

Girishkumar B. Shah

(Advocate)

Off.: 8, Municipal Shopping Center, Opp. Fire Station
Near Baliyadev Mandir, Anand - 388 001.

Mo: 99796 59201

Enrolment no. G/738/1982

Date: 10-12-2021

TO WHOMSOEVER IT MAY BE CONCERN

Sub : Title Opinion Report certifying non encumbrance of the Property situated at KARAMSAD, Ta. & Dist. Anand, belonging to Mortgagor namely NIHAR DILIPBHAI PATEL of KARAMSAD, Ta. & Dist. Anand.

1	Description and Area of the property proposed to be mortgaged. Specific number(s) and address of property alongwith boundaries and measurements.	:	N.A. land bearing R.S. no. 1482/p2 admeasuring H. 0-55-15 ARE. of Village Karamsad, Ta. & Dist. Anand, bounded as : East : Karamsad - Devrajpurā main road West : Land bearing R.S.no. 1483/1+2+3 North : Land bearing R.S.no. 1482/paiky1paiky South : Land bearing R.S.no. 1482/paiky
2	Name of property (Whether Agricultural, Non-Agricultural, Commercial, Residential or Industrial. If Non Agricultural, the reference & date of conversation order from the competent authority should also be mentioned.	:	Residential purpose
3	Name of the Mortgage/Owner and status in the Account i.e. borrower or guarantor and whether Individual, Sole Proprietor, Partner, Director, Karta or Trustee. In case the Mortgage is Partner/	:	Sole-Ownership rights



	Director/ Trustee who is mortgaging the property on behalf of Partnership / company. Trust whether he/she has the authority. Copy of the Resolution / Memorandum & Article of Association / Trust Deed the whether examined and verified.		
4	Whether the minor lunatic or un-discharged insolvent is involved. Confirm that the Mortgagor has sufficient capacity to contract. Precautionary steps to be taken.	:	The mortgagor namely NIHAR DILIPBHAI PATEL has sufficient capacity to contract
5	Whether the property is Freehold or Leasehold. If Leasehold then period of lease, and if Freehold whether Urban Land Ceiling Act applies and permissions to be obtained.	:	Yes, the property is freehold
6	Source of Property i.e. self acquired or Ancestral. If Ancestral then mode of succession and whether original will/probate is available.	:	The mortgagor namely NIHAR DILIPBHAI PATEL has acquired by Reg. Sale deed.
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 Partition Deed. If yes, whether original Registered Partition deed is available or it is only a family settlement.		Sole-ownership rights
8.	Whether the Mortgage is in exclusive possession of the property or it is leased/rented out to third party.	:	Yes



9.	Whether the Property is mutated is municipal / revenue record and Mortgagor's name is reflecting and if not, the reason thereof.	:	Yes
10.	Whether any restriction for creation of mortgage is imposed under Central/State /Local laws. If yes, then specify whose consent or permission would be required for creation of mortgage.	:	Yes
11.	Whether all the original Title deeds including antecedent Title Deeds and other relevant documents are available. Please give detailed list.	:	(1) Two Original sale deeds along with Index II and reg. receipt vide reg. no. 1658 dtd. 16-2-2010 and 4853 dtd. 6-5-2010 (2) Original deed of correction vide reg. no. 5773 dtd. 4-6-2010 along with Index II and registration receipt (3) 7/12 together with mutation entries (4) Copy of N.A. permission dtd. 31-12-12 (5) Copy of approved plan dtd. 20-7-2012 (6) Copy of construction permission dtd. 16-8-2012
12.	Whether the Advocate has personally visited the Sub Registrar / Revenue / Municipal office and examined the record.	:	Yes
13.	Whether the Search is being made for the period of 30 year. If no, reason thereof.	:	Yes 1992 TO 2021 DTD. 10-12-2021
14.	Details of documents examined / scrutinized. (This should be in chronological order with serial numbers, type/nature of documents, date of execution, parties, date of	:	(1) Two Original sale deeds along with Index II and reg. receipt vide reg. no. 1658 dtd. 16-2-2010 and 4853 dtd. 6-5-2010 (2) Original deed of correction vide reg. no. 5773 dtd. 4-6-



