ADVOCATE - HIGH COURT
Cell : 77198 86511

Swarnalata Das
MA, LL.B.
ADVOCATE - HIGH COURT
Cell : 93246 11676

Date: 30.03.2024

ANNEXURE-21 (b)

To,

The Branch Manager,
Bank of Baroda,
C.P. Tank Road Branch
Gulalwadi Circle, Marine Lines East,
Bhuleshwar, Mumbai-400004.

Dear Sir,

Sub.: Title Opinion Report of 30 years certifying non encumbrance of the Property i.e. **Unit No.127**, on the 1st Floor, in admeasuring 418 Sq.Ft. Built up area [which is inclusive of balconies on 1st floor], in the Building known as "**KHYATI INDUSTRIAL ESTATE CO-OPERATIVE SOCIETY LIMITED**", Situated at LAXMI INDUSTRIAL ESTATE, Near Link Road, Goregaon West, MUMBAI-400090, Constructed on **land bearing Plot No. B/7 forming part of Survey No.161, OF Village Pahadi, Near Goregaon, Taluka Borivali, District MUMBAI Suburban** in the registration Sub District of Bandra and bounded as on or towards South: by Plot No. B-D/6 of the said estate, East: by plot B/6 of the Estate, North: by Proposed 44' wide private common road and layout that by Plot No. B/1 of the said estate, West: Partly by Plot B/8 of the said estate and partly by Plot No.1B/9 of the said estate, belonging to **M/S. HELLO BABY PVT.LTD. [through its Proprietor Mr. Himatlal Vadilal Shah]**

Name of the Proposed Purchaser: MR. ASHOKKUMAR AMRITLAL JAIN

We refer to your Letter dated Nil requesting us to furnish non-encumbrance and certify and submit the Title Cum Opinion Report about the clear and marketable title to the property proposed to be mortgaged for securing the credit facilities proposed to be granted to MR. ASHOKKUMAR AMRITLAL JAIN (Borrower/ Mortgagor).

Sr. No.	Particulars	Status
1.	Description and area of the property proposed to be mortgaged. Specific	



Branch Office : B/202, Shanti Accord, Shanti Park, Opp. Gokul Village, Mira Road, Thane - 401 107.

	<p>numbers and address of property alongwith boundaries and measurements.</p> <p>Unit No.127, on the 1st Floor, in admeasuring 418 Sq.Ft. Built up area [which is inclusive of balconies on 1st floor], in the Building known as "KHYATI INDUSTRIAL ESTATE CO-OPERATIVE SOCIETY LIMITED", Situated at LAXMI INDUSTRIAL ESTATE, Near Link Road, Goregaon West, MUMBAI-400090, Constructed on land bearing Plot No. B/7 forming part of Survey No.161, OF Village Pahadi, Near Goregaon, Taluka Borivali, District MUMBAI Suburban in the registration Sub District of Bandra and bounded as on or towards South: by Plot No. B-D/6 of the said estate, East: by plot B/6 of the Estate, North: by Proposed 44' wide private common road and layout that by Plot No. B/1 of the said estate, West: Partly by Plot B/8 of the said estate and partly by Plot No.1B/9 of the said estate.</p>
2.	<p>Nature of Property (Whether Agricultural, Non-Agricultural, Commercial, Residential, Industrial. If Non-Agricultural, the reference and date of conversion order from Competent Authority should also be mentioned).</p> <p>Industrial</p>
3.	<p>Name of the Mortgager / Owner and status in the Account i.e. Borrower or Guarantor and whether individual, Sole Proprietor, Partner, Director, Karta or Trustee. In case the Mortgagor is Partner/Trustee/Director. In case the Mortgagor is Partner/Trustee/Director who is Mortgaging The Property On Behalf Of Partnership/Trust/ Company, Whether He /She Has The Authority. Copy Of Resolution/Memorandum And Articles Of Association /Trust Deed Etc. Whether Examined And Verified.</p> <p>MR. ASHOKKUMAR AMRITLAL JAIN will be the mortgagor.</p>



