

EXULT DEVELOPER

T.P.- 29, F.P.- 51/3/1, Nr. Siddhi Vinayak Mandir, Vesu Char Rasta, Vesu, Surat.

ALL THE PIECE AND PARCE4L OF PROJECT KNOWN AS “EXULT SHOPPERS “ SITUATED AT NEAR HAPPY HOME EXCELLENCIA , VESU ROAD BEARING OLD REVENUE SURVEY NO. 393/1 , NEW REVISION SURVEY NO: 402, T.P SCHEME No. 29 (RUNDH-VESU-MAGDALLA),ORIGINAL PLOT NO. 51/3/1 , FINAL PLOT NO. 51/3/1 OF VILLAGE : VESU , TALUKA :MAJURA , DISTRICT : SURAT TOTAL ADMEASURING ABOUT 5785 SQUARE METERS, OWNED BY M/S. EXULT DEVELOPERS , A PARTNERSHIP FIRM.

THE TITTLE OF M/S EXULT DEVELOPERS, A PARTNERSHIP FIRM ARE CLEAR MARKETABLE AND WITHOUT ANY ENCUMBRANCE AND CHARGES.

B**Bhadra Dhimant Joshi**

B. Pharm LL.B. ADVOCATE

DATE:- 04.09.2017

TO
THE RELATIONSHIP MANAGER
STATE BANK OF INDIA
RMSE BRANCH
SACHIN G.I.D.C.
SURAT

1.	a) Name of the Branch/ Business Unit/Office seeking opinion.	STATE BANK OF INDIA, RMSE BRANCH, SACHIN G.I.D.C. SURAT.
	b) Reference No. and date of the letter under the cover of which the documents tendered for scrutiny are forwarded.	REF. No : --- DATE:- ---
	c) Name of the Borrower.	M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM
2.	a) Name of the unit/ concern/ company/ person offering the property/ (ies) as security.	M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM
	b) Constitution of the unit/ concern/ person/ body/ authority offering the property for creation of charge.	PARTNERSHIP FIRM
	c) State as to under what capacity is security offered (whether as joint applicant or borrower or as guarantor, etc.)	BORROWER
3.	Complete or full description of the immovable property/ (ies) offered as security including the following details.	All the piece and parcel of project known as "EXULT SHOPPERS" situated at Near Happy Home Excellencia, Vesu Road bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402, T. P. Scheme No : 29(Rundh-Vesu-Magdalla), Original Plot No : 51/3/1, Final Plot No : 51/3/1 of Village : Vesu, Taluka : Majura, District : Surat total admeasuring about 5785.00 SQUARE METERS.
	(a) Survey No.	
	(b) Door/House no. (in case of house property)	
	(c) Extent/ area including plinth/ built up area in case of house property	
	(d) Locations like name of the place, village, city, registration, sub-district etc.	
	BOUNDARIES:- AS PER VALUATION REPORT (SITE)	EAST ⇔ 24.00 MT. WIDE ROAD WEST ⇔ FINAL PLOT NO : 63+64, 61 & 140 NORTH ⇔ PROPOSED 18.00 MT. WIDE ROAD SOUTH ⇔ ADJ. OPEN LAND (SALE FOR COMMERCIAL)
4.	a) Particulars of the documents scrutinized – serially and chronologically. a) Nature of documents verified and as to whether they are originals or certified copies or registration extracts duly certified.	
	NOTE: Only originals or certified extracts from the registering/ land/ revenue/ other authorities be examined.	
	LIST OF DOCUMENT SCRUTINIZED	
	1. Copy of village from No : 7 + 12 for the Old Revenue Survey No : 393/1, New Revision Survey No : 402. 2. Copy of village from No : 6 for the Old Revenue Survey No : 393/1, New Revision Survey No : 402. 3. Copy of village from No : 8/A for the Old Revenue Survey No : 393/1,	



