

# UMEKAR & CO.

## Advocate & Legal Consultant

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Ref No: UC/SBI-LSR/ Bhayandar (RACPC)/09/07/2024

10<sup>th</sup> September, 2024

### ANNEXURE -B

### REPORT ON INVESTIGATION OF TITLE IN RESPECT OF IMMOVABLE PROPERTY

1	a.	Name of the Branch/ Business Unit/Office seeking opinion.	State Bank of India, RACPC Bhayandar
	b.	Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	By Hand
	c.	Name of the Borrower.	Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi
2	a.	Type of Loan	Home Loan
	b.	Type of property	Flat
3	a.	Name of the unit/concern/ company/person offering the property/ (ies) as security.	Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi
	b.	Constitution of the unit/concern/ person/body/authority offering the property for creation of charge.	Individuals
	c.	State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	Borrowers/Joint Applicant
4	a.	Value of Loan (Rs. in crores)	-----
5		Complete or full description of the immovable property (ies) offered as security including the following details.	<b>Flat No. - 1303</b> , on 13 <sup>th</sup> Floor, admeasuring 21 Square meters, in the Building No. E-8 building known as " Dream Tower Co-op Housing Society Ltd", constructed on land bearing 150(pt), 151(pt), 226(pt), 227(pt),228(pt), 229(pt), 230(pt) lying and being situated at Village Penkarpada, Taluka & District Thane, within limits of Mira Bhayander Municipal Corporation and in the Registration District and Sub District of Thane.
	a.	Survey No.	Survey Nos. 150(pt), 151(pt), 226(pt), 227(pt),228(pt), 229(pt), 230(pt)
	b.	Door/House no. ( in case of house property)	<b>Flat No. 1303</b>
	c.	Extent/ area including plinth/ built up area in case of house property	Admeasuring 21 Square meters
	d.	Locations like name of the place, village, city, registration, sub-district etc. Boundaries	Village Penkarpada, Taluka & District Thane, within limits of Mira Bhayander Municipal Corporation



			Municipal Corporation and in the Registration District and Sub District of Thane and bounded as follows:- On or towards the North by - As per Govt Record On or towards the South by - As per Govt Record On or towards the East by - As per Govt Record On or towards the West by - As per Govt Record
6	a.	Particulars of the documents scrutinized-serially and chronologically.	Mentioned herein under
	b.	Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified. <b>Note:</b> Only originals or certified extracts from the registering/land/ revenue/ other authorities be examined.	Mentioned herein under

Sr. No.	Date	Name / Nature of document	Original/ certified copy/ certified extract/ photocopy etc.	In case of copies, whether the original was scrutinized by the advocate.
1.	29/08/2024	Registered Agreement for Sale executed between Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane being the Vendors/Sellers and Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi being Purchasers / Transferees which is duly registered with the Sub-Registrar of Assurances at Thane under serial No Thane - 10 - 15680/2024 dated 29/08/2024	Photocopy	No
2.	29/08/2024	Index II and Registration Receipt bearing No. 16461 dated 29/08/2024 for amount of Rs. 27260/-	Photocopy	No
3.	15/08/2022	Society Share Certificate bearing no. 097 in the name of Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane issued by Dream Tower CHS Ltd	Photocopy	No
4.	23/01/2019	Allotment letter bearing no. Sanket No. 265, category GP, 59/office-3/630/2019 dated 23/01/2019 of E-8-1303 in the name of Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane issued by Konkan	Photocopy	No



		Housing and Area Development Board		
5.	15/02/2019	Possession letter dated 15/02/2019 issued by Konkan Housing and Area Development Board	Photocopy	No
6.	21/08/2024	NOC for sale the said flat dated 21/08/2024 issued by issued by Konkan Housing and Area Development Board	Photocopy	No
7.	19/11/2020	Society Registration Certificate bearing no. TNA/MHADV/HSG/(TC)/84/2020-2021 in the name of Dream Tower CHS Ltd dated 19/11/2020	Photocopy	No
8.		Occupancy Certificate	Photocopy	No
9.	11/08/2010	Commencement Certificate bearing no. MNP/NR/1867/2010-11 dated 11/08/2010	Photocopy	No
10.	23/01/2019	Registered Allotment Letter dated 23/01/2019 executed between Konkan Housing and Area Development Board being the Authority and Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane being Allottees which is duly registered with the Sub-Registrar of Assurances at Thane under serial No Thane - 10 - 1104/2024 dated 06/02/2019	Photocopy	No
11.	06/02/2019	Index II and Registration Receipt bearing No. 1205 dated 06/02/2019 for amount of Rs. 12500/-	Photocopy	No
7	a.	Whether certified copy of all title documents are obtained from the relevant sub-registrar office and compared with the documents made available by the proposed mortgagor? (Please also enclose all such certified copies and relevant fee receipts along with the TIR.) (HL : If the value of loan => <b>Rs.1 crore</b> and in case of commercial loans irrespective of the loan component)	No Instructions	
	b.	Whether all pages in the certified copies of title documents which are obtained directly from Sub-Registrar's office have been verified page by page with the original documents submitted? (In case originals title deed is not produced for comparing with the certified or ordinary copies, the matter should be handled more diligently & cautiously).	As above	
8	a.	Whether the records of registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system?	Yes, online record is available from 2002	