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4.	Whether any minor, lunatic or Un-discharged insolvent is involved. Confirm that the mortgagor has sufficient capacity to contract. Precautionary steps to be taken.	No. The Mortgagor has sufficient title and capacity to contract for creation of mortgage.
5.	Whether the property is Freehold Or Leasehold. If Leasehold then period of lease and if Freehold Whether Urban Land Ceiling Act applies and permissions to be obtained.	Land is freehold. Unit is Freehold. ULC Act is not applicable.
6.	Source of the Property i.e. Self acquired or Ancestral. If Ancestral then mode of Succession and whether Original Will/Probate is available.	Self-Acquired
7.	Whether the Mortgagor Is Co-Owner/Joint Owner and or any partition of the property is made between the members of the family through Family Deed. If yes, whether Original Registered Partition Deed is available or it is only family settlement.	M/S. HELLO BABY PVT.LTD. is the owner of the said Unit and MR. ASHOKKUMAR AMRITLAL JAIN is the proposed purchaser of the said unit.
8.	Whether the Mortgager is in exclusive possession of the property or it is Leased/Rental out to third party.	No, M/S. HELLO BABY PVT.LTD. is in possession of the said Unit till the full and final payment of the unit.
9.	Whether the property is mutated in Municipal/revenue records and Mortgagor's name is reflecting and if not, the reason thereof.	The land mutated in the name of M/s. Sunil Metal Industries. The name of M/S. HELLO BABY PVT.LTD. is reflecting in SRO Record in respect of the said Unit.
10.	Whether any restriction for creation of Mortgage is imposed Under Central/State/	No. Register mortgage is possible.



	Local Laws. If yes, then specify whose consent or permission would be required for creation of Mortgage.	
11.	Whether all Original Title Deed including antecedent Title Deed and other relevant documents are available. Please give detailed list.	Mentioned in clause (18)
12.	Whether the Advocate has personally visited the Sub-Registrar/Revenue/Municipal Office and examined the records.	No, through our Advocate Mr. Rajendra Tiwari.
13.	Whether the search is being made for the period of 30 years. If no, reasons thereof.	Yes
14.	<p>Detailed of Document examined /scrutinized (this should be in chronological order with serial numbers, type/nature of document, date of execution, parties, date of registration details including the details of revenue/society records etc.)</p> <p>a. Copy of Commencement Certificate bearing No. CE/5846/BP(WS)/AP/AR dated 11.05.1993 issued by Brihanmumbai Mahanagarpalika.</p> <p>b. Certified Copy of Agreement dated 27.03.2002 executed between MESSRS. H.V. INDUSTRIES, as the Promoter and HELLOBABY PVT.LTD., as the Gala/Unit/Purchaser, duly registered with the Sub Registrar of Borivali-1 bearing Registration No. BDR2-01679-2002 dated 02.04.2002 and Registration Receipt No. 1065 dated 02.04.2002 & Index-II.</p> <p>c. Copy of Extract of the Property Registered Card</p> <p>d. Copy of Property Card</p> <p>e. Copy of 1st Floor Plan</p> <p>f. Copy of Property Tax Receipt in the name of Khyati Ind. Estate</p> <p>g. Copy of Society Registration Certificate dated 16.05.2006.</p> <p>h. Copy of Share Certificate No.55 dated 04.10.2007 issued by KHYATI INDUSTRIAL ESTATE CO-OPERATIVE SOCIETY LIMITED.</p> <p>i. Copy of Maintenance Bill</p> <p>j. Copy of Order dated 11.05.2022 of Deemed Conveyance and Certificate u/s. 11 of the MOFA, 1960 passed by the Competent Authority.</p>	