	New Revision Survey No : 402. 4. Copy of original of registered sale deed vide Registration No : 1620 (Old No : 3730 Dated:- 02.06.2001) Dated:- 06.03.2003. 5. Original of registered sale deed vide Registration No : 4774 Dated:- 11.04.2005 along with original of registration fee receipt. 6. Original of registered release deed vide Registration No : 4365 Dated:- 24.03.2008 along with original of registration fee receipt. 7. Copy of zoning certificate vide letter No : SUDA/ TAKE/ Zo. Certi./ 17535 Dated:- 16.07.2008 passed by Surat Urban Development Authority. 8. Copy of Non-Agriculture permission vide Order No : A/ BAKHAPA/ Re. S.R. No. 49/ 14/ ID. No. 6040/ Vashi-1426/ 14 Dated:- 16.04.2014 passed by Collector of Surat. 9. Copy of development permission vide Rajachitthi No : T.D.O./ D.P.A/ No. 638 Dated:- 13.02.2015, T.D.O./ DP/ No. 07 Dated:- 09.04.2015 passed by Surat Municipal Corporation. 10. Copy of revised development permission vide Rajachitthi No : T.D.O./ D.P.A/ No. 692 Dated:- 04.02.2016, T.D.O./ DP/ No. 24 Dated:- 13.04.2016 passed by Surat Municipal Corporation. 11. Original of registered sale deed vide Registration No : 17297 Dated:- 11.12.2016 along with original of registration fee receipt Dated:- 03.12.2016. 12. Certified copy of registered sale deed vide Registration No : 1620 Dated:- 06.03.2003. 13. Certified copy of registered release deed vide Registration No : 4365 Dated:- 24.03.2008. 14. Certified copy of registered sale deed vide Registration No : 4774 Dated:- 11.04.2005. 15. Certified copy of registered sale deed vide Registration No : 17291 Dated:- 03.12.2016 (Dated:- 11.12.2016).	
5.	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? <i>(Please also enclose all such certified copies and relevant fee receipts along with the TIR)</i>	YES, E. C. CERTIFICATE IS ATTACHED
6.	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?	NOT AVAILABLE
	b) If such online/computer records are available, whether any verification or cross checking are made and the comments/ findings in this regard.	No
	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
7.	a) Property offered as security falls within the jurisdiction of which sub-registrar office?	SUB-REGISTRAR SURAT
	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?	No
	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
8.	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. And 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)	AS PER ANNEXURE - I TRACING OF TITLE
9.	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.)	OWNERSHIP RIGHT
10.	If leasehold, whether;	
	a) lease Deed is duly stamped and registered	N.A.
	b) lessee is permitted to mortgage the Leasehold right,	N.A.
	c) duration of the Lease/unexpired period of lease,	N.A.
	d) 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.	N.A.
	e) Whether the leasehold rights permits for the creation of any superstructure (if applicable)?	N.A.
	f) Right to get renewal of the leasehold rights and nature thereof.	N.A.
11.	If Govt. grant/ allotment/Lease-cum/Sale Agreement, whether;	N.A.
	grant/ agreement etc. provides for alienable rights to the mortgagor with or without conditions,	N.A.
	the mortgagor is competent to create charge on such property,	N.A.
	whether any permission from Govt. or any other authority is required for creation of mortgage and if so whether such valid permission is available.	N.A.
12.	If occupancy right, whether;	N.A.
	a) Such right is heritable and transferable,	N.A.
	b) Mortgage can be created.	N.A.
13.	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.	No
14.	If the property has been transferred by way of Gift/Settlement Deed, whether;	N.A.
	a) The Gift/Settlement Deed is duly stamped and registered.	N.A.
	b) The Gift/Settlement Deed has been	N.A.



	attested by two witnesses;	
	c) The Gift/Settlement Deed transfers the property to Donee;	N.A.
	d) Whether the Donee has accepted the gift by signing the Gift/Settlement Deed or by a separated writing or by implication or by actions;	N.A.
	e) Whether there is any restriction on the Donor in executing the gift/settlement deed in question;	N.A.
	f) Whether the Donee is in possession of the gifted property;	N.A.
	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;	N.A.
	h) Any other aspect affecting the validity of the title passed through the gift/settlement deed.	No
16.	(a) In case of partition/family settlement deeds, whether the original deed is available for deposit. If not the modality/procedure to be followed to create a valid and enforceable mortgage. (b) Whether mutation has been effected and whether the mortgagor is in possession and enjoyment of his share. (c) Whether the partition made is valid in law and the mortgagor has acquired a mortgagable title thereon. (d) In respect of partition by a decree of court, whether such decree has become final and all other conditions/ formalities are completed/ complied with. (e) 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?	N.A.
16.	Whether the title documents include any testamentary documents/wills?	No
	(a) In case of wills, whether the will is registered will or unregistered will?	N.A.
	(b) Whether will in the matter needs a mandatory probate and if so whether the same is probated by a competent court?	N.A.
	(c) Whether the property is mutated on the basis of will?	N.A.
	(d) Whether the original will is available?	N.A.
	(e) Whether the original death certificate of the testator is available?	N.A.
	(f) What are the circumstances and/or documents to establish the will in question is the last and final will of the testator? (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.)	N.A.
17.	(a) Whether the property is subject to any	N.A.



