

Ar Chandrashekar
Advocate



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Ref. No.

Date 11/10/19

issued from the DSR Lohardaga for the year 1989 to 2019 pertaining to the immovable property/(ies) covered by above said title Deed. The property is free from all encumbrances, charges or claims.

I certify that Mrs. **Smt. Sushma Prajapati** has got valid, clear, absolute and marketable title over the property shown above free of any encumbrances, charge or claims. There are no legal impediments for creation of the mortgage under any applicable law/rules in force. I certify that the mortgage over the said property/ies can be enforced through process of law including under the provisions of SARFAESI Act, for recovery of dues to the Bank.

The landed property which is already mortgaged with the Bank relating to original sale deed, correction slip, and other documents handed over to me by Bank has been perused and seen by me with intention to further create equitable mortgage, it will satisfy the requirements of creation of equitable mortgage..

The stamp duty payable on Oral Assent/MOD (if applicable)....**N/A**

I hereby return the documents forwarded to me vide your above said letter.

Signature

Name

Address and Seal

(Handwritten Signature)
11/10/19

Kumar Chandrashekar
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ADV/laoyers/51

Date ... 11/10/19

Format of Title Report

To,
The Chief Manager,
Bank of India
Block More Branch
Lohardaga

Dear Sir,

Re: Title Search Report on the property/ies situated at
Mauza Nadiya P.S. No. 195 P.S. Lohardaga
District Lohardaga under R.S Khata No. 95 R.S.
Plot No. 184/1113 area 05 dec.

With reference to your letter No. BLM/MH/2019-20/14 dated 12.09.2019, I, on the basis of the relevant documents forwarded to me pertaining to the said immovable property/ies and the other information submitted by you, have conducted a detailed search and investigation and submit my report as under:-

1. Name(s) and Address(es) of the Mortgagor(s)/Title holder(s)

Smt. Sushma Prajapati
Wife of Pradeep Kumar Prajapati
resident of Old Friday Market
P.S. and Distt. Lohardaga.

2. Title Deeds in Original seen by me :

1. Original Sale deed No. 1293 dated 28.12.2017



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2. Original Correction slip vide mutation case No. 53R27/18-19 dated- 26.05.2018.
3. Original rent receipt bearing No. JH/04A-068317 dated 14.06.2018.
4. Non encumbrance certificate for the period of 1989 to 27.09.2019 issued by District Sub Registrar officer Office Lohardaga vide Certificate No. 86/2019.

3. Description of immovable property/ies

Survey No.	Extent Areas	Location	Boundaries
	(in acre/hectares)	Near Check Naka Opp. Dr. Bisu Lohardaga	North- 5 ft. wide Gali South- 11'8" Wide Proposed Road East- Part Plot no. 184/1113 West- Part Plot no. 184/1113

Measured at

North towards East-West- 44'
South towards East-West-44'
East Towards North-South-50'
West Towards North-South- 50'

R.S.Khata No. 95
Plot No. 184/1113
05 Dec.

4. Search in Sub-Registrar's Office:

- i) Location of property/ies.

Near Check Naka opposite Dr. Bisu Lohraga

(Particulars of the district/Sub-District within which the property is located and the address of the registering officer. In case the property is situated in more than one sub-District/District, the



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particulars of all the concerned sub-Districts/Districts and address of the registering offices to be given).

ii) Investigation, flow/tracing of Title and Search:

I have perused the record of Khata No. 95 Plot No. 184/1113, situated under Mauza Nadiya P.S. No. 195, recorded in the name of R.S. record of right 1932 Khatiyan in the name of Bhadu Sao and Jhadu Sao both sons of Bipat Sao and Chandramani Sao and Taramani Sao both sons of Lalu Sao, one of the co-sharer of the land has executed a registered sale deed in favour of Vijay Gopal Dutta and after purchase the said land Vijay Kumar Dutta became absolute owner of the land thereafter the said Vijay Gopal Dutta has sold and transferred the aforesaid land in favour of Chandrawati Devi wife of Karamdeyal Lal vide sale deed no. 4076 dated 17.10.1975 bearing book No.1, Vol. No 41 page 171 to 174 and said Chandrawati Devi has mutated her name before Revenue Block office Lohardaga and name has been settled in Register-II of the Block office Lohardaga vide vol. no. 7 page 205, thereafter Chandrawati Devi died leaving behind two sons Munni Lal and Dilip Kumar Sinha, both have executed a sale deed in favour of mortgagor Smt. Sushma Prajapati vide sale deed no. 1293 dated 28.12.2017. The Mortgagor after execution of deed mutated her name before Circle Office Lohardaga vide

(Signature)



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mutation case No. 53R27/18-19 dated 26.05.2018 and paying
rent to the State of Jharkhand.