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	<p>k. Copy of Conveyance Deed dated 13.12.2022 executed between M/s. Sunil Metal Industries, through its proprietor Himmatlal Wadilal Shah, as the Vendors and The Collector and Competent Authority, ULC GR Mumbai, as the Confirming Party and Khyati Industrial Estate Co-operative Society Limited, as the Purchaser/ Society, duly registered with the Sub Registrar of Borivali-5 bearing Registration No. 17839-2022 dated 13.12.2022.</p>
15.	<p>Tracing of the chain of title in favour of Mortgagor/owner starting from the earliest document available. The nature of document /Deed Conveying the title should be mentioned with description of parties along with the type of right it creates.</p> <p>We have taken the search in respect of the aforesaid property for the 30 years from 1994 to 2024.</p> <p>During our Search prior to 1994, The land bearing Plot No. B/7 forming part of Survey No.161, OF Village Pahadi, Near Goregaon, Taluka Borivali, District MUMBAI Suburban originally belonged to one Natvarlal Nathalal Shah from whom Mr. Himatlal Vadilal Shah as Proprietor of M/s. Sunil Metal Industries purchased/acquired said plot of land under a registered Deed of Conveyance dated 25.01.1977.</p> <p>The said Himatlal Vadilal Shah changed the name of the firm from M/s. Sunil Metal Industries to M/s. H.V. Industries and he has executed Deed of Release in favour of H.V. Industries dated 01.12.1989.</p> <p>Thus, MESSRS. H.V. INDUSTRIES is absolutely seized and possessed of or otherwise well and sufficiently entitled as an absolute owners of the said land.</p> <p>MESSRS. H.V. INDUSTRIES is desired to construct the building for Industrial user and got the plan for development of the said pieces or parcel of land sanctioned by the Director of Industries under No. ULC/H 144/MC/dc/GRD B 16467 dated 14.07.1989.</p> <p>As a result of the Urban Land Celling And Regulation Act 1976, which came into force in the State of Maharashtra on 17th February 1976, the owner was not entitled to hold any vacant land in excess of celling limit except as otherwise provided in the ceiling act.</p> <p>MESSRS. H.V. INDUSTRIES has proposed to construct on the said land ground plus 2 multistoreyed industrial estate building.</p> <p>MESSRS. H.V. INDUSTRIES has the sole and exclusive right to sell the units in the said building to be constructed by the promoter on the said land and to enter Into agreement with the purchasers of galas/units and to receive the sale price proceeds in respect thereof.</p> <p>MESSRS. H.V. INDUSTRIES, has got approval from the Municipal Corporation of Greater MUMBAI, the Commencement Certificate bearing</p>



No.CE/5846/BP(WS)/AP/AR dated 11.05.1993, the plans the specifications, the elevations, sections and details of the said building.

MESSRS. H.V. INDUSTRIES has accordingly commenced construction of the building in accordance with the said plans.

The said Promoter has the sole and exclusive right to sell the units in the said building to be constructed by the Promoter on the said land and to enter into agreement with the purchasers of the galas/units and to receive the sale price proceeds in respect thereof.

An Agreement dated 27.03.2002 executed between MESSRS. H.V. INDUSTRIES, as the Promoter and HELLOBABY PVT.LTD., as the Gala/Unit/Purchaser, duly registered with the Sub Registrar of Borivali-1 bearing Registration No. BDR2-01679-2002 dated 02.04.2002 and Registration Receipt No. 1065 dated 02.04.2002 & Index-II. The said Promoter allotted/ the said Unit No.127 in favour of the said Gala/Unit/Purchasers on the terms and conditions set out therein. M/S. HELLO BABY PVT.LTD. is the owner and in use, occupation and Possession of the said Unit.

All the Unit owners of the said Building formed a society i.e. KHYATI INDUSTRIAL ESTATE CO-OPERATIVE SOCIETY LTD., duly registered under the MCS Act, 1960 bearing Registration No. MUM/W-P/GNL/O/1271/06-07 dated 16.05.2006. The said Society issued a Share Certificate No.55 dated 04.10.2007 in the name of M/S. HELLO BABY PVT.LTD. through its Directors, Mr. Arvind S. Joshi & Mr. Gaurav A. Joshi.