	wakf rights?	
	(b) Whether the property belongs to church/ temple or any religious/other institutions having any restriction in creation of charges on such properties?	N.A.
	(c) Precautions/ permissions, if any in respect of the above cases for creation of mortgage?	N.A.
18.	(a) Where the property is a HUF/joint family property, 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.	N.A.
	(b) Please also comment on any other aspect which may adversely affect the validity of security in such cases?	No
19.	(a) Whether the property belongs to any trust or is subject to the rights of any trust?	N.A.
	(b) Whether the trust is a private or public trust and whether trust deed specifically authorizes the mortgage of the property?	N.A.
	(c) If so additional precautions/permissions to be obtained for creation of valid mortgage?	N.A.
	(d) Requirements, if any for creation of mortgage as per the central/state laws applicable to the trust in the matter.	N.A.
20.	(a) If the property is Agricultural land, whether the local laws permit mortgage of Agricultural land and whether there are any restrictions for creation/enforcement of mortgage.	N.A.
	(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?	N.A.
	(c) In the case of conversion of Agricultural land for commercial purposes or otherwise, whether requisite procedure followed/permission obtained.	YES, NON-AGRICULTURE PERMISSION VIDE ORDER No : A/ BAKHAPA/ RE. S.R. No. 49/ 14/ ID. No. 6040/ VASHI-1426/ 14 DATED:- 16.04.2014 PASSED BY COLLECTOR OF SURAT.
21.	Whether the property is affected by any local laws or other regulations having a bearing on the creation security (viz. Agricultural Laws, weaker Sections, minorities, Land Laws, SEZ regulations, Coastal Zone Regulations, Environmental Clearance, etc.),	N.A.
22.	(a) Whether the property is subject to any pending or proposed land acquisition proceedings?	NO, NOT FOUND FROM THE REVENUE RECORD IN SAFEGUARD OF BANK DECLARATION IS TO BE OBTAINED.
	(b) Whether any search/enquiry is made with the Land Acquisition Office and the outcome of such search/enquiry.	NO, SUCH TYPE OF SEARCH IS NOT AVAILABLE FROM RECORD
23.	(a) Whether the property is involved in or subject matter of any litigation which is pending or concluded?	
	(b) If so, whether such litigation would adversely affect the creation of a valid mortgage or have any implication of its future enforcement?	NO, NOT FOUND FROM THE REVENUE RECORD IN SAFEGUARD OF BANK DECLARATION IS TO BE OBTAINED.
	(c) 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.	
24.	(a) In case of partnership firm, whether the property belongs to the firm and the deed is properly registered.	Yes
	(b) Property belonging to partners, whether thrown on hotchpot? Whether formalities for the same have been completed as per applicable laws?	N.A.
	(c) Whether the person(s) creating mortgage has/have authority to create mortgage for and on behalf of the firm.	Yes
25.	Whether the property belongs to a Limited Company, check the Borrowing powers, Board resolution, authorization to create mortgage/execution of documents, Registration of any prior charges with the Company Registrar (ROC), Articles of Association /provision for common seal etc.	N.A.
26.	In case of Societies, Association, the required authority/power to borrower and whether the mortgage can be created, and the requisite resolutions, bye-laws.	N.A.
27.	(a) Whether any POA is involved in the chain of title?	Yes
	(b) Whether the POA involved is one coupled with interest, i.e. a <i>Development Agreement-cum-Power of Attorney</i> . 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.	No
	(c) 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).	N.A.
	(d) 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.	N.A.
	(e) 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?	N.A.





