

Ref: -T-2020/2023-24

## TITLE-CUM-OPINION REPORT

To,  
Sr Branch Manager,  
Bank of Baroda,  
City Branch Branch, Nashik.

**Subject:** Title-cum-Opinion Report for the immovable properties being (a) **Survey No. 522/2**, measuring 400.00 sq. Meters, corresponding **Final Plot No.35B** in **Town Planning Scheme No. 1**, and (b) **Survey No. 522/1/1** measuring 700.00 Sq. Meters corresponding **Final Plot No. 35B**, in **Town Planning Scheme No. 1**, situated in **Nashik City-4** section at village **Nashik**, Tal. Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik...

Sir,

As per your instructions, I am herewith furnishing non-encumbrance, certifying & submitting the Title-cum-Opinion Report about the clear & marketable title to the above property to be mortgaged for securing the credit facility/ies granted/to be granted **Mr. Sandeep Gulabchand Gupta**.

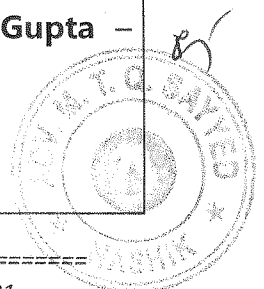
- 1) Description of the property proposed to be mortgaged with boundaries: All that piece & parcel of the immovable properties being (a) **Survey No. 522/2**, measuring 400.00 sq. Meters, corresponding **Final Plot No.35B** in **Town Planning Scheme No. 1**, and (b) **Survey No. 522/1/1** measuring 700.00 Sq. Meters corresponding **Final Plot No. 35B**, in **Town Planning Scheme No. 1**, situated in **Nashik City-4** section at village **Nashik**, Tal. Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik and boundaries are as under...

On or towards:

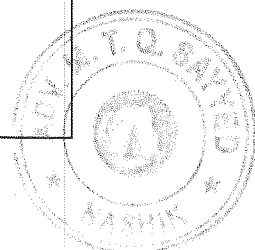
	Survey No. 522/2	Survey No. 522/1/1
East	: State Bank Colony	: Area of MIDC Co.
West	: T.C.I. Co. Ltd	: T.C.I. Co. Ltd
South	: Area of Survey No. 511	: Survey No. 522/2
North	: Survey No. 522/1/1	: Mumbai-Agra Road

- 2) 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) Commercial.

- 3) Name of the mortgagor/owner and status in the Account i.e., Borrower or Guarantor and whether Sole Proprietor, Partner, Director, Karta, or Trustee. In case **Mr. Sandeep Gulabchand Gupta - Individual.**



<p>the mortgagor is Partner/Trustee/Director who is mortgaging the property on behalf of the Partnership/Company/Trust, whether he/she has the authority. Copy of the Resolution/Memorandum and Articles of the Association/Trust Deed, etc. whether examined and verified.</p>	
<p>4) Whether any minor, lunatic or undischarged insolvent? Confirm that the mortgagor has enough capacity to contract. Precautionary steps to be taken.</p>	<p>No.</p>
<p>5) Whether the property is freehold or leasehold? If leasehold then the period of the lease and if freehold whether Urban Land (Ceiling &amp; Regulation) Act, 1976 applies and permissions to be obtained.</p>	<p>Freehold. The Urban Land (Ceiling &amp; Regulation) Act, 1976 is abolished in the state of Maharashtra and no permission is required for mortgage purposes.</p>
<p>6) Source of the property i.e., self-acquired or ancestral. If ancestral, then mode of succession and whether original Will/Probate is available?</p>	<p>Self-acquired.</p>
<p>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 a family settlement.</p>	<p>The property is in individual ownership. No, partition of the property is made between the members of the family.</p>
<p>8) Whether the mortgagor is in exclusive possession of the property, or it is leased/rented out to the third party?</p>	<p>Yes.</p>
<p>9) Whether the property is mutated in municipal/revenue records and mortgagor's name is reflecting? If not, the reason thereof.</p>	<p>Yes, name of the mortgagor is mutated in revenue records.</p>