As per the Order dated 11.05.2022 of Deemed Conveyance and Certificate u/s. 11 of the MOFA, 1960 passed by the Competent Authority, the Conveyance Deed dated 13.12.2022 executed between M/s. Sunil Metal Industries, through its proprietor Himmatlal Wadilal Shah, as the Vendors and The Collector and Competent Authority, ULC GR Mumbai, as the Confirming Party and Khyati Industrial Estate Co-operative Society Limited, as the Purchaser/ Society, duly registered with the Sub Registrar of Borivali-5 bearing Registration No. 17839-2022 dated 13.12.2022 and Index-II thereof. The said conveyance signed by Mr. Himmatlal Wadilal Shah, proprietor of M/s. Sunil Metal Industries and M/s. H.V. Industries. The said Vendors alongwith the confirmation from the competent authority conveyed the said land alongwith the building standing thereon to the said society purchaser on the terms and conditions set out therein. Thus, the said Khyati Industrial Estate Co-operative Society Limited became the owner and seized and possessed of the said land alongwith the building standing thereon.

In the present matter, the industrial building was constructed prior to 1995. Since, the construction of the industrial building is old, the occupation certificate is not available. The Society is formed and the share certificate is issued to their members. And also the registered Conveyance as above is duly executed in favour of the Society and the society became the owner and seized and possessed of the said land with building standing thereon. Therefore, the effect of the non -availability of the Occupation Certificate will not affect the mortgage



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	<p><u>of the present unit creation by the Bank.</u></p> <p><u>In order to safeguard the interest of the Bank, the Bank has to create the register mortgage in favour of the Bank.</u></p> <p>M/S. HELLO BABY PVT.LTD. are now decided to transfer the said Gala to MR. ASHOKKUMAR AMRITLAL JAIN.</p> <p>An Agreement for Sale will be executed between M/S. HELLO BABY PVT.LTD., as the Seller and MR. ASHOKKUMAR AMRITLAL JAIN, as the Purchaser.</p> <p>And thus, MR. ASHOKKUMAR AMRITLAL JAIN is the proposed purchaser of the said unit.</p>	
16.	Whether there is any doubt/suspicion about the genuineness of the original document. If yes, then specify.	No.
17.	<p>The FINAL CERTIFICATE of the advocate confirming that title of the property's to be mortgaged is examined by him and the same is/ are clear and marketable.</p> <p>We certify that as per the records made available to us, M/S. HELLO BABY PVT.LTD. are the present owners and MR. ASHOKKUMAR AMRITLAL JAIN is the proposed purchaser of the said property and they he has a valid, clear, unassailable and marketable title and free from all encumbrances in the property shown above and perfect and valid register mortgage is possible by deposit of original title deeds in favour of the bank.</p> <p>We further certify that in the search report for some of the years mentioned that the page torn & nil and same will not affect the mortgaged property.</p> <p>SARFAESI Act, 2002 is applicable to the above stated property and bank has every right to take action u/s. 13(4) of The Securitization And Reconstruction of Financial Assets And Enforcement Of Security Interest Act, 2002.</p>	
18.	<p>List of documents to be deposited for creation of Mortgagee by the Mortgagor including any addition document required in addition to the document available.</p> <p>a. Original Agreement dated 27.03.2002 executed between MESSRS. H.V. INDUSTRIES, as the Promoter and HELLOBABY PVT.LTD., as the</p>	



