

# V. S. Legal Associates

Advocates High Court

S. V. Lad

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VS/SER/SBI/RACPC/CHINCHPOKLI/8019/2024

Date 14/12/2024

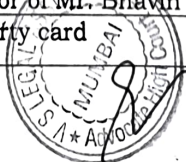
Annexure - B

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

1.	a) Name of the Branch/ Business Unit Office seeking opinion	State Bank of India, RACPC, Chinchpokli, Mumbai
	b) Reference No. and date of the letter under the under the cover of the documents tendered for scrutiny	By Hand
	c) Name of the Borrowers.	Debdeep Gupta & Sahana Sen (Proposed Borrowers)
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.	Debdeep Gupta & Sahana Sen (Proposed Borrowers)
	b) Constitution of the unit/concern/person offering the property for creation of charge.	Joint Applicants
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.	Borrowers
4.	Value of Loan (Rs. in crores)	-----
5.	Complete or full description of the immovable property/(ies) offered as security including the following details.	Flat No. 1002, comprising an Adm. area 756.04 sq. ft. (Carpet), on 14 <sup>th</sup> floor i.e. 10 <sup>th</sup> Residential Floor, B wing, along with car Parking space No. 12A-12B at 2 <sup>nd</sup> Podium Level, in the building known as " <b>ASPEN GARDEN</b> " of "Aspen Garden Co-op. HSG. Soc. Ltd" constructed on CTS Nos. 554, 554/1 to 22 and 560 lying and situated at Village Pahadi Goregaon, Tal. Borivali, Mumbai Suburban District
	a) Survey No.	CTS Nos. 554, 554/1 to 22 and 560
	b) Door no. ( in case of house property)	Flat.No. 1002
	c) Extent/ area including plinth/ built up area in case of house property	Adm. area 756.04 sq. ft. (Carpet)
	d) Locations like name of the place, village, city, registration, sub-district etc.	Village Pahadi Goregaon, Tal. Borivali, Mumbai Suburban District
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 of Document	Name of the parties	Original/ Certified Photocopy/ true copy	In case of copies, whether the original was scrutinized by the advocate.
1.	01/12/2024	Maintenance Bill issued by Society	Photo copy	No
2.	25/07/2021	Share Certificate	Photo copy	No
3.	14/06/2018	Possession letter issued by Unique Real Estate Developers in favor of Dipali P. Bobade	Photo copy	No
4.	16/05/2018	Allotment Letter issued by Unique Real Estate Developers in favor of Dipali P. Bobade in respect of Car Parking sapce No. 12A-12B at 2 <sup>nd</sup> Podium Level	Photo copy	No
5.	07/04/2018	Release Deed executed between Mrs. Preeti Sunil Bobade & Mr. Sunil Ramesh Bobade in favor of Mrs. Dipali Pravin Bobade	Photo copy	No
6.	07/04/2018	Registration Receipt No. 4603/2018	Photo copy	No
7.	07/04/2018	Index II	Photo copy	No
8.	09/10/2014	Agreement executed between Unique Real Estate Developers and Preeti Sunil Bobade, Sunil Bobade & Dipali P. Bobade	Photo copy	No
9.	27/10/2014	Registration Receipt No. 10985/2014	Photo copy	No
10.	27/10/2014	Index II	Photo copy	No
11.	23/05/2013	Commencement Certificate issued by BMC	Photo copy	No
12.	06/12/2012	Power of Attorney executed by Unique Real Estate Developers it's through Partner Amal Realtors Pvt. Ltd through director Mr. Anish Shah in favor of Mr. Bhavin Shah	Photo copy	No
13.	06/12/2012	Power of Attorney executed by Unique Real Estate Developers through Partner Devine Space Pvt. Ltd through director Mr. Ketan Rukhana in favor of Mr. Bhavin Shah	Photo copy	No
14.		Property card	Photo copy	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 => Rs.1 crore and in case of commercial loans irrespective of the loan component)	No instructions, hence not obtained
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 records available from 2002.
b	If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	Yes, verification made on Index II
c	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
d	Whether proper registration of documents completed. Details thereof to be provided.	Yes
9. a	Property offered as security falls within the jurisdiction of which sub-registrar office?	Borivali
b	Whether it is possible to have registration of documents in respect of the property in question, at more than one office of sub-registrar/ district registrar/ registrar- general. If so, please name all such offices?	Sub Registrar Assurance at Borivali 01 to 09 & Bandra
c	Whether search has been made at all the offices named at (b) above?	Yes
d	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