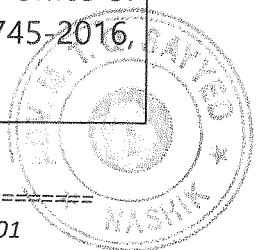
# ADV. M.T.Q. SAYYED & ASSOCIATES

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10) Whether any restriction for creation of a mortgage is imposed under Central/State/Local Laws? If yes, then specify whose consent or permission would be required for the creation of a mortgage.	There are no restrictions whatsoever.
11) Whether all original title deeds including antecedent title deeds and other relevant documents are available? Please give a detailed list.  1. Certified copy of Gift Deed dated. 01/04/2022 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3, at Sr. No. NSN3-3294-2022. 2. Photocopy of Gift Deed dated. 08/07/2016 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5745-2016, together with photocopy of Registration Receipt No.12892. 3. Photocopy of Sale Deed dated. 16/11/1999 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-924-1999.	
12) Whether the Advocate has personally visited the Sub-Registrar/Revenue/Municipal Office and examined the records.	Office of Hon. Sub-Registrar, Nashik.
13) Whether the Search is being made for the period of 30 years? If no, reasons thereof.	Yes.
14) Details of Documents examined/scrutinized (this should be in chronological order with serial numbers, type/nature of the document, date of execution, date of registration details including the details of revenue/society records, etc.  1. The 7/12 Extracts & relevant mutation entries. 2. Photocopy of Confirmation Deed dated. 07/06/2023 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-7 at Sr. No. NSN7-6442-2023, together with photocopy of Registration Receipt No.7548. 3. Photocopy of Reconveyance Deed dated. 23/03/2023 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3 at Sr. No. NSN3-3398-2023, together with photocopy of Registration Receipt No.4278. 4. Certified copy of Gift Deed dated. 01/04/2022 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3, at Sr. No. NSN3-3294-2022, 5. Photocopy of Gift Deed dated. 08/07/2016 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5745-2016, together with photocopy of Registration Receipt No.12892.	

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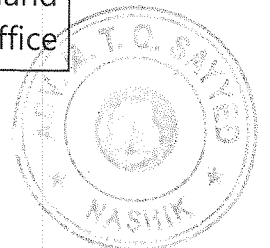
Nashik: 6,7,8, Meghdoot Shopping Center, Above Priya Hotel, Opposite Old C.B.S. Nashik-422001  
Mumbai: 17, Second Floor, Above Jolly Garden Restaurant, Raje Bahadur Mension, Fort, Mumbai -400023  
Email: advmtq@gmail.com sayyedaltamash.as@gmail.com  
Phone No. 0253-2573164 Mob No. 9225118350, 9822268758



6. Photocopy of Will dated. 16/07/2016 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5743-2016, together with photocopy of Registration Receipt No.12889.
7. Photocopy of Sale Deed dated. 16/11/1999 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-924-1999.

15) Tracing of the chain of title in favour of mortgagor/owner standing from the earliest document available. The nature of document/deed conveying the title should be mentioned with the description of parties along with the type of right it creates.

1. As per provisions of The Bombay Weights & Measures (Enforcement) Act, 1958 and Indian Coinage (Amendment) Act, 1955, Metric System was made applicable to entire village Nashik and to that effect **Mutation Entry No. 12378** duly certified is mutated accordingly.
2. It is seen that, on the application of Mr Burhan Ibrahim Kokani that he has partitioned the property, and accordingly, the aforesaid property came in the share of Mr Ibrahim Haji Burhan, and accordingly, the record was changed.
3. It is seen that, Survey No. 522/2 was purchased by M/s. Padmavati Estate, a proprietary firm from Mr Gafursaheb Kokani. Accordingly, **Mutation Entry No. 43228** duly certified on 01/12/2000.
4. It is seen that, the lands Survey No. 522/1/1 & Survey No. 522/1 are purchased by Mrs. Laxmi Gulabchand Gupta, Mr Gulabchand Kundanchand Gupta & Mr Sanjay Gulabchand Gupta from Mr Ibrahim Burhansaheb Kokani & M/s. Padmavati Estate by registered Sale Deed, which is duly registered at the office of Sub-Registrar, Nashik, at Sr. No. 924/1999 on 16/11/1999. Accordingly, names of the purchasers are brought on records vide **Mutation Entry No. 43577** duly certified on 20/01/2001.
5. Thus, Mrs. Laxmi Gulabchand Gupta, Mr Gulabchand Kundanchand Gupta & Mr Sanjay Gulabchand Gupta are the sole & absolute owners of the above said property on the basis of registered Sale Deed.
6. As per **Mutation Entry No. 52767** duly certified on 24/02/2005 seems to be mutated and thereby charge of Bank of Baroda for loan amount of ₹ 22,50,000/- has been created in the records of property under reference, for loan taken by Mrs. Laxmi Gulabchand Gupta, Mr Gulabchand Kundanchand Gupta & Mr Sanjay Gulabchand Gupta.
7. Mrs Laxmi Gulabchand Gupta executed **Will** dated. 16/07/2016 in respect of various properties in her name and expressly bequeathed all her movable & immovable properties together with all her personal ornaments and other valuables to her husband Mr Gulabchand Kundanchand Gupta. The said document is duly registered at the office

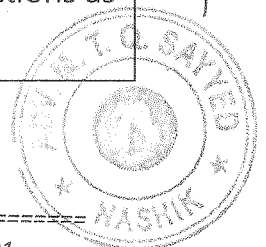


of Hon'ble Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5743-2016.