	<b>b.</b>	If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	Yes
	<b>c.</b>	Whether the genuineness of the stamp paper is possible to be got verified from any online portal and if so whether such verification was made?	No
	<b>d.</b>	Whether proper registration of documents completed. Details thereof to be provided.	Yes Agreement to Sale is registered with the Sub-Registrar of Assurances at Thane under serial No Thane - 10 - 15680/2024 dated 29/08/2024
<b>9</b>	<b>a.</b>	Property offered as security falls within the jurisdiction of which sub-registrar office?	Office of Sub -Registrar of Assurances at Thane - 10
	<b>b.</b>	Whether it is possible to have registration of documents in respect of the property ins question, at more than one office of sub-registrar/ district registrar/ registrar- general. If so, please name all such offices?	Office of Sub -Registrar of Assurances at Thane 1 to 13
	<b>c.</b>	Whether search has been made at all the offices named at (b) above?	Yes
	<b>d.</b>	Whether the searches in the offices of registering authorities or any other records reveal registration of multiple title documents in respect of the property in question?	No
<b>10</b>	<b>a.</b>	Chain of title tracing the title from the oldest title deed to the latest title deed establishing title of the property in question from the predecessors in title/interest to the current title holder.	As stated in flow of title (Annexure A)
	<b>b.</b>	Wherever Minor's interest or other clog on title is involved, search should be made for a further period, depending on the need for clearance of such clog on the Title. In case of property offered as security for loans of Rs.1.00 crore and above, search of title/ encumbrances for a period of not less than 30 years is mandatory. (Separate Sheets may be used)	No
	<b>c.</b>	Nature of Minor's interest, if any and if so, whether creation of mortgage could be possible, the modalities/procedure to be followed including court permission to be obtained and the reasons for coming to such conclusion.	Not applicable
<b>11</b>	<b>a.</b>	Nature of Title of the intended Mortgagor over the Property (whether full ownership rights, Leasehold Rights, Occupancy/ Possessory Rights or Inam Holder or Govt. Grantee/ Allottee etc.)	Full Ownership
		<b>If Ownership Rights,</b>	<b>Yes</b>
	<b>a.</b>	Details of the Conveyance Documents	As per flow of title
	<b>b.</b>	Whether the document is properly stamped.	Yes
	<b>c.</b>	Whether the document is properly registered.	Yes
		<b>If leasehold, whether;</b>	<b>No</b>
	<b>a.</b>	The Lease Deed is duly stamped and registered	Not Applicable
<b>b.</b>	The lessee is permitted to mortgage the Leasehold right,	Not Applicable	



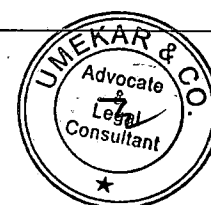
	<b>c.</b>	duration of the Lease/unexpired period of lease,	Not Applicable
	<b>d.</b>	if, a sub-lease, check the lease deed in favour of Lessee as to whether Lease deed permits sub-leasing and mortgage by Sub-Lessee also.	Not Applicable
	<b>e.</b>	Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	Not Applicable
	<b>f.</b>	Right to get renewal of the leasehold rights and nature thereof.	Not Applicable
		<b>If Govt. grant/ allotment/Lease-cum/Sale Agreement / Occupancy / Inam Holder / Allottee etc, whether;</b>	<b>Yes</b>
	<b>a.</b>	Grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions?	Yes NOC for creation of mortgage
	<b>b.</b>	The mortgagor is competent to create charge on such property?	Yes
	<b>c.</b>	Any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available?	NOC for creation of mortgage from Konkan Housing and Area Development Board
		<b>If occupancy right, whether;</b>	<b>Yes</b>
	<b>a.</b>	Such right is heritable and transferable,	Yes
	<b>b.</b>	Mortgage can be created.	Yes
<b>12</b>		<b>Has the property been transferred by way of Gift/Settlement Deed</b>	<b>No</b>
	<b>a.</b>	The Gift/Settlement Deed is duly stamped and registered;	Not Applicable
	<b>b.</b>	Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	Not Applicable
	<b>c.</b>	The Gift/Settlement Deed transfers the property to Donee;	Not Applicable
	<b>d.</b>	Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separate writing or by implication or by actions?	Not Applicable
	<b>e.</b>	Whether the Donee is in possession of the gifted property?	Not Applicable
	<b>f.</b>	Whether any life interest is reserved for the Donor or any other person and whether there is a need for any other person to join the creation of mortgage;	Not Applicable
	<b>g.</b>	Any other aspect affecting the validity of the title passed through the gift/settlement deed.	Not Applicable
<b>13</b>		<b>Has the property been transferred by way of partition / family settlement deed</b>	<b>No</b>
	<b>a.</b>	Whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage.	Not Applicable
	<b>b.</b>	Whether mutation has been effected	Not Applicable
	<b>c.</b>	Whether the mortgagor is in possession and enjoyment of his share.	Not Applicable
	<b>d.</b>	Whether the partition made is valid in law and the mortgagor has acquired a mortgageable title thereon.	Not Applicable
	<b>e.</b>	In respect of partition by a decree of court, whether such decree has become final and all other	Not Applicable