c	any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available?	Not Applicable
	<b>If occupancy right, whether;</b>	<b>Yes</b>
a	Such right is heritable and transferable,	Yes
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>
a	The Gift/Settlement Deed is duly stamped and registered;	Not Applicable
b	The Gift/Settlement Deed has been attested by two witnesses;	Not Applicable
c	Whether there is any restriction on the Donor in executing the gift/settlement deed in question?	Not Applicable
d	The Gift/Settlement Deed transfers the property to Donee;	Not Applicable
e	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
f	Whether the Donee is in possession of the gifted property?	Not Applicable
g	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
h	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>
a	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	Whether mutation has been effected	Not Applicable
c	Whether the mortgagor is in possession and enjoyment of his share.	Not Applicable
d	Whether the partition made is valid in law and the mortgagor has acquired a mortgageable title thereon.	Not Applicable
e	In respect of partition by a decree of court, whether such decree has become final and all other conditions/formalities are completed/ complied with.	Not Applicable
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
<b>14.</b>	<b>Whether the title documents include any testamentary documents / wills?</b>	<b>No</b>



d	In case of Common POA (i.e. POA other than Builder's POA), please clarify the following clauses in respect of POA. i) Whether the original POA is verified and the title investigation is done on the basis of original POA? ii) Whether the POA is a registered one? iii) Whether the POA is a special or general one? iv) Whether the POA contains a specific authority for execution of title document in question?	Not Applicable
e	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 revoked which is ascertained from the declaration annexed to the said property
f	Please comment on the genuineness of POA?	The POA is genuine
g	The unequivocal opinion on the enforceability and validity of the POA.	The said Power of Attorney is properly executed.
26.	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
27.	<b>If the property is a flat/apartment or residential/commercial complex</b>	<b>Flat</b>
a	Promoter's/Land owner's title to the land/ building;	Ownership Rights
b	Development Agreement/Power of Attorney;	NA
c	Extent of authority of the Developer/builder;	Sell
d	Independent title verification of the Land and/or building in question;	Title in respect of flat verify in the SRO
e	Agreement for sale (duly registered);	Yet to be executed and registered
f	Payment of proper stamp duty;	Yet to be paid
g	Requirement of registration of sale agreement, development agreement, POA, etc.;	Agreement for sale should be registered after execution
h	Approval of building plan, permission of appropriate/local authority, etc.;	Yes
i	Conveyance in favour of Society/ Condominium concerned;	Not Yet
j	Occupancy Certificate/allotment letter/letter of possession;	OC dated 03/11/2018
k	Membership details in the Society etc.;	Distinctive Nos. 921 to 930
l	Share Certificates;	Share Certificate No. 93
m	No Objection Letter from the Society;	NOC to be obtained from the Aspen Garden Co-op. HSG. Soc. Ltd, for creating equitable mortgage.



**SEARCH REPORT**

Flat No. 1002, comprising an Adm. area 756.04 sq. ft. (Carpet), on 14<sup>th</sup> floor i.e. 10<sup>th</sup> Residential Floor, B wing, along with car Parking space No. 12A-12B at 2<sup>nd</sup> Podium Level, in the building known as "**ASPEN GARDEN**" of "Aspen Garden Co-op. HSG. Soc. Ltd" constructed on CTS Nos. 554, 554/1 to 22 and 560 lying and situated at Village Pahadi Goregaon, Tal. Borivali, Mumbai Suburban District (hereinafter referred to as the said property, Flat & Bungalow for brevity's sake)

OWNER:- Debdeep Gupta & Sahana Sen (Proposed Borrowers)

THIS IS TO CERTIFY THAT I have taken search in respect of the above said property for the period of 30 Years from 1995 to 2024 in the Office of Sub-Registrar Borivali 01 to 09 & Bandra which is as follows:

**YEARS**

1995	Nil
1996	Nil
1997	Nil
1999	Nil
2000	Nil
2001	Nil
2002	Nil
2003	Nil
2004	Nil
2005	Nil
2006	Nil
2007	Nil
2008	Nil
2009	Nil
2010	Nil
2011	Nil
2012	Entry in index book Agreement for sale dated 06/01/2012 CTS No. 554, 554/1 to 22 and 560 Admeasuring area 14544.50 sq. mtrs Shri. Venkatesh Devasthan Trust And Unique Real Estate Developers Sr. No. BDR-2/3243/2012 dated 04/05/2012  Conveyance deed dated 25/05/2012 CTS No. 554, 554/1 to 22 and 560 Admeasuring area 14544.50 sq. mtrs Shri. Venkatesh Devasthan Trust And Unique Real Estate Developers Sr. No. BDR-2/3855/2012 dated 08/05/2012
2013	Nil
2014	Index ii for the year 2018 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record  Entry in index- II (as per the mixed pages index) Agreement for sale dated 09/10/2014 (Rs. 87,45,500/-) (Rs. 1,53,67,000/-)  Flat No. 1002, comprising an Adm. area 756.04 sq. ft. (Carpet), on 14 <sup>th</sup> floor i.e. 10 <sup>th</sup> Residential Floor, B wing, in the building known as " <b>ASPEN GARDEN</b> " of "Aspen Garden Co-op. HSG. Soc. Ltd" constructed on CTS Nos. 554, 554/1 to 22 and 560 lying and situated at Village Pahadi Goregaon, Tal. Borivali, Mumbai Suburban District Unique Real Estate Developers And Preeti Sunil Bobade, Sunil Bobade & Dipali P. Bobade Sr. No. BRL-5/10076/2014

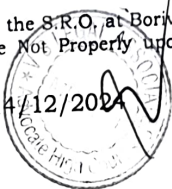
	dated 27/10/2014
2015	No Transaction found as per the Online E-search
2016	No Transaction found as per the Online E-search
2017	No Transaction found as per the Online E-search
2018	<p>Index ii for the year 2018 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record</p> <p>Entry in index- II (as per the mixed pages index)</p> <p>Release deed dated 07/04/2018 (Rs. 72,25,000/-)</p> <p>Release all their 2/3 i.e. (66.666%) undivided right, title and interest in the said Flat No. 1002, comprising an Adm. area 756.04 sq. ft. (Carpet), on 14<sup>th</sup> floor i.e. 10<sup>th</sup> Residential Floor, B wing, along with car Parking space No. 12A-12B at 2<sup>nd</sup> Podium Level, in the building known as "ASPEN GARDEN" of "Aspen Garden Co-op. HSG. Soc. Ltd" constructed on CTS Nos. 554, 554/1 to 22 and 560 lying and situated at Village Pahadi Goregaon, Tal. Borivali, Mumbai Suburban District</p> <p>Preeti Sunil Bobade &amp; Sunil Bobade</p> <p>And</p> <p>Dipali P. Bobade</p> <p>Sr. No. BRL-6/4179/2018</p> <p>dated 07/04/2018</p>
2019	<p>Index ii for the year 2019 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record</p> <p>Entry in index- II (as per the mixed pages index)</p> <p>Notice of Intimation regarding mortgage by way of deposit of Title Deed dated 18/03/2019 (Rs. 51,60,000/-)</p> <p>Flat No. 1002, comprising an Adm. area 756.04 sq. ft. (Carpet), on 14<sup>th</sup> floor i.e. 10<sup>th</sup> Residential Floor, B wing, along with car Parking space No. 12A-12B at 2<sup>nd</sup> Podium Level, in the building known as "ASPEN GARDEN" of "Aspen Garden Co-op. HSG. Soc. Ltd" constructed on CTS Nos. 554, 554/1 to 22 and 560 lying and situated at Village Pahadi Goregaon, Tal. Borivali, Mumbai Suburban District</p> <p>Dipali Bobade &amp; Pravin Bobade</p> <p>And</p> <p>Indian Bank</p> <p>Sr. No. BRL-5/1415/2019</p> <p>dated 10/04/2019.</p>
2020	Index ii for the year 2020 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record
2021	Index ii for the year 2021 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record
2022	Index ii for the year 2022 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record
2023	Index ii for the year 2023 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record
2024	Index ii for the year 2024 are not properly updated for search/Record Not Available/Following Transaction as per Online E-search Record/Following Transaction mentioned as per the available record

Attached Govt. Fees paid vide Challan No. MH012599197202425E/2024 dated 14/12/2024

**Note:** Register of Computerized Print Copies of Index II are prepared for Search from Feb. 2002 onward, which have not been maintained properly and manual books are in partly torn, untidy and loose condition.

Note:- In the S.R.O. at Borivali 01 to 09 & Bandra Online E-search Index ii Record from the year 2002 to 2024 are Not Properly updated for search, said search Report as per the available Online E-search Record.

Date: 14/12/2024



Mr. Satish Gaikwad