	(f) 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?)	N.A.
	(g) Please comment on the genuineness of POA?	N.A.
	(h) The unequivocal opinion on the enforceability and validity of the POA?	N.A.
28.	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
29.	If the property is a flat/ apartment or residential/ commercial complex, check and comment on the following:	COMMERCIAL
	(a) Promoter's/Land owner's title to the land/ building;	CLEAR
	(b) Development Agreement/ Power of Attorney;	N.A.
	(c) Extent of authority of the Developer/ builder;	N.A.
	(d) Independent title verification of the Land and/or building in question;	CLEAR
	(e) Agreement for sale (duly registered);	N.A.
	(f) Payment of proper stamp duty;	N.A.
	(g) Requirement of registration of sale agreement, development agreement, POA, etc.;	N.A.
	(h) Approval of building plan, permission of appropriate/local authority, etc.;	YES
	(i) Conveyance in favour of Society / Condominium concerned;	N.A.
	(j) Occupancy Certificate / allotment letter / letter of possession;	N.A.
	(k) Membership details in the Society etc.;	N.A.
	(l) Share Certificates;	N.A.
	(m) No Objection Letter from the Society;	N.A.
	(n) All legal requirements under the local / Municipal laws, regarding ownership of flats / Apartments / Building Regulations, Development Control Regulations, Co-operative Societies' Laws etc.;	N.A.
	(o) Requirements, for noting the Bank charges on the records of the Housing Society, if any;	N.A.
	(p) If the property is a vacant land and construction is yet to be made, approval of lay-out and other precautions, if any.	N.A.
	(q) Whether the numbering pattern of the units/flats tally in all documents such as approved plan, agreement plan, etc.	IT IS TO BE VERIFIED FROM OUR BANK'S APPROVED VALUER/ ARCHITECT
30.	Encumbrances, Attachments, and/or claims whether of Government, Central or State or other Local authorities or Third Party claims, Liens etc. and details thereof.	NOT FOUND AS PER LATEST ENCUMBRANCE CERTIFICATE AND LATEST REVENUE RECORD
31.	The period covered under the Encumbrances	I HAVE TAKEN SEARCH FOR LAST 30 YEARS

	Certificate and the name of the person in whose favour the encumbrance is created and if so, satisfaction of charge, if any.	BUT ENCUMBRANCE CERTIFICATE AVAILABLE FROM 2005
32.	Details regarding property tax or land revenue or other statutory dues paid/payable as on date and if not paid, what remedy?	Yes
33.	(a) Urban land ceiling clearance, whether required and if so, details thereon.	THE SAID ACT IS REPEALED BY THE GOVERNMENT OF GUJARAT ON 27.03.1999
	(b) Whether No Objection Certificate under the Income Tax Act is required/ obtained.	—
34.	Details of RTC extracts/mutation extracts/ Katha extracts pertaining to the property in question.	AS PER ANNEXURE - I
35.	Whether the name of mortgagor is reflected as owner in the revenue/ Municipal/ Village records?	Yes
36.	(a) Whether the property offered as security is clearly demarcated?	Yes
	(b) Whether the demarcation/ partition of the property is legally valid?	AS PER VALUATION REPORT
	(c) Whether the property has clear access as per documents?	Yes
37.	Whether the property can be identified from the following documents, and discrepancy/ doubtful circumstances, if any revealed on such scrutiny? (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.	NOT AVAILABLE NOT AVAILABLE NOT APPLICABLE NOT APPLICABLE
38.	In respect of the boundaries of the property, whether there is a difference/ discrepancy in any of the title documents or any other documents (such as valuation report, utility bills, etc.) or the actual current boundary? If so please elaborate/ comment on the same.	AS PER VALUATION REPORT (SITE) EAST ⇔ 24.00 MT. WIDE ROAD WEST ⇔ FINAL PLOT No : 63+64, 61 & 140 NORTH ⇔ PROPOSED 18.00 MT. WIDE ROAD SOUTH ⇔ ADJ. OPEN LAND (SALE FOR COMMERCIAL)
39.	If the valuation report and/or approved/ sanctioned plans are made available, please comment on the same including the comments on the description and boundaries of the property on the said document and that in the title deeds. (If the valuation report and/or approved plan are not available at the time of preparation of TIR, please provide these comments subsequently, on making the same available to the advocate.)	BOUNDARY OF THE PROPERTY AS PER SALE DEED IS NOT AVAILABLE AND AS PER VALUATION REPORT IS AVAILABLE IN CLAUSE No: 38.
40.	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.	No
41.	Whether the Bank will be able to enforce SARFESI Act, if required against the property offered as security?	Yes
42.	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.	N.A.
43.	Whether the governing law/ constitutional documents of the mortgagor (other than natural persons) permits creation of mortgage and additional precautions, if any to be taken in such cases.	N.A.
44.	Additional aspects relevant for investigation of title as per local laws.	N.A.
45.	Additional suggestions, if any to safeguard the interest of Bank/ ensuring the perfection of security.	DECLARATION IS TO BE OBTAINED
46.	The specific persons who are required to create mortgage/to deposit documents creating mortgage.	M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM

ANNEXURE – I

TRACING OF TITLES

I have taken search in the office of sub-registrar Surat for the last **30 YEARS** in respect of above-mentioned property. My report for the title of the said property is as under :

It is found from that available record with me that the land bearing Old Revenue Survey No : 393/1 of Village : Vesu was originally owned by Mr. Haribhai Jelabhai since 1977.