At present she is exercising her right, title and interest
and possession peacefully over the land as absolute owner of
the property as mentioned above.

(The search in the records such as Index No.1, Index No.2, Book
No.1/Supplementary Book No.1 should be made for the past 30
years to trace any encumbrance is created on the property. A
narration of the root and chain of title at least 30 years and how
the title is conferred on the mortgagor should be given. The details
of the books/indexes searched by Advocate to be stated. In the
event of any break in the chain of title or in case of any mortgage,
charge or encumbrance subsists over the property, the details
thereof specifying how the break in the chain of title took place to
be stated).

ii) Confirm and state that the original partition/title deeds
submitted are the originals registered before the Registrar of
Assurance:

Yes

iv) Whether the property is ancestral and / or under joint
ownership. If so, details of the co-parceners / Karta and or the co-
owners. The respective shares should be incorporated specifically.

Purchased land of mortgagor.



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v) Minor's interest if any - **N/A**

(Imp: Any minor's interest if involved in the property proposed to be mortgaged or any other claims, if minor's interest is involved, what precautions are to be taken to protect Bank's interest as a mortgagee to be stated? Please note that if the property belongs to a minor, permission of court is generally required to create the mortgage of the property).

vi) Documents pending for registration:

NO

(Enquiry is to be made whether any document creating mortgage, charge or encumbrance is pending registration in the concerned Sub- Registrar's/Registrar's office are to be stated, if so full details of such charge etc. of charge holders should be specified)

5) Whether Urban Land (Ceiling and Regulation) Act 1976 is applicable in the State where the property is located. If applicable whether the immovable property(ies) fall(s) within the purview of the Act, verification and investigation should be made under sections 26,27 and 28 of the Act to ensure that mortgagor(s) has/have obtained necessary permission from the competent authority under the Act. Documentary evidence showing such permission is obtained has to be attached with the report.

NO



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6) Whether the property is acquired under Land Acquisition Act, 1894 and applicability of other State Legislations.

NO

7) Lease hold immovable property (Where land/building is leasehold, please verify the terms of lease, whether any permission/NOC from the lessors/competent authority is required for creation of mortgage and such leasehold property and advice the precautions to be taken while obtaining such property in mortgage)

NO

8) Investigation under Income Tax Act 1961 pending litigation related to property if any:

N/A

(Any permission of the concerned Assessing Officer under any of the provisions of I.T.Act is required for creating mortgage or any certificate to be submitted to the Bank to show that no dues are outstanding to Income Tax Dept.)

9) Investigation in regard to agricultural land:

Not comes under agricultural land.

(Investigate and search the necessary records etc. with specific reference to the land if it is surplus self-cultivated, if consolidation of holdings/ acquisition proceedings etc. is in progress in the area, whether Government loan/any loan raised against the land and



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details about the charges/encumbrances may be specified, specifically with reference to the Agricultural Land Laws)

10) The details of the certified copies of the revenue records obtained to confirm that no dues are outstanding by the Mortgagor.

NO

11) Any other special enactment which is applicable to the property proposed to be mortgaged and affects the title.

The above mentioned land is the purchased property of Mortgagor, can be created charge in favour of the Bank and there is no hurdle or usage restriction for creation of equitable mortgage.

In purview of Chotanagpur Tenancy Act 1908 list of Backward Classes were published vide Notification No. A/T 3034/61-5423-R, dated 23rd June 1962 under section 46(6) of CNT Act which was published at page 971 (Part II) of Bihar Gazette dated 18.07.1962) for an area in which recognized through out the State of Bihar now Jharkhand, in which total 51 castes and Classes have been identified by Government.