8. On 08/07/2016, Mr Sanjay Gulabchand Gupta, with consent of Mr Gulabchand Kundanchand Gupta executed **Gift Deed** dated. 16/07/2016 in favour of Mr Sandeep Gulabchand Gupta, with respect to Survey No. 522/2 under reference, which is duly registered at the office of Hon'ble Joint Sub-Registrar, Class 2, Nashik-1, at Sr. No. NSN1-5745-2016.
9. 1. Gulabchand Kundanlal Gupta, 2. Laxmi Gulabchand Gupta and 3. Sandeep Gulabchand Gupta mortgaged the immovable properties being (a) Survey No. 522/2, measuring 400.00 sq. Meters, corresponding Final Plot No.35B in Town Planning Scheme No. 1, and (b) Survey No. 522/1/1 measuring 700.00 Sq. Meters corresponding Final Plot No. 35B, in Town Planning Scheme No. 1 with Bank of Baroda, City Branch, Nashik, for the loan amount of ₹ 96,00,000/- (Rupees Ninety-six Lakh only), by depositing title deeds of the property and **Notice of Intimation** dated. 19/12/2016 is duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-4 at Sr. No. NSN4-6967-2016.

Accordingly, name of Mr Sandeep Gulabchand Gupta seems to be incorporated in place of Mr Sanjay Gulabchand Gupta, vide **Mutation Entry No. A-2422**.

10. As per Letter dated. 29/10/2016, bearing No. KuKa/KaVi/1231/2016 Nashik issued by Hon. Tahsildar, Nashik in consonance with Letter dated. 19/10/2016, bearing No. Pherphar Kramank/Ra.Bhu.A.Aa.Ka.4/2015 issued by Hon. Deputy Director, Land Records (General), Pune, coupled with various other letters, Mutation Entry No. A-1 to A-3317 have been newly assigned as Mutation Entry No. 100001 to 103317 respectively due to non-availability of alphabets in software of computerization of the record or rights, to that effect, **Mutation Entry No. 103318** is mutated, thereby, previous Mutation Entry No. A-906 & A-2334 have been renumbered as Mutation Entry No. 100906 & 102334.
11. As per Letter dated. 15/10/2016, bearing Outward No. 701/2016 a proposal to divide Nashik City into separate sections was put forward and sanction of dividing Nashik City into five separate sections was accorded, therefore, as per Letter dated. 30/11/2016, bearing No. Kaksh-4/Ku.Ka.-Setu-606/201 issued by Hon. Collector, Nashik, coupled with Letter dated. 03/12/2016, bearing No. Ku.Ka./KaVi/1392/2016 issued by Hon. Tahsildar, Nashik, Nashik City has been divided into five sections as follows:

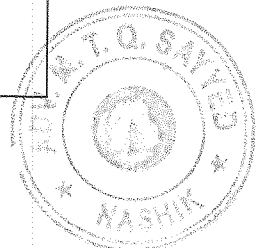


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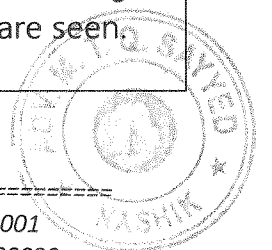
Section	Survey Numbers
Nashik City-1	Survey No. 01 to 252, 293 to 321, 1001 to 1003 & 1015
Nashik City-2	Survey No. 253 to 292, 322 to 404, 424 to 500, 1012, 1034 to 1038 & 1061
Nashik City-3	Survey No. 405 to 423, 530, 627 to 734, 997 to 1000, 1005, 1006, 1011, 1014, 1016, 1026, 1027, 1032, 1039, 1040, 1042 to 1056, 1058 to 1060, 1062 to 1067; Pardi No. 01 to 21
Nashik City-4	Survey No. 501 to 529, 531 to 582, 806 to 911, 1008, 1013, 1018, 1019 & 1031
Nashik City-5	Survey No. 583 to 626, 739 to 805, 912 to 996, 1004, 1010, 1021 to 1024, 1028, 1030 & 1094

Accordingly, **Mutation Entry No. 103319** is mutated, which further reveals that section of Nashik City-1 shall have 6D mutation entries starting from Mutation Entry No. 103320 and similarly Nashik City-2, Nashik City-3, Nashik City-4 & Nashik-5 shall have 6D mutation entries starting from Mutation Entry No. 200001, 300001, 400001 & 500001 respectively.