	registration details including the detail of revenue / society record etc.)		2010 along with Index II and registration receipt (3) 7/12 together with mutation entries (4) Copy of N.A. permission dtd. 31-12-12 (5) Copy of approved plan dtd. 20-7-2012 (6) Copy of construction permission dtd. 16-8-2012
15.	Tracing of chain of title in favour of the Mortgage / owner starting from the earliest documents available. The nature of documents / Deed conveying the title should be mentioned with description of parties along with the type of right it creates.	:	That originally land bearing R.S. no. 1482 admeasuring H. 2-25-61 ARE. of Village Karamsad, Ta & Dist. Anand was belonged to Govindbhai Shanabhai bin Nathabhai Patel and Vitthalbhai Shanabhai bin Nathabhai Patel prior to 1975.
	Thereafter one of the co-owner namely Vithalbhai Shanabhai Patel was expired on 19-6-2006 and the legal heirs were brought on record, the legal heirs namely (1) Pushpaben - Widow (2) Chandrakantbhai - Son (3) Dilipbhai - Son (4) Piyushbhai - Son (5) Diptiben - Daughter and it was mutated in record of rights vide mutation entry no. 31464 on 9-3-2007. Thereafter there was a family arrangement amongst the owners and in the said family arrangement land bearing R.S. no. 1482 admeasuring H. 2-25-61 ARE. paiky H. 1-12-805 ARE. was gone in the share of Govindbhai Shanabhai Patel and remaining land admeasuring H. 1-12-805 ARE. gone in the share of Pushpaben widow of Vithalbhai Shanabhai Patel & others and it was mutated in record of rights vide mutation entry no. 35445 on 24-4-2008. By virtue of this Govindbhai Shanabhai Patel became the owner of R.S. no. 1482 admeasuring H. 1-12-805 ARE. of Village Karamsad, Ta & Dist. Anand and thereafter he has sold his ownership rights land paiky H. 0-68-29 ARE. paiky southern side 0-34-15 ARE. of Village Karamsad, Ta & Dist. Anand to Mukeshbhai Govindbhai bin Shanabhai Patel in consideration of Rs. 4,50,000/- on 6-9-2008 vide reg. no. 6866 and it was mutated in record of rights vide mutation entry no. 36256 on 24-12-2008. By virtue of this Govindbhai Shanabhai Patel became the owner of R.S. no. 1482 admeasuring H. 1-12-805 ARE. of Village Karamsad, Ta & Dist. Anand and thereafter he has sold his ownership rights land paiky H. 0-68-29 ARE. paiky northern side 0-34-14 ARE. of Village Karamsad, Ta & Dist. Anand to Bhavnaben Mukeshbhai bin Govindbhai Shanabhai Patel in consideration of Rs. 4,50,000/- on 6-9-2008 vide reg. no. 6867 and it was mutated in		



record of rights vide mutation entry no. 36257 on 24-12-2008.

Thereafter the name namely Bhavnaben wife of Mukeshbhai Patel, Ankitbhai Mukeshbhai Patel and Jenikaben Mukeshbhai Patel were joint as a co-owner with Mukeshbhai Govindbhai Patel and it was mutated in record of rights.

(A) Thereafter Mukeshbhai Govindbhai bin Shanabhai Nathabhai Patel, Bhavnaben wife of Mukeshbhai Patel, Ankitbhai Mukeshbhai Patel him self and as a P.O.A. holder of Jenikaben Mukeshbhai Patel have sold their ownership rights land bearing R.S.no. 1482/p1 admeasuring H. 0-68-29 Are. Paiky H. 0-34-15 ARE. to Nihar Dilipbhai Patel by reg. sale deed in consideration of Rs. 4,75,000/- on 6-5-2010 vide reg. no. 4853 and it was mutated in record of rights vide mutation entry no. 37959 on 13-5-2010.

(B) The owner namely Bhavnaben Mukeshbhai bin Govindbhai bin Shanabhai Patel has sold her ownership rights land bearing R.S. no. 1482/p2 admeasuring H. 0-68-29 ARE. paiky northern side 0-34-14 ARE. paiky H. 0-19-95 ARE. of Village Karamsad, Ta & Dist. Anand to Nihar Dilipbhai Patel by reg. sale deed in consideration of Rs. 2,00,000/- on 16-2-2010 vide reg. no. 1658 and it was mutated in record of rights vide mutation entry no. 37621 on 19-2-2010.

There was a typical mistake in the said sale deed regarding the area, in the said sale deed area was mention as H. 0-19-95 ARE. but actually the applicant has purchased H. 0-21-00 ARE. from the owners. Thereafter the deed of rectification was executed between the parties and it was duly registered with The Sub Registrar Anand vide reg. no. 5773 on 4-6-2010.

Hence the correct measurement of said sale deed dtd. 16-2-2010 is H. 0-21-00 ARE. instead of H. 0-19-95 ARE. of Village Karamsad, Ta & Dist. Anand.

By virtue of two separate registered sale deeds Nihar Dilipbhai Patel became the owner of land bearing R.S.no. 1482/p2 admeasuring H. 0-68-29 ARE. paiky H. 0-55-15 ARE. of Village Karamsad, Ta & Dist. Anand.