It is further found that special Land Acquisition office of Surat and superintendent land record office, Ahmedabad Department Ahmedabad passed order vide Order No : K.J.P./ S.R.38 Dated:- 07.03.1978. As per the said order, the said land was "Durashti" and Correction was made in the area in the said land. The same effect was mutated on revenue record of rights vide Entry No : 1048 Dated:- 13.09.1978. The said entry was certified later on.

It is further found that the land bearing Old Revenue Survey No : 393/1 is given New Revision Survey No : 402 of Village: Vesu.

It is further found that Mr. Haribhai Jelabhai expired on or about 17.04.1993. Upon his death, his legal heirs namely i.e. (1) Somiben, widow of Haribhai Jelabhai, (2) Balvantbhai Haribhai (3) Mr. Bipinbhai Haribhai, (4) Mrs. Laxmiben Haribhai, (5) Mrs. Manekben Haribhai and (6) Mrs. Jamnaben Haribhai became absolute owners of the said land. The same effect was mutated on revenue record of rights vide Entry No : 2019 Dated:- 02.01.1995. The said entry was certified on 21.04.1995.

It is further found that the owners of the said land paiki Mr. Bipinbhai Haribhai expired on or about 05.02.1995. He was unmarried and he had no son or daughter. Therefore, his name was deleted on revenue record. The same effect was mutated on revenue record of rights vide Entry No : 2063 Dated:- 19.09.1995. The said entry was certified on 19.10.1995.

It is further found that the owners of the said land i.e. (1) Somiben, widow of Haribhai Jelabhai, (2) Laxmiben, daughter of Haribhai Jelabhai, (3) Manekben, daughter of Haribhai Jelabhai, (4) Jamnaben, daughter of Haribhai Jelabhai and (5) Mr. Balvantbhai Haribhai himself and power of attorney holder of Sr. No. 1 to 4, sold the said land bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402, admeasuring about 18700.00 Square Meters paiki 9751.00 Square Meters of Village : Vesu to Mrs. Champaben Jamnadas Pavthawala by registered sale deed Dated:- 02.06.2001. The said sale deed is registered in the book No : 1 in the office of the sub-registrar of Surat-1 (Athwa) vide Registration No : 3730 Dated:- 02.06.2001. Subsequently, the said sale deed is given New Registration No : 1620 Dated:- 06.03.2003. Thus Mrs. Champaben Jamnadas Pavthawala became absolute owner of the said land. The same effect was mutated on revenue record of rights vide Entry No : 3049 Dated:- 21.05.2003. The said entry was certified later on.

It is further found that Mrs. Champaben Jamnadas Pavthawala sold the said land bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402 paiki, admeasuring about 9751.00 Square Meters of Village : Vesu to (1) Mr. Bharatbhai Rajabhai Sorathiya and (2) Mr. Mahendrabhai Varjangbhai Jaleriya by registered sale deed Dated:- 11.04.2005. The said sale deed is registered in the book No : 1 in the office of the sub-registrar of Surat-1 (Athwa) vide Registration No : 4774 Dated:- 11.04.2005. Thus (1) Mr. Bharatbhai Rajabhai Sorathiya and (2) Mr. Mahendrabhai Varjangbhai Jaleriya became absolute owners of the said land. The same effect was mutated on revenue record of rights vide Entry No : 4428 Dated:- 13.10.2006. The said entry was certified on 22.02.2007.

It is further found that the promulgation of new city of Surat city, whole area of Village : Vesu was included in Surat city of Taluka Surat city of District : Surat and Collector of Surat issued his letter vide No : (J) BAKHA/ TAPASA/ Vashi-4897/ 2006 and City Development officer issued his letter vide No : KV/26/06SMN/ 902006/ 410/P Dated:- 14.02.2006 and No : KV/ 212/ 06/SMN/ 902006/410/P Dated:- 20.07.2006. The same effects were mutated on revenue record of rights vide Entries No : 4487 Dated:- 26.12.2006 and 4488 Dated:- 22.12.2006. The said entries were certified on 26.12.2006.

It is further found that the owners of the said land applied for the block division before the Deputy Collector Choryasi Prant. The order passed by the Competent Authority vide order No : EST/ BVJ/ Vesu/ Vashi/ 4128/ 09/ Reg. No. 37/09 Dated:- 25.11.2009. As per the said order Somiben, widow of Haribhai Jelabhai and others became owner of the Southern side of the said land total admeasuring 6849.00 Square Meters land and (1) Mr. Bharatbhai Rajabhai Sorathiya and (2) Mr. Mahendrabhai Varjangbhai Jaleriya became owner of the Northern side of the said land total admeasuring about 9751.00 Square Meters of Village : Vesu. The same effect was mutated on revenue record of rights vide Entry No : 5730 Dated:- 07.12.2009. The said entry was certified on 15.02.2010.