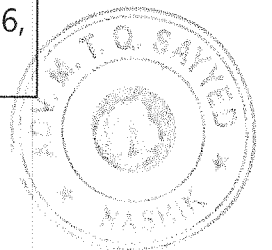
12. In the meanwhile, Mrs Laxmi Gulabchand Gupta died on 17/02/2017 leaving behind legal heirs i.e., Married daughter: Shobha and Sons: Sanjay, Sandeep and therefore, as per Will dated. 16/07/2016 registered at Sr. No. NSN1-5743-2016 mentioned above, name of her husband Mr Gulabchand Kundanlal Gupta was brought on record of rights of Survey No. 522/1/1, vide **Mutation Entry No. 400308** certified on 15/01/2018.
13. Mutation Entry No. 400658 dated. 02/05/2018 is with respect to edit module.
14. Mutation Entry No. 401056 dated. 23/08/2018 is with respect to edit module.
15. Mutation Entry No. 400028 dated. 25/10/2018 is with respect to edit module.
16. Mr Gulabchand Kundanlal Gupta gifted Survey No. 522/1/1 & 522/2 to Mr Sandeep Gulabchand Gupta, without consideration, to that effect, **Gift Deed** dated. 01/04/2022 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3, at Sr. No. NSN3-3294-2022, vide **Mutation Entry No. 405901** certified on 22/04/2022 is mutated accordingly.



17. Bank of Baroda, City Branch, through Authorized Signatory Mr Brajesh Kumar executed **Reconveyance Deed** duly registered on 29/03/2023 at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3 at Sr. No. NSN3-3398-2023 in favour of Mr Sandeep Gulabchand Gupta for the repayment of loan amounts of ₹ 12,50,000/- (Rupees Twelve Lakh Fifty Thousand only) and ₹ 10,00,000/- (Rupees Ten Lakh only), therefore, the charges have been deleted from other rights column of Survey Nos. 522/1/1 & 522/2 and to that effect, **Mutation Entry No. 407990** duly certified on 08/08/2023 is mutated accordingly.
18. 1. Gafursaheb Malagsaheb Kokani, 2a. Khushnuda Salimuddin Kokani, 2b. Nargis Muzammil Kokani, 2c. Anjum Ashfaque Kokani, 2d. Mohid Salimuddin Kokani, 2d. for himself and General Power of Attorney Holder of No.2a. to 2c., 3. Gulamgaus Malangsaheb Kokani & 4. Khatijabi Nijam Kokani executed **Confirmation Deed** dated. 07/06/2023 in favour of Mr Sandeep Gulabchand Gupta, confirming Reconveyance Deed at Sr. No. NSN3-3398-2023, Gift Deed at Sr. No. NSN3-3294-2022, Gift Deed at Sr. No. NSN1-5745-2016, Sale Deed at Sr. No. 924/1999 and also in the aforementioned Special Civil Suit No. 204/2008, the names of Defendant No. 23, Laxmi Gulabchand Gupta, and Defendant No. 24, Bank of Baroda, City Branch, Nashik, have been deleted from the petition, along with the property. in respect of Survey Nos. 522/1/1 & 522/2. The said document is duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-7, at Sr. No. NSN7-6442-2023.
19. Mr Sandeep Gulab Chand Gupta mortgaged the immovable properties being (a) Survey No. 522/2, measuring 400.00 sq. Meters, corresponding Final Plot No.35B in Town Planning Scheme No. 1, and (b) Survey No. 522/1/1 measuring 700.00 Sq. Meters corresponding Final Plot No. 35B, in Town Planning Scheme No. 1 with AU Small Finance Bank Ltd., for the loan amount of ₹ 22,50,000/- (Rupees Twenty-two Lakh Fifty Thousand only), by depositing title deeds of the property and **Notice of Intimation** dated. 30/06/2023 is duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-2203-2023.
- 7/12 Extracts.**
20. The digital 7/12 Extract downloaded on 27/03/2024 at 15:05:25 Hrs of **Survey No. 522/2** measuring 400.00 Sq. Meters under reference, stands in the name of **Sandeep Gulabchand Gupta** In other rights column, no charges or encumbrances of whatsoever nature are seen.
21. The digital 7/12 Extract downloaded on 27/03/2024 at 15:05:25 Hrs of **Survey No. 522/1/1** measuring 700.00 Sq. Meters under reference, stands in the name of **Sandeep Gulabchand Gupta** In other rights column, no charges or encumbrances of whatsoever nature are seen.