		conditions/ formalities are completed/ complied with.	
	f.	Whether any of the documents in question are executed in counterparts or in more than one set? If so, additional precautions to be taken for avoiding multiple mortgages?	Not Applicable
14		<b>Whether the title documents include any testamentary documents /wills?</b>	No
	a.	In case of wills, whether the will is registered will or unregistered will?	Not Applicable
	b.	Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	Not Applicable
	c.	Whether the property is mutated on the basis of will?	Not Applicable
	d.	Whether the original will is available?	Not Applicable
	e.	Whether the original death certificate of the testator is available?	Not Applicable
	f.	What are the circumstances and/or documents to establish the will in question is the last and final will of the testator?	Not Applicable
	g.	Comments on the circumstances such as the availability of a declaration by all the beneficiaries about the genuineness/ validity of the will, all parties have acted upon the will, etc., which are relevant to rely on the will, availability of Mother/Original title deeds are to be explained.	Not Applicable
15		<b>Whether the property is subject to any wakf rights / belongs to church / temple or any religious / other institutions</b>	No
	a.	any restriction in creation of charges on such properties?	Not Applicable
	b.	Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	Not Applicable
16	a.	<b>Where the property is a HUF/joint family property?</b>	No
	b.	Whether mortgage is created for family benefit/legal necessity, whether the Major Coparceners have no objection/join in execution, minor's share if any, rights of female members etc.	Not Applicable
	c.	Please also comment on any other aspect which may adversely affect the validity of security in such cases?	Not Applicable
17	a.	<b>Whether the property belongs to any trust or is subject to the rights of any trust?</b>	No
	b.	Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	Not Applicable
	c.	If YES, additional precautions/permissions to be obtained for creation of valid mortgage?	Not Applicable



	<b>d.</b>	Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.	Not Applicable
<b>18</b>		<b>Is the property an Agricultural land</b>	<b>No</b>
	<b>a.</b>	Whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage?	Not Applicable
	<b>b.</b>	In case of agricultural property other relevant records/documents as per local laws, if any are to be verified to ensure the validity of the title and right to enforce the mortgage?	Not Applicable
	<b>c.</b>	In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained?	Not Applicable
<b>19</b>	<b>a.</b>	Whether the property is affected by any local laws or special enactments or other regulations having a bearing on the security creation / mortgage (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Costal Zone Regulations, Environmental Clearance, etc.)?	<b>No</b>
	<b>b.</b>	Additional aspects relevant for investigation of title as per local laws.	Not Applicable
<b>20</b>	<b>a.</b>	Whether the property is subject to any pending or proposed land acquisition proceedings?	<b>No</b>
	<b>b.</b>	Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry?	No outcome
<b>21</b>	<b>a.</b>	Whether the property is involved in or subject matter of any litigation which is pending or concluded?	No
	<b>b.</b>	If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	Not Applicable
	<b>c.</b>	Whether the title documents have any court seal/ marking which points out any litigation/ attachment/security to court in respect of the property in question? In such case please comment on such seal/marking?	No
<b>22</b>	<b>a.</b>	In case of partnership firm, whether the property belongs to the firm and the deed is properly registered?	<b>No</b>
	<b>b.</b>	Property belonging to partner(s), whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	Not Applicable
	<b>c.</b>	Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm?	Not Applicable
<b>23</b>	<b>a.</b>	Whether the property belongs to a Limited Company, check the Board resolution, authorization to create mortgage/execution of documents, Registration of any prior charges with	<b>No</b>



		the Company Registrar (ROC), Articles of Association / provision for common seal etc.	
	<b>b/1.</b>	Whether the property (to be mortgaged) is purchased by the above Company from any other Company or Limited Liability Partnership (LLP) firm? Yes / No.	Not Applicable
	<b>b/2.</b>	If yes, whether the search of charges of the property (to be mortgaged) has been carried out with Registrar of Companies (RoC) in respect of such vendor company / LLP (seller) and the vendee company (purchaser)?	Not Applicable
	<b>b/3.</b>	Whether the above search of charges reveals any prior charges/encumbrances, on the property (proposed to be mortgaged) created by the vendor company (seller)?	Not Applicable
	<b>b/4.</b>	If the search reveals encumbrances / charges, whether such charges / encumbrances have been satisfied?	Not Applicable
<b>24</b>		In case of Societies, Association, the required authority/power to borrow and whether the mortgage can be created, and the requisite resolutions, bye-laws.	Not Applicable
<b>25</b>	<b>a.</b>	Whether any POA is involved in the chain of title during the period of search?	<b>No</b>
	<b>b.</b>	Whether the POA involved is one coupled with interest, i.e. a Development Agreement-cum-Power of Attorney. If so, please clarify whether the same is a registered document and hence it has created an interest in favour of the builder/developer and as such is irrevocable as per law.	Not Applicable
	<b>c</b>	In case the title document is executed by the POA holder, please clarify whether the POA involved is (i) one executed by the Builders viz. Companies/ Firms/Individual or Proprietary Concerns in favour of their Partners/ Employees/ Authorized Representatives to sign Flat Allotment Letters, NOCs, Agreements of Sale, Sale Deeds, etc. in favour of buyers of flats/units (Builder's POA) or (ii) other type of POA (Common POA).	Not Applicable
	<b>d.</b>	In case of Builder's POA, whether a certified copy of POA is available and the same has been verified/compared with the original POA.	Not Applicable
	<b>e.</b>	In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA. <b>i)</b> Whether the original POA is verified and the title investigation is done on the basis of original POA? <b>ii)</b> Whether the POA is a registered one? <b>iii)</b> Whether the POA is a special or general one? <b>iv)</b> Whether the POA contains a specific authority for execution of title document in question?	Not Applicable