It is further found that pursuant to the block division permission, the record of the said land was amended by the District Inspector, Land Record, Surat vide his Order No : KJP/ SR./ 29/ 2009-10 Dated:- 03.01.2010 and according to the said order, New Revision Survey No : 402/1 allotted to the land admeasuring about 9751.00 Square Meters towards Northern side of the ownership of (1) Mr. Bharatbhai Rajabhai Sorathiya and (2) Mr. Mahendrabhai Varjangbhai Jaleriya and New Revision Survey No : 402/2 allotted to the land admeasuring about 6849.00 Square Meters towards Southern side of the ownership of Somiben, widow of Haribhai Jelabhai and others.

The same effect was mutated on revenue record of rights vide Entry No : 5814 Dated:- 06.02.2010. The said entry was certified on 26.04.2010.

It is further found that Mr. Bharatbhai Rajabhai Sorathiya release his ½ undivided share in favour of Mr. Mahendrabhai Varjangbhai Jaleriya for the Old Revenue Survey No : 393/1, New Revision Survey No : 402/1 of Village : Vesu. The said release deed is registered in the book No : 1 in the office of the sub-registrar of Surat-1 (Athwa) vide Registration No : 4265 Dated:- 27.03.2008. Thus Mr. Mahendrabhai Varjangbhai Jaleriya became absolute owner of the said land bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402/1 of Village : Vesu. The same effect was mutated on revenue record of rights vide Entry No : 6005 Dated:- 07.07.2010. The said entry was certified on 26.10.2010.

It is further found that the provisions of the Gujarat Town Planning Scheme & Urban Development Act were applied to the said land and the said land bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402/1 paiki was allotted T. P. Scheme No : 29(Rundh-Vesu-Magdalla), Original Plot No : 51/3/1, Final Plot No : 51/3/1, admeasuring about 5785.00 Square Meters of Village : Vesu.

It is further found that the owner of the said land got Non-Agricultural permission for commercial propose from Collector of Surat under the provisions of the Bombay Land Revenue Code vide his Order No : A/ BAKHAPA/ Re. S.R. No. 49/ 14/ ID. No. 6040/ Vashi-1426/ 14 Dated:- 16.04.2014. The same effect was mutated on revenue record of rights vide Entry No : 7451 Dated:- 05.05.2014. The said entry was certified on 11.07.2014.

It is further found that the owner of the said land got development permission from Surat Municipal Corporation vide Rajachitthi No : T.D.O./ D.P.A./ No. 638 Dated:- 13.02.2015, T.D.O./ D.P./ No. 07 Dated:- 09.04.2015.

It is further found that the owner of the said land got revised development permission from Surat Municipal Corporation vide Rajachitthi No : T.D.O./ D.P.A./ No. 692 Dated:- 04.02.2016, T.D.O./ D.P./ No. 24 Dated:- 13.04.2016.

It is further found that Mr. Mahendrabhai Varjangbhai Jaleriya sold the said land bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402/1 paiki, T. P. Scheme No : 29(Rundh-Vesu-Magdalla), Original Plot No : 51/3/1, Final Plot No : 51/3/1, admeasuring about **5785.00 SQUARE METERS** of Village : Vesu to **M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM** by registered sale deed Dated:- 03.12.2016. The said sale deed is registered in the book No : 1 in the office of the sub-registrar of Surat-1 (Athwa) vide Registration No : 17297 Dated:- 15.12.2016. Thus **M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM** became absolute owner of the said land. The same effect was mutated on revenue record of rights vide Entry No : 8328 Dated:- 30.12.2016. The said entry was certified on 17.02.2017.

It is further found that as per the said development permission, **M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM** constructed commercial building known as "**EXULT SHOPPERS**" over the said land bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402/1 paiki, T. P. Scheme No : 29(Rundh-Vesu-Magdalla), Original Plot No : 51/3/1, Final Plot No : 51/3/1, admeasuring about **5785.00 SQUARE METERS** of Village : Vesu.

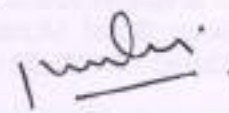


The titles of **M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM** are clear marketable and without any encumbrance and charges.

TO CREATE VALID AND ENFORCEABLE EQUITABLE MORTGAGE THE FOLLOWING DOCUMENTS ARE TO BE DEPOSITED WITH THE BANK.