	<p>Gala/Unit/Purchaser, duly registered with the Sub Registrar of Borivali-1 bearing Registration No. BDR2-01679-2002 dated 02.04.2002 and Registration Receipt No. 1065 dated 02.04.2002 & Index-II.</p> <p>b. Original NOC from the society in order to create mortgage in favour of the bank.</p> <p>c. Original Share Certificate.</p> <p>d. Copy of latest Maintenance Bill</p> <p>e. Copy of latest Electricity Bill</p> <p>f. Copy of latest three years property tax receipt</p> <p>g. Copy of Conveyance Deed dated 13.12.2022 executed between M/s. Sunil Metal Industries, through its proprietor Himmatlal Wadilal Shah, as the Vendors and The Collector and Competent Authority, ULC GR Mumbai, as the Confirming Party and Khyati Industrial Estate Co-operative Society Limited, as the Purchaser/ Society, duly registered with the Sub Registrar of Borivali-5 bearing Registration No. 17839-2022 dated 13.12.2022 and Index-II thereof.</p> <p>h. Original registered Agreement for Sale executed between M/S. HELLO BABY PVT.LTD., as the Seller and MR. ASHOKKUMAR AMRITLAL JAIN, as the Purchaser.</p>
19.	<p>Whether any additional formalities to be completed by the proposed Mortgagor. If yes, state specifically in case of Unit s/ properties in Co-operative Society, Whether allotment letter, possession letter, share certificate, affidavit, power of attorney is required.</p> <p>1. Declaration 2. Power of Attorney</p>



For M/s. DAS ASSOCIATES
Advocate High Court

SHIVRAJ ENTERPRISES LEGAL SERVICES

Mobile No. 07719886511

Mahadev CHS Ltd., Alkapuri Cross Road, Nalasopara East, Dist., Palghar – 401 209

Email : rt648499@gmail.com and shivrajenterprises82@gmail.com

Ref: 32928/ 2024

Date: 30.03.2024

To,

Das Associates,
Advocates High Court,
23/A, IInd Floor, 105,
Bombay Samachar Marg,
Opp. Bharat House, Fort,
Mumbai – 400 001.

SEARCH REPORT

Ref: **Search Report of 30 years** certifying non encumbrance of the Property i.e. **Unit No. 127**, on the 1st Floor, in admeasuring 418 Sq.Ft. Built up area [which is inclusive of balconies on 1st floor], in the Building known as **"KHYATI INDUSTRIAL ESTATE CO-OPERATIVE SOCIETY LIMITED"**, Situated at LAXMI INDUSTRIAL ESTATE, Near Link Road, Goregaon West, MUMBAI-400090, Constructed on **land bearing Plot No. B/7 forming part of Survey No.161, OF Village Pahadi, Near Goregaon, Taluka Borivali, District MUMBAI Suburban** in the registration Sub District of Bandra and bounded as on or towards South: by Plot No. B-D/6 of the said estate, East: by plot B/6 of the Estate, North: by Proposed 44' wide private common road and layout that by Plot No. B/1 of the said estate, West: Partly by Plot B/8 of the said estate and partly by Plot No.1B/9 of the said estate.

Dear Sir,

Name of the Owners: M/S. HELLO BABY PVT.LTD.

Name of the Proposed Purchaser: MR. ASHOKKUMAR AMRITLAL JAIN

As per your instruction, we have taken search of the aforesaid property in the office of the Sub Registrar of Assurance at Borivali (Receipt Enclosed Herewith MH018517977202324U Dated 30.03.2024) for the 30 years from 1994 to 2024, respectively.

Found following entries:

1. Agreement dated 27.03.2002 executed between MESSRS. H.V. INDUSTRIES, as the Promoter and HELLOBABY PVT.LTD., as the Gala/Unit/Purchaser, duly registered with the Sub Registrar of Borivali-1 bearing Registration No. BDR2-

SHIVRAJ ENTERPRISES LEGAL SERVICES

Mobile No. 07719886511

Mahadev CHS Ltd., Alkapuri Cross Road, Nalasopara East, Dist., Palghar – 401 209

Email :rt648499@gmail.com and shivrajenterprises82@gmail.com

01679-2002 dated 02.04.2002 and Registration Receipt No. 1065 dated 02.04.2002 & Index-II.