The title holder (Mortgagor) does not comes under C.N.T. Act nor effected from any local laws and a such CNT Act is not binding upon the mortgagor.

12) If it is a property owned by the company the Additional safeguards like search before the Registrar of companies to be obtained be stated.

NO



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13) Whether the records of sub-registrar office or revenue authorities relevant to the property in question are available for verification through any online portal or computer system. If so, whether any verification or cross checking are made and the comments/finds in this regard.

Yes

14) In case of partition/family settlement deeds, whether the partition made is valid in law, whether the original deed is available for deposit, whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his/her/their share. The modality/procedure to be followed to create a valid and enforceable mortgage. 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.

-I have personally verified the title deed correction slip called as a Mutation slip, relevant documents and found that all are original not fake not duplicate and the same is genuine in order and has compared with original.

15) Whether the property belongs to any trust or is subject to the rights of any trust < whether the trust is a private or public trust and whether trust deed specifically authorized the mortgage of the property? Is there any bar under local laws for creation of mortgage? The additional precautions/permissions to be obtained for creation of valid mortgage as per the respective state/central laws.



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NO

16) In case of partnership firm, whether the property belongs to the firm and the partnership deed is properly registered. Whether the partners have authority to create mortgage for and on behalf of the firm.

NO

17) If the property belongs to a Limited Company, Advocate to check the Borrowing powers, Board repopulation and authorization to create mortgage/execution of documents, registration of any prior charges with the company Registrar (ROC), Memorandum of Association and Articles of Association etc. and submit details.

NO

18) In case of Societies, Association, check the required authority/power to borrow and whether the mortgage can be created as per their constitutional documents and applicable laws, and the requisite resolutions, bye-laws etc. The Additional precautions/permissions to be obtained for creation of valid mortgage as per the respective state/central laws to be stated.

NO

19) If the property is a flat/apartment or residential/commercial complex, Advocate to interalia check/verify a) Promoter's/Land owner's title to the land/building; b) Development Agreement/Power of Attorney c) Independent title verification of the Land and/or building in question d) Agreement for sale (duly



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registered); e) Payment of proper stamp duty; f) approval of building plan, permission of appropriate/local authority etc; g) conveyance in favour of society/condominium concerned; h) Occupancy certificate/allotment letter/letter of possession: i) membership details in the society etc. j) Share certificates k) No objection Letter from the society; l) All legal requirements under the local/Municipal laws, regarding ownership of flats/Apartments/building Regulations, Development control Regulations, co-operative societies' Laws etc.; m) requirements for noting the Bank charges on the records of the Housing society, etc and comment.

I have personally verified the sale deed, correction slip called as a Mutation slip and rent receipt, relevant documents and found that all are original not fake not duplicate and genuine in order.

20) Advocate also to check whether the name of mortgagor is reflected as owner in the revenue/Municipal/Village records, whether the property offered as security is clearly demarcated in the title documents, whether the property has clear access as per document?

Yes- The name of mortgagor is reflected as a owner in Revenue Block Lohardaga against which property is to be mortgaged.

21) Any bar/restriction for creation of mortgage under any local or special enactments, details of proper registration of documents, payment of proper stamp duty etc.

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NO

22) Whether the governing law, the constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.

Yes

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Certificate

I have examined the Original Title Deed which is kept before the Bank relating to the aforesaid property/ies which is to be further equitably mortgaged in favour of Bank and that the documents of title referred to in the Opinion are valid evidence of right, title and interest and that the said Equitable Mortgage be created, it will satisfy the requirements of creation of Equitable Mortgage.

I hereby under certify that I have searched and verified the information furnished in this report and have compared the title deeds given to the me with the records/copy of in the office of the Sub-Registrar and has found both tallying with each other. I confirm having made search in the Land/Revenue records. I also confirm having verified and checked he records of the relevant Government Officers/Sub-Registrar(s) Office(s), Revenue Records, Municipal/ Panchayat Office, Land Acquisition Office, Register of Companies Office, I do not find anything adverse which would prevent the Title holder from creating a valid Mortgage. The statements and other information given in the report are correct and true.

I certify that there is prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from **1989 to 27.09.2019** **vide Certificate No. 86/2019** relating to non encumbrance earlier

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