	<b>f.</b>	Whether the POA was in force and not revoked or had become invalid on the date of execution of the document in question? (Please clarify whether the same has been ascertained from the office of sub-registrar also?)	Not Applicable
	<b>g.</b>	Please comment on the genuineness of POA?	Not Applicable
	<b>h.</b>	The unequivocal opinion on the enforceability and validity of the POA.	Not Applicable
<b>26</b>		Whether mortgage is being created by a POA holder, check genuineness of the Power of Attorney and the extent of the powers given therein and whether the same is properly executed/ stamped/ authenticated in terms of the Law of the place, where it is executed.	No
<b>27</b>	<b>i.</b>	<b>If the property is a flat/apartment or residential/commercial complex</b>	<b>Flat</b>
	<b>a.</b>	Promoter's/Land owner's title to the land/building;	As per the Flow of Title
	<b>b.</b>	Development Agreement/Power of Attorney;	As per the Flow of Title
	<b>c.</b>	Extent of authority of the Developer/builder;	Sale
	<b>d.</b>	Independent title verification of the Land and/or building in question;	We have conducted search in the relevant SRO for 30 years.
	<b>e.</b>	Agreement for sale (duly registered);	Yes
	<b>f.</b>	Payment of proper stamp duty;	Yes
	<b>g.</b>	Requirement of registration of sale agreement, development agreement, POA, etc.;	As per flow of title
	<b>h.</b>	Approval of building plan, permission of appropriate/local authority, etc.;	Yes
	<b>i.</b>	Conveyance in favour of Society/Condominium concerned;	Yet Not
	<b>j.</b>	Occupancy Certificate/allotment letter/letter of possession;	Occupancy Certificate and Possession letter dated 15/02/2019 issued by Konkan Housing and Area Development Board
	<b>k.</b>	Membership details in the Society etc.;	As per share certificate
	<b>l.</b>	Share Certificates;	Society Share Certificate bearing no. 097 in the name of Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane issued by Dream Tower CHS Ltd
	<b>m.</b>	No Objection Letter from the Society;	NOC letter is required to be obtained from Society
	<b>n.</b>	All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.;	Complied
	<b>o.</b>	Requirements, for noting the Bank charges on the records of the Housing Society, if any;	Yes
	<b>p.</b>	If the property is a vacant land and construction is yet to be made, approval of layout and other precautions, if any.	Not Applicable



	q.	Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	Yes
	II.A.	Whether the Real Estate Project comes under Real Estate (Regulation and Development) Act, 2016? Y/N.	No
	II.B.	Whether the project is registered with the Real Estate Regulatory Authority? If so, the details of such registration are to be furnished,	Not Applicable
	II.C.	Whether the registered agreement for sale as prescribed in the above Act/Rules there under is executed?	Not Applicable
	II.D.	Whether the details of the apartment/ plot in question are verified with the list of number and types of apartments or plots booked as uploaded by the promoter in the website of Real Estate Regulatory Authority?	Not Applicable
28		Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	We have conducted search for 30 years in the office of Sub-Registrar at Sub Registrar Assurance at Thane and noticed that <b>the said flat is free from any encumbrances</b>
29		The period covered under the Encumbrances Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	1994-2024
30		Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Latest property tax payment receipt to be obtained
31	a.	Urban land ceiling clearance, whether required and if so, details thereon	Not Applicable
	b.	Whether No Objection Certificate under the Income Tax Act is required / obtained?	Not Applicable
32	a.	Details of RTC extracts/mutation extracts/ Katha extract pertaining to the property in question.	Not Applicable
	b.	Whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records?	Not Applicable
33	a.	Whether the property offered as security is clearly demarcated?	Yes
	b.	Whether the demarcation/ partition of the property is legally valid?	Yes
	c.	Whether the property has clear access as per documents? (The property should be legally accessible through normal carriers to transport goods to factories / houses, as the case may be).	Yes
34	a.	Whether the property can be identified from the following documents: a) Document in relation to electricity connection; b) Document in relation to water connection; c) Document in relation to Sales Tax Registration, if any applicable; d) Other utility bills, if any.	Society maintenance bill
	b.	Discrepancy/doubtful circumstances, if any revealed on such scrutiny?	No