2. Conveyance Deed dated 13.12.2022 executed between M/s. Sunil Metal Industries, through its proprietor HimmatlalWadilal Shah, as the Vendors and The Collector and Competent Authority, ULC GR Mumbai, as the Confirming Party and Khyati Industrial Estate Co-operative Society Limited, as the Purchaser/ Society, duly registered with the Sub Registrar of Borivali-5 bearing Registration No. 17839-2022 dated 13.12.2022 and Index-II thereof.

M/S. HELLO BABY PVT.LTD. are now decided to transfer the said Gala to MR. ASHOKKUMAR AMRITLAL JAIN.

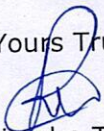
An Agreement for Sale will be executed between M/S. HELLO BABY PVT.LTD., as the Seller and MR. ASHOKKUMAR AMRITLAL JAIN, as the Purchaser.

And thus, MR. ASHOKKUMAR AMRITLAL JAIN is the proposed purchaser of the said unit.

Years	Particulars	Years	Particulars	Years	Particulars
1994	Page Torn	1995	Page Torn	1996	Nil
1997	Page Torn	1998	Nil	1999	Nil
2000	Nil	2001	Nil	2002	Index
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
2018	Nil	2019	Nil	2020	Nil
2021	Nil	2022	Index	2023	Nil
2024	Nil				

The aforesaid property is duly registered with the office of Sub Registrar of Borivali.

Yours Truly,



Rajendra Tiwari

B.Com. LLB.



CHALLAN
MTR Form Number-6



GRN	MH018517977202324U	BARCODE			Date	30/03/2024-14:42:03	Form ID	
Department	Inspector General Of Registration			Payer Details				
Type of Payment	Search Fee Other Items			TAX ID / TAN (If Any)				
				PAN No.(If Applicable)				
Office Name	BRL1_JT SUB REGISTRAR BORIVALI 1			Full Name	RAJENDRA TIWARI			
Location	MUMBAI							
Year	2023-2024 One Time			Flat/Block No.				
Account Head Details		Amount In Rs.		Premises/Building				
0030072201 SEARCH FEE		750.00		Road/Street				
				Area/Locality				
				Town/City/District				
				PIN				
				Remarks (If Any)	VILLAGE-PAHADIGOREGAON SR NO 161 UNIT NO 127 AND 128 TO ASHOKUMAR A JAIN TO SEARCH 1994 TO 2024			
				Amount In	Seven Hundred Fifty Rupees Only			
Total			750.00	Words				
Payment Details		STATE BANK OF INDIA		FOR USE IN RECEIVING BANK				
Cheque-DD Details		Bank CIN	Ref. No.	00040572024033048424	CPADRHRMA1			
Cheque/DD No.		Bank Date	RBI Date	30/03/2024-14:24:42	Not Verified with RBI			
Name of Bank		Bank-Branch	STATE BANK OF INDIA					
Name of Branch		Scroll No. , Date	Not Verified with Scroll					

Department ID

Mobile No. : 7719886511

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

सदर चलन "टाइप ऑफ पेमेंट" मध्ये नमुद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करावयाच्या दस्तांसाठी लागू नाही.

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Ref: CPTank-AshokJain-G127-4611-24

Date: 26.03.2024

To,

The Branch Manager,
Bank of Baroda,
C.P. Tank Road Branch
Gulalwadi Circle, Marine Lines East,
Bhuleshwar, Mumbai-400004.

Dear Sir,

Please find our memo of fees as detailed below:

MEMO OF FEES

Particulars	Amount
Towards the professional fees for Title Search Report & other misc. expenses A/c. MR. ASHOKKUMAR AMRITLAL JAIN – Proposed Purchaser [Gala No.127]	Rs.5,500.00
TOTAL: Rupees Five Thousand Five hundred only	Rs.5,500.00

Bank details: A/c. Name "Das Associates", Account No. 06950200000590, Bank of Baroda, Cuffe Parade Branch, IFSC Code: BARB0CUFFEP.

Yours truly,
For Das Associates,

Advocate, High Court