Thereafter the said owner has obtained necessary N.A. permission from the Dist. Collector, Anand vide its permission no. Land-1/NA/SR/65/103/2012-13/vashi/12671 to 12678 dtd. 31-12-12 and it was mutated in record of rights vide mutation entry no. 42304 dtd. 9-1-2013.

Necessary plan was approved by the Town planner Anand vide its permission no. BP/Karamsad/2067 dtd. 20-7-2012.

Necessary construction permission was given by The Chairman Karamsad Area Development authority Karamsad vide its permission no. 000232 dtd. 16-8-2012 and necessary resolution was passed by the Karamsad Nagarpalika vide its resolution no. 35/76 dtd. 9-8-2012.

The owner namely Nihar Dilipbhai Patel have constructed a Flat site known as "Nirav Avenue" and he has completed Tower - D with sixth stories tower and sold out the said flats.

Nirav Avenue Tower - A is under construction.



	Note : All documents produce by the applicant and relying on the documents I hereby issue the Title Clearance Certificate.	
16.	Whether there is any doubt/suspicion about the genuineness of the original documents. If Yes, then specify	: No
17.	The final Certificate of the Advocate confirming that title of the property(s) to be mortgaged is examined by him and the same is / are clear and marketable.	Hence, I am of the opinion that the Title of the Mortgagor namely, NIHAR DILIPBHAI PATEL has applied for Title Clearance Certificate in respect of his N.A. land bearing R.S. no. 1482/p2 admeasuring H. 0-55-15 ARE. of Village Karamsad, Ta. & Dist. Anand, are clear, marketable and free from any encumbrances.
18.	List of documents to be deposited for creation of Mortgage by the Mortgagor including any additional documents required in addition to the documents available.	Yes, That as per the amended provisions of the Registration Act, w.e.f. 21-07-08, every documents relating to mortgage for deposit of title deeds must be registered one and like this Bank should registered the documents regarding instrument relating to the deposit of title deeds along with following documents (1) Two Original sale deeds along with Index II and reg. receipt vide reg. no. 1658 dtd. 16-2-2010 and 4853 dtd. 6-5-2010 (2) Original deed of correction vide reg. no. 5773 dtd. 4-6-2010 along with Index II and registration receipt (3) 7/12 together with mutation entries (4) Copy of N.A. permission dtd. 31-12-12 (5) Copy of approved plan dtd. 20-7-2012 (6) Copy of construction permission dtd. 16-8-2012



		(7) An usual Affidavit from the applicant (8) Search Receipt
19.	Whether any additional formalities to be completed by the proposed mortgagor. If yes, state specifically in case of flat(s) / property(s) in Co-op Societies, whether allotment letter, possession letter, share certificate, affidavit, power of attorney etc is required.	: No.
20.	Whether the property is enforceable under SERFAESI act 2002 ?	Yes, said property is enforceable under SERFAESI act 2002.

I hope this will satisfy you.

(G.B. Shah)
Advocate

Girishkumar Bansilal Shah
ADVOCATE
Off. 8, Municipal Shopping Center,
Opp. Fire Station, Baliyadev Mandir Road,
Anand - 388 001. Mo.: 99796 59201



અરજી પહોંચ

મિલકત નું વર્ણન : રે.સ.નં.1482/પી-2 ક્ષે.0-55+15 આરે

Search in : કરમસદ /KARAMSAD

પહોંચ નંબર 2021030202150

અરજી નંબર

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અરજી વર્ષ

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તારીખ ૧૪

માહે

ડિસેમ્બર

સને

૨૦૨૧

રજુ કરનારનું નામ જી બી શાહ (એડવોકેટ)

નીચે પ્રમાણે ફી પહોંચી

રૂ. પૈસા

રજીસ્ટ્રેશન ફી.....

નકલ કરવા ની ફી સાઈડ / ફોલીયો.....

શેરોની નકલ કરવા માટે ફી.....

ટપાલ ખર્ચ.....

નકલો અથવા ચાલીઓ (કલમ ૬૪ થી ૬૭).....

શોધ અગર તપાસણી.....Year: 1992 2021

દંડ કલમ-૨૫.....

કલમ-૩૪ (કલમ-૫૭).....

નકલ ફી ફોલીયો.....

ઈન્ડેક્સ-૨ ફી.....



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કુલ એકદરે રૂ.

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અંકે રૂપીયા ત્રણ સો દસ પૂરા

દસ્તાવેજ

ના દિવસે તૈયાર થશે અને

તે રજીસ્ટર ટપાલથી મોકલવામાં

આવશે.

નકલ

કચેરીમાં આપવામાં

દસ્તાવેજ રજીસ્ટર ટપાલથી નીચેના સરનામે મોકલશો.

K D Rathva
સબ રજીસ્ટ્રાર
આણંદ

અંકે રૂ. : 310.00

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સબ રજીસ્ટ્રાર, આણંદ