35	a.	Whether the documents i.e. Valuation report / approved sanction plan reflect / indicate any difference / discrepancy in the boundaries in relation to the Title Document / other document. (If the valuation report and /or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on receipt of the same).	No Approved sanction plan
36	a.	Whether the Bank will be able to enforce SARFAESI Act, if required against the property offered as security?	Yes, the Bank will be able to enforce SARFAESI Act, if required against the property offered as security
	b.	<b>Property is SARFAESI compliant (Y/N)</b>	Yes
37	a.	Whether original title deeds are available for creation of equitable mortgage	Yes
	b.	In case of absence of original title deeds, details of legal and other requirements for creation of a proper, valid and enforceable mortgage by deposit of certified extracts duly certified etc., as also any precaution to be taken by the Bank in this regard.	Not Applicable
38		Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	<ul style="list-style-type: none"> <li>➤ Before sanctioning the said loan to the prospective Purchasers/Borrower, the Bank should ascertain the existence and present status of the status of the Flat/Building.</li> <li>➤ Before sanctioning the said loan kindly cross verify Permission to Mortgage issued by the said Society.</li> <li>➤ Borrower/Guarantor at the time of the creation of mortgage deposit colour/fabricated/forged title deeds. In the said circumstances we advised to kindly verify the genuineness of the Title Deeds at the time of creation of the equitable mortgage.</li> <li>➤ Regularization of the borrowers name in Konkan Housing and Area Development Board.</li> <li>➤ Bank Charge to be noted with Developer as the case may be. Bank to register equitable mortgage within 30 days from the date of creation of EQM</li> </ul>
39		The specific persons who are required to create mortgage/to deposit documents creating mortgage.	Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi

**Note:** In case separate sheets are required, the same may be used, signed and annexed.

Place : Mumbai

Date: 10<sup>th</sup> September, 2024

Signature of the Advocate  


**CERTIFICATE OF TITLE**

I have examined the photocopies of the Title Deeds which are intended to be deposited relating to the schedule property 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 requirements of creation of Equitable Mortgage and I further certify that:

1. I have examined the Documents in detail, taking into account all the Guidelines in the check list vide Annexure B and the other relevant factors.
2. I confirm having made a search in the Land/ Revenue records. I also confirm having verified and checked the records of the relevant Government Offices, /Sub-Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Registrar of Companies Office, Wakf Board (wherever applicable). **I do not find anything which would prevent the Title Holders from creating a valid Mortgage.** I am liable /responsible, if any loss is caused to the Bank due to negligence on my part or by my agent in making search.
3. In case of Loans to Housing Projects/ approval of Housing Projects or Home loans for Flats in Housing Projects, I confirm having made the search of the proposed development site and state that it is not prohibited / Regulated Area under 'The Ancient Monuments and Archaeological Sites and Remains Act 2010' and prior permission has been obtained from NMA (National Monuments Authority) whenever required'
4. Following scrutiny of Land Records/ Revenue Records, relative Title Deeds, certified copies of such title deeds obtained from the concerned registrar office and encumbrance certificate (EC), I hereby certify the genuineness of the Title Deeds. Suspicious/ Doubt, if any, has been clarified by making necessary enquiries.
5. There are no prior Mortgage / charge, as could be seen from the Encumbrance Certificate for the period from 1994 to 2024 pertaining to the said flat covered by above said Title Deeds. **The property is free from all Encumbrances**
6. In case of second/subsequent charge in favour of the Bank, there are no other mortgages/charges other than already stated in the Loan documents and agreed to by the Mortgagor and the Bank (Delete, whichever is inapplicable). Not Applicable.
7. Minor/(s) and his/their interest in the property/(ies) is to the extent of (Specify the share of the Minor with Name). (Strike out if not applicable). Not Applicable
8. The Mortgage if created will be available to the Bank for the Liability of the Intending Borrower Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi
9. I certify that Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi borrower/mortgagor) have an absolute, clear and Marketable title over the Schedule property/ (ies). I further certify that the above title deeds are genuine and a valid mortgage can be created and the said Mortgage would be enforceable subject to the above.