1. Original of registered sale deed vide Registration No : 17297 Dated:- 15.12.2016 along with original of registration fee receipt Dated:- 03.12.2016.
2. Certified copy of registered sale deed vide Registration No : 17297 Dated:- 15.12.2016 (Dated:- 03.12.2016).
3. Original of registered release deed vide Registration No : 4365 Dated:- 24.03.2008 along with original of registration fee receipt.
4. Certified copy of registered release deed vide Registration No : 4365 Dated:- 24.03.2008.
5. Original of registered sale deed vide Registration No : 4774 Dated:- 11.04.2005 along with original of registration fee receipt.
6. Certified copy of registered sale deed vide Registration No : 4774 Dated:- 11.04.2005.
7. Certified copy of registered sale deed vide Registration No : 1620 Dated:- 06.03.2003.
8. True copy of revised development permission vide Rajachitthi No : T.D.O./ D.P.A./ No. 692 Dated:- 04.02.2016, T.D.O./ DP/ No. 24 Dated:- 13.04.2016 passed by Surat Municipal Corporation.
9. True copy of Non-Agriculture permission vide Order No : A/ BAKHAPA/ Re. S.R. No. 49/ 14/ ID. No. 6040/ Vashi-1426/ 14 Dated:- 16.04.2014 passed by Collector of Surat.
10. True copy of latest village from No: 7 + 12 for the said property.
11. Nolarized Declaration regarding clear title of said property.

DATE:- 04.09.2017
PLACE: SURAT


BHADRA DHIMANT JOSHI
ADVOCATE



ANNEXURE – C:
CERTIFICATE OF TITLE

1. I have examined the Original/ Copies Title Deeds intended to be deposited relating to the schedule property/(ies) 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 Registered/ Equitable Mortgage is created, it will satisfy the requirements of creation of Registered/ Equitable Mortgage and I further certify that:

2. 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.
3. 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 adverse 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.
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 beyond the reasonable doubt, if any, has been clarified by making necessary enquiries.
5. There are no prior Mortgage/ Charges/ encumbrances whatsoever, as could be seen from the Encumbrance Certificate for the period from **2005 TO 2017** pertaining to the Immovable Property/ (ies) 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 as per annexure in the Loan documents and agreed to by the Mortgagor and the Bank (Delete, whichever is inapplicable).
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).~~
8. The Mortgage if created, will be available to the Bank for the Liability of the Intending Borrower, **M/S. EXULT DEVELOPERS, A PARTNERSHIP FIRM.**
9. I am of the opinion that **M/S. EXULT DEVELOPERS, A PARTNERSHIP FIRM** 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.
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 **AS PER ANNEXURE : I**

11. There are no legal impediments for creation of the Mortgage under any applicable Law/ Rules in force.

-:: SCHEDULE OF PROPERTY ::-

All that piece and parcel of project known as "EXULT SHOPPERS" situated at Near Happy Home Excellencia, Vesu Road bearing Old Revenue Survey No : 393/1, New Revision Survey No : 402, T. P. Scheme No : 29(Rundh-Vesu-Magdalla), Original Plot No : 51/3/1, Final Plot No : 51/3/1 of Village : Vesu, Taluka : Majura, District : Surat total admeasuring about **5785.00 SQUARE METERS**, owned by **M/s. EXULT DEVELOPERS, A PARTNERSHIP FIRM.**

DATE:- 04.09.2017
PLACE: SURAT


BHADRA DHIMANT JOSHI
ADVOCATE



ENCL.:-

- SEARCH RECEIPT
- NON ENCUMBRANCE CERTIFICATES

અરજી પાલેય

મેસેજનું વર્ણન 393/1

Search in: વેસુ/VESU

પ્રાપ્તિ નંબર ૨૦૧૭૦૧૮૦૧૫૩૪૦

અરજી નંબર ૩૬૦૫૮

અરજી વર્ષ ૨૦૧૭

તા. ૨૭

માર્ગ ઓફિસ

સને ૨૦૧૭

જે સરનામું નામ બી ડી જોષી

નીચે પુછાશે કે પાલેયી

૧. વિશ્વ

સ્થાપના કે

નક્કા કરવા ની કે સાર્વજિક / કોમીયો

રોડની નક્કા કરવા માટે કે

રજાવ ખર્ચ

નક્કા અથવા પાટીઓ (સમ ૧૪ થી ૬૭)

Year: ૧૯૮૩ ૧૦૧૭

કોમ અનર તપાસણી

૨.૭૦

દર ૧૫મ-૨૫

૬૭મ-૭૪ (૧૫મ-૫૭)