<p>(16) Whether there is any doubt/suspicion about the genuineness of the original documents? If yes, then specify.</p>	<p>No.</p>
<p>(17) The Final Certificate of the Advocate confirming that the title of the property/ies to be mortgaged is examined by him and the same is/are clear &amp; marketable.</p> <p>On the basis of observations made in Clause 15, I am of the opinion that the title of the immovable properties being (a) <b>Survey No. 522/2</b>, measuring 400.00 sq. Meters, corresponding <b>Final Plot No.35B</b> in <b>Town Planning Scheme No. 1</b>, and (b) <b>Survey No. 522/1/1</b> measuring 700.00 Sq. Meters corresponding <b>Final Plot No. 35B</b>, in <b>Town Planning Scheme No. 1</b>, situated in <b>Nashik City-4</b> section at village <b>Nashik</b>, Tal. Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik, is clear, negotiable &amp; marketable and free from charges or encumbrances, <b>subject to present charge of AU Small Finance Bank Ltd.</b>, owned by <b>Mr. Sandeep Gulabchand Gupta</b>, i.e., borrower/s and the borrower/s can execute <b>EQUITABLE MORTGAGE</b> of the said property in favour of the Bank, by the deposit of title deeds/documents mentioned Clause 18 of this report.</p>	
<p>(18) List of documents to be deposited for creation of mortgage by the mortgagor including any additional document required in addition to the documents available.</p> <p><b>Before Disbursement: -</b></p> <ol style="list-style-type: none"> <li>1. The 7/12 Extracts &amp; relevant mutation entries.</li> <li>2. Photocopy of List of Documents issued by AU Small Finance Bank Ltd</li> <li>3. No Dues Certificate of ₹ 96,00,000/- (Rupees Ninety-six Lakh only) issued by Bank of Baroda, City Branch.</li> <li>4. Photocopy of Confirmation Deed dated. 07/06/2023 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-7 at Sr. No. NSN7-6442-2023, together with photocopy of Registration Receipt No.7548.</li> <li>5. Photocopy of Reconveyance Deed dated. 23/03/2023 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3 at Sr. No. NSN3-3398-2023, together with photocopy of Registration Receipt No.4278.</li> <li>6. Certified copy of Gift Deed dated. 01/04/2022 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3, at Sr. No. NSN3-3294-2022.</li> <li>7. Photocopy of Gift Deed dated. 08/07/2016 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5745-2016, together with photocopy of Registration Receipt No.12892.</li> </ol>	





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8. Photocopy of Will dated. 16/07/2016 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5743-2016, together with photocopy of Registration Receipt No.12889.
9. Photocopy of Sale Deed dated. 16/11/1999 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-924-1999.

**After Disbursement: -**

1. No Dues Certificate issued by AU Small Finance Bank Ltd.
2. Original and Certified copy of Gift Deed dated. 01/04/2022 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-3, at Sr. No. NSN3-3294-2022, together with original Registration Receipt No.4114, **(Original to be verify with panel advocate after receiving from AU Small Finance Bank Ltd).**
3. Original Gift Deed dated. 08/07/2016 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-5745-2016, together with original Registration Receipt thereof, **(Original to be verify with panel advocate after receiving from AU Small Finance Bank Ltd).**
4. Original Sale Deed dated. 16/11/1999 duly registered at the office of Hon. Joint Sub-Registrar, Class 2, Nashik-1 at Sr. No. NSN1-924-1999, **(Original to be verify with panel advocate after receiving from AU Small Finance Bank Ltd).**
5. All other documents mentioned in List of Document.

(19) Whether any additional formalities to be completed by the proposed mortgagor? If yes, state specifically in case of flats/properties in co-operative societies whether allotment letter, possession letter, share certificate, affidavit, power of attorney, etc. is required.	Nil.
(20) Whether provisions of Securitization & Reconstruction of Financial Assets & Enforcement of Security Interest (SARFAESI) Act, 2002 are applicable?	Yes.

Place: Nashik

Date: 28 MAR 2024

M.T.Q. Sayyed  
Advocate



T-2020-2023-24-SANDEEP GUPTA-TITLE@

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