10. In case of creation of Mortgage by Deposit of title deeds, we certify that the deposit of following title deeds/ documents would create a valid and enforceable mortgage:

Sr. No.	Date of Documents	Name of the parties	Original/ Certified Photocopy/ True copy
1.	29/08/2024	Registered Agreement for Sale executed between Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane being the Vendors/Sellers and Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi being Purchasers / Transferees which is duly registered with the Sub-Registrar of Assurances at Thane under serial No Thane - 10 - 15680/2024 dated 29/08/2024	Original
2.	29/08/2024	Index II and Registration Receipt bearing No. 16461 dated 29/08/2024 for amount of Rs. 27260/-	Original
3.	15/08/2022	Society Share Certificate bearing no. 097 in the name of Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane issued by Dream Tower CHS Ltd	Original
4.	23/01/2019	Allotment letter bearing no. Sanket No. 265,category GP, 59/office-3/630/2019 dated 23/01/2019 of E-8-1303 in the name of Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane issued by Konkan Housing and Area Development Board	Original
5.	15/02/2019	Possession letter dated 15/02/2019 issued by Konkan Housing and Area Development Board	Original
6.	21/08/2024	NOC for sale the said flat dated 21/08/2024 issued by issued by Konkan Housing and Area Development Board	Original
7.	23/01/2019	Registered Allotment Letter dated 23/01/2019 executed between Konkan Housing and Area Development Board being the Authority and Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane being Allottees which is duly registered with the Sub-Registrar of Assurances at Thane under serial No Thane - 10 - 1104/2024 dated 06/02/2019	Original
8.	06/02/2019	Index II and Registration Receipt bearing No. 1205 dated 06/02/2019 for amount of Rs. 12500/-	Original
9.		NOC for creation of mortgage in favour of State Bank of India from Society as well as Konkan Housing and Area Development Board	Original
10.		Advance payment receipt	



11.	Occupancy Certificate	Copy
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There are no legal impediments for creation of the Mortgage, except as stated above under any applicable Law/ Rules in force.

**It is certified that the property is SARFAESI compliant.**

**SCHEDULE OF THE PROPERTY (IES)**

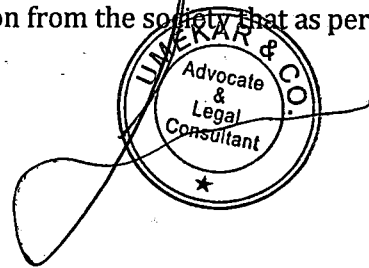
Flat No. - 1303, on 13<sup>th</sup> Floor, admeasuring 21 Square meters, in the Building No. E-8 building known as " Dream Tower Co-op Housing Society Ltd", constructed on land bearing 150(pt), 151(pt), 226(pt), 227(pt), 228(pt), 229(pt), 230(pt) lying and being situated at Village Penkarpada, Taluka & District Thane, within limits of Mira Bhayander Municipal Corporation and in the Registration District and Sub District of Thane.

Date: -10<sup>th</sup> September, 2024

Place: Mumbai

Signature of the Advocate

Note: after perusing the Occupancy Certificate, there is mention type I ( 8 & 9), however, in allotment letter building mention as E-8, therefore seek clarification from the society that as per OC building Type I (8 & 9) are the building E-8 & E-9



**Annexure A**

**FLOW OF TITLE**

It is observed from the documents submitted before us that WHEREAS, the Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane had allotted the SAID FLAT along with all rights, title and interest vide an Allotment Letter No.630/2019/Dated:23- 01-2019 by Office of the Estate Manager, Konkan Housing & Area Development Board, Bandra(East), Mumbai-51 & the said Office of the Estate Manager, Konkan Housing & Area Development Board agreed to sell to the TRANSFERORS AND the TRANSFERORS agreed to purchase from Estate Manager, Konkan Housing & Area Development Board the SAID FLAT being FLAT NO. 1303, BUILDING NO. E-8, admeasuring area 21 SQ. MTR. (CARPET) ON THE THIRTEENTH FLOOR OF BUILDING KNOWN AS DREAM TOWER CO-OPERATIVE HOUSING SOCIETY LTD. situated at BLDG.NO. ES TO E9, NEW MHADA COMPLEX, OPP. POONAM ESTATE CLUSTER 2, NEAR SHANTI GARDEN, MIRA ROAD(EAST), THANE-401107 (referred to as the "SAID FLAT") at the price and on the terms and therein mentioned therein

Letter No. 630/2019/Dated:23-01-2019 allotted by the Office of the Estate Manager, Konkan Housing & Area Development Board, Bandra East), Mumbai-51 to the Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane lodged for registration at the office of the Sub-Registrar of Assurances at Thane under No TNN10-1104/2019 on 06-02-2019 AND the Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane therein paid entire purchase price of the SAID FLAT to the said Estate Manager, Konkan Housing & Area Development Board as per the Allotment Letter recited herein before and the said Estate Manager, Konkan Housing & Area Development Board admitted and confirmed that no amount is due and payable by the Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane.

Vide Possession letter dated 15/02/2019 issued by Konkan Housing and Area Development Board hand over the peaceful and vacant possession of the said flat to Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane.