નક્કા કે કોમીયો

ઈન્ડેક્સ-૨ કે

અ સિવાયની બાબતોની કે

પૂર્ણ એક્ટર ૩

૨.૭૦

અંકે રૂપીયાઓ સીતેર પુર

દસ્તાવેજ

ના દિવસે તેજર થયે ખર્ચ

નક્કા

તે રજીસ્ટર દાખલથી મોકલવામાં

કમીયોમાં આપવામાં

આમથી

દસ્તાવેજ રજીસ્ટર દાખલથી નીચેના ચરનામે મોકલશે

G S METALIYA)

સમ રજીસ્ટર

SRT/1/ATV

IGR-NIC

-5919983036840201915

સાંકળીયા

સર્વિસ પ્રો

સુપરિટેન્ડેન્ટ ઓફ સ્ટેમ્પસ અને ઇસપોઝર જનરલ ઓફ રજીસ્ટ્રેશન (મહેસુલ વિભાગ - ગુજરાત સરકાર)

2005

2017

મિલકત પરના બીજા અંગેનું પત્રક

Search in બી.ડી.ઓ.થી

ગ્રામ નું નામ : VESU

મિલકતનું શીટ નં. 393/1

અરજી નંબર : 35042

દસ્તાવેજની આ શોધ એસ.આર.ઓ. - SURAT CITY મા -12 વર્ગના પ્લોટ નં. 2 ની ઉપલબ્ધ માહિતી અને રેકૉર્ડ ઉપર થી તેવાર કરવામાં આવી છે. આ શોધનો ઉપયોગ મિલકત પરના બીજા અંગેનું પત્રક પુરતો જ પુરતો જ મહાદેવ રહેશે આ શોધમાં તમા સુધીના નોંધણી થયેલ દસ્તાવેજોનો સમાવેશ થયેલ છે નોંધ - સરકાર અથવા આ પ્રમાણપત્ર આપનાર સબરજીસ્ટ્રાર કચેરી આ પ્રમાણપત્રની વિગતોની સીકસાઇ અથવા ખસપાસ વિશે બાંધકર્તા આપતા નથી અને એમાંથી કોઈપણ માહિતી સંબંધમાં જુસ્સાની માટેના કોઈપણ કસ્ટોમર માટે તે જવાબદાર રહેશે નહીં

દસ્તાવેજની પૃષ્ઠ અને અલેજ (ભાડા પડાના ડિસ્ક્રીપ્શન આકાર નંબર અને ઘર નંબર બંને કંઈ પણ હોય તો) રાખનાર આપે છે તે જણાવવું	સર્વે નંબર પેટા વિભાગ ક્ષેત્રફળ આકાર અથવા જુડી આપવામાં આવે ત્યારે તે	દસ્તાવેજ કરી આપનાર પક્ષકારનું નામ અથવા દિવાની કોર્ટના ફુકમનામાં અથવા આદેશના સંબંધમાં પ્રતિવાદીનું નામ	દસ્તાવેજ કરી લેનાર પક્ષકારનું નામ અથવા દિવાની કોર્ટના ફુકમનામાં અથવા આદેશના સંબંધમાં વાદીનું નામ	સહીની તારીખ નોંધણીની તારીખ	દસ્તાવેજ નંબર	શેરો
માલિકી ફેરખત/વેચાણ શ્રી. 191020000	સર્વે નંબર 393/1 રીવીઝન સર્વે નંબર 402/1 પૈકી મુકાદ્દા ક્ષેત્રફળ 9751.00 ચો.મી. ટી.પી. નં. 29 (ફેક્ટ-વેસુ-મગદલ્લા) અને ટી.પી. નં. 7 (વેસુ-મગદલ્લા) પૈકી ટી.પી. નં. 29 (ફેક્ટ-વેસુ-મગદલ્લા) ના ક પ્લોટ નંબર. 51/3/1 થી 57/85 ચો.મી. ક્ષેત્રફળ વાલી જમીન 71/2 મુજબ ક્ષેત્રફળ 8900.00 ચો.મી.	મહેન્દ્રભાઈ વરજાંતભાઈ જીલ્લેરીયા	મે. એક્સલ ડેવલપર બાગીદારી પેકી તરફે તેના બાગીદારો (Ms Exult Developer a Partnership Firm) 1. રજનીશાઈ જયંતભાઈ વોકેરા 2. નીરવભાઈ સુરેશચંદ શાહ 3. અશ્વિનભાઈ મહાનુભાઈ શાહ	03/11/2015 11/11/2015	95268	



તારીખ : 30/06/2019

સહ-રજીસ્ટ્રાર

એસ.આર.ઓ. - SURAT CITY