WHEREAS, the Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane are, the legal, lawful and absolute owners of FLAT NO. 1303, BUILDING NO. E-8 ON THE THIRTEENTH FLOOR OF BUILDING KNOWN AS DREAM TOWER CO-OPERATIVE HOUSING SOCIETY LTD. situated at BLDG.NO. ES TO E9, NEW MHADA COMPLEX, OPP. POONAM ESTATE CLUSTER 2, NEAR SHANTI GARDEN, MIRA ROAD(EAST), THANE-401107

AND, the Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane are legal and lawful members of DREAM TOWER CO-OPERATIVE HOUSING SOCIETY LTD., of premises in the building referred to herein above and registered under the provision of MAHARASHTRA CO-OPERATIVE SOCIETIES ACT, 1960 under No. TNA/MHADB/HSG/(TC)/84/2020-2021 with its registered office at the same building, and WHEREAS such members are registered shareholder, holding Shares Certificate No. 097 of Ten fully paid up shares of Rs.50/-each, bearing distinctive no. from 961 to 970 (both inclusive) for the total face values of Rs.500/ of the SAID SOCIETY standing, AND whereas such members and shareholders, the TRANSFERORS full rights, title, share, interest and possession of the SAID FLAT in the society's building.

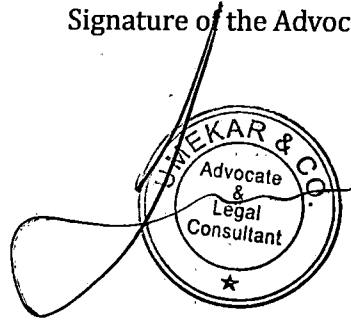
Vide Registered Agreement for Sale executed between Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane being the Vendors/Sellers and Mr. Harshad Purshottamdas Joshi and Mrs.



Kumud Harshad Joshi being Purchasers / Transferees which is duly registered with the Sub-Registrar of Assurances at Thane under serial No Thane - 10 - 15680/2024 dated 29/08/2024, the said Mr. Yogesh Chandrakant Bane and Mrs. Yogita Yogesh Bane agreed to sale the right, title and interest in the said flat to Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi on terms and conditions mentioned therein.

Date: - 10<sup>th</sup> September, 2024  
Place: Mumbai

Signature of the Advocate








**CHALLAN**  
**MTR Form Number-6**



<b>GRN</b> MH008081016202425E	<b>BARCODE</b> 	<b>Date</b> 10/09/2024-18:26:58	<b>Form ID</b>
<b>Department</b> Inspector General Of Registration		<b>Payer Details</b>	
<b>Type of Payment</b> Search Fee		<b>TAX ID / TAN (If Any)</b>	
<b>Other Items</b>		<b>PAN No.(If Applicable)</b>	
<b>Office Name</b> TNN10_JT SUB REGISTRAR	THANE 10	<b>Full Name</b>	Atul Sheshrao Umekar
<b>Location</b>	THANE		
<b>Year</b> 2024-2025	One Time	<b>Flat/Block No.</b>	
<b>Account Head Details</b>		<b>Amount In Rs.</b>	<b>Premises/Building</b>
0030072201	SEARCH FEE	750.00	<b>Road/Street</b>
			<b>Area/Locality</b>
			<b>Town/City/District</b>
			<b>PIN</b>
		<b>Remarks (If Any)</b>	
		Flat No 1303 Survey No 150 Village Penkarpada Dist Thane	
		<b>Amount In</b>	Seven Hundred Fifty Rupees Only
<b>Total</b>		<b>Words</b>	
	750.00		
<b>Payment Details</b> STATE BANK OF INDIA		<b>FOR USE IN RECEIVING BANK</b>	
<b>Cheque-DD Details</b>		<b>Bank CIN</b>	<b>Ref. No.</b> 00040572024091097254
<b>Cheque/DD No.</b>		<b>Bank Date</b>	<b>RBI Date</b> 10/09/2024-18:24:27
<b>Name of Bank</b>		<b>Bank-Branch</b>	STATE BANK OF INDIA
<b>Name of Branch</b>		<b>Scroll No. , Date</b>	Not Verified with Scroll

Department ID : 276748378

Mobile No. :

**NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document**  
 nizr ciltöt "Tifs At'w s<m<Mit" mtQyt< ötm/z wrNttntZlct lltgt, Atw<.jtr wrNttMnttZl GwMitt ött<zMNtl öt writyttcytt znttMnttZl lltgt, öttwl.

To,  
Atul Umekar  
Advocate High Court, Mumbai

### SEARCH REPORT

In respect of Property situated at Village – Penkarpada, Taluka – Thane , Dist Thane bearing:

<b>Property</b>
Survey No 150pt, 151pt, 226pt, 227pt, 228pt, 229pt, 230pt

Flat No - 1303, on 13<sup>th</sup> Floor, Building No E-8, Admeasuring 21 Sq.Mtrs Area, in the Building known as “Dream Tower CHS Ltd ”, Building No -E8 -E9 New Mhada Complex, Poonam Estate Cluster 2, Near Shanti Garden, Thane – 401107, construction on the land bearing Survey No 150pt, 151pt, 226pt, 227pt, 228pt, 229pt, 230pt, Village – Penkarpada, Taluka – Thane , Dist Thane.

**OWNER:** - Harshad Puroshottamdas Joshi & Kumud Harshad Joshi

THIS IS TO CERTIFY THAT I have taken search in respect of the above said property for the period of 30 years from 1994 to 2024 at Sub registrar’s Office at Thane which is as follows:

**YEAR :-**

Search taken at Sub-Registrar’s Office at Thane Manual Record from the year 1994 to 2001 (08 Years)

1994	NIL-S.P.T.
1995	NIL-S.P.T.
1996	NIL-S.P.T.
1997	NIL-S.P.T.
1998	NIL-S.P.T.
1999	NIL-S.P.T.
2000	NIL-S.P.T.
2001	NIL-S.P.T.

Search taken at Sub-Registrar’s Office at Thane Computer Records from the year 2002 to 2024 (22 Years)

2002	NIL- (Available Records Checked.)
2003	NIL- (Available Records Checked.)
2004	NIL- (Available Records Checked.)

2005	NIL- (Available Records Checked.)
2006	NIL- (Available Records Checked.)
2007	NIL- (Available Records Checked.)
2008	NIL- (Available Records Checked.)
2009	NIL- (Available Records Checked.)
2010	NIL- (Available Records Checked.)
2011	NIL- (Available Records Checked.)
2012	NIL- (Available Records Checked.)
2013	NIL- (Available Records Checked.)
2014	NIL- (Available Records Checked.)
2015	NIL- (Available Records Checked.)
2016	NIL- (Available Records Checked.)
2017	NIL- (Available Records Checked.)
2018	NIL- (Available Records Checked.)
2019	<p>ENTRY</p> <p>IN THE YEAR 2019:</p> <p>Nature Of Document : Agreement For Sale</p> <p>Amount : 1212478/-</p> <p>Market Value : 1212478/-</p> <p>Schedule: Flat No - 1303, on 13<sup>th</sup> Floor, Building No E-8, Admeasuring 21 Sq.Mtrs Area, in the Building known as "Dream Tower CHS Ltd ", Building No -E8 -E9 New Mhada Complex, Poonam Estate Cluster 2, Near Shanti Garden, Thane - 401107, construction on the land bearing Survey No 150pt, 151pt, 226pt, 227pt, 228pt, 229pt, 230pt, Village - Penkarpada, Taluka - Thane , Dist Thane.</p> <p>Parties:</p> <p>- Konkan Gruhnirman &amp; Shetravikas Mandal, Mhada Mumbai through Sanjay Suryavanshi and Others</p> <p>To</p> <p>- Yogesh Chandrakant Bane &amp; Yogita Yogesh Bane</p> <p>Reg. No.:</p> <p>Execution Date : 23/01/2019</p> <p>Indexed on Date : 06/02/2019</p> <p>Document Sr. No. : Thane-10-1104-2019</p>
2020	NIL- (Available Records Checked.)
2021	NIL- (Available Records Checked.)
2022	NIL- (Available Records Checked.)

2023	NIL- (Available Records Checked.)
2024	<p>ENTRY</p> <p>IN THE YEAR 2024:</p> <p>Nature Of Document : Agreement For Sale</p> <p>Amount : 2650000/-</p> <p>Market Value : 2581800/-</p> <p>Schedule: Flat No - 1303, on 13<sup>th</sup> Floor, Building No E-8, Admeasuring 21 Sq.Mtrs Area, in the Building known as "Dream Tower CHS Ltd ", Building No -E8 -E9 New Mhada Complex, Poonam Estate Cluster 2, Near Shanti Garden, Thane - 401107, construction on the land bearing Survey No 150pt, 151pt, 226pt, 227pt, 228pt, 229pt, 230pt, Village - Penkarpada, Taluka - Thane , Dist Thane.</p> <p>Parties:</p> <p>- Yogesh Chandrakant Bane &amp; Yogita Yogesh Bane</p> <p>To</p> <p>- Harshad Puroshottamdas Joshi &amp; Kumud Harshad Joshi</p> <p>Reg. No.:</p> <p>Execution Date : 29/08/2024</p> <p>Indexed on Date : 29/08/2024</p> <p>Document Sr. No. : Thane-10-15680-2024</p>

Attached Govt. Fees paid vide GRN No. MH008081016202425E, 10<sup>th</sup> Sep2024

Register of Computerized Print copies of Index II are prepared for search from 1994 onward, which have not been maintained property and manual books are in partly torn untidy and loose condition.

Date: 10<sup>th</sup> Sep 2024

Place: Mumbai.

  
Search Clerk  
Prasad Salaskar

Ref No: UC/SBI-LSR/ Bhayandar (RACPC)/09/07/2024

10<sup>th</sup> September, 2024

To,  
**The Assistant General Manager,**  
State Bank of India,  
**RACPC Bhayandar**  
Sir,

**Sub:** In case of Mr. Harshad Purshottamdas Joshi and Mrs. Kumud Harshad Joshi

**Re: MEMORANDUM OF COST**

Professional Charges for taking Search Prepared the Search Report	Rs.3250.00
Search Charges	Rs.750.00
Total	Rs.4000.00

**Bank Details:**

A/c Name : Atul Umekar  
Bank Details : State Bank of India, Ghatkopar Branch  
A/c No. : 41383468068  
RTGS/NEFT IFSC : SBIN0001131  
PAN Card : ABNPU5298E

For Umekar & Co.

ATUL UMEKAR  
(Proprietor)

