

SHARAD P. RANA

Advocate

OFFICE :
102, Kaveri Complex, First Floor,
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Date: 08/01/2018

To,
The Manager,
Dena Bank,
Takhteshwar Branch,
Bhavnagar.

Dear Sir,

1. Full Description of the property to be mortgaged:

Immovable property consists of land bearing Plot no.2 to 5 & 11 to 15 adm. 1640.00 sq. mt. with proposed construction thereon bearing revenue survey no.6/1-p & 6/2-p situated in Bhagatsinh Co. Op. Housing Society at Bhavnagar-Sidsar Road, Bhagatsinh Co. Op. Housing Society, Bhavnagar and bounded as under:

North: Plot no.1 & 16,
South: Plot no.6 & 10,
East: 30.00 meter wide Road,
West: 6.00 meter wide Road.

Name of the Owner/Seller (s) Kuber Developers a partnership firm.

Name of Borrower: Kuber Developers a partnership firm.

Address of property investigated:-

Bhagatsinh Co. Op. Housing Society at Bhavnagar- Sidsar Road, Bhagatsinh Co. Op. Housing Society, Bhavnagar

Area (in sq. mt./ft.) – Plot no.2 to 5 & 11 to 15 adm. 1640.00 sq. mt. with proposed construction thereon bearing revenue survey no.6/1-p & 6/2-p situated in Bhagatsinh Co. Op. Housing Society at Bhavnagar- Sidsar Road, Bhagatsinh Co. Op. Housing Society, Bhavnagar.

Any Land Mark: -----

2. Name of the person in whose name municipal taxes / electricity bill, society charges and other statutory charges are raised upto date.

In the name of previous owner.

3. Date of visit to Registrar of Assurances office and Name of offices/authorities in whose office search taken (In places where ES is in Residence : Plot No. 3/B, Bhagyoday Society, Near Talaja Jakatnaka, BHAVNAGAR.



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vogue, the Advocate should visit and search records to ensure that EC is in conformity with the records maintained by the Sub Registrar's Office):

Dated 04/01/2018 & 05/01/2018.

Sr.No. Date of visit Name of offices/authorities in whose office search taken

4. Receipt Number and amount (Original receipt to be enclosed)

Detail of search total 27 receipts are as under:

No.2018013000092	No.2018329000120	No.2018011000206
No.2018013000093	No.2018329000121	No.2018011000208
No.2018013000094	No.2018329000122	No.2018011000209
No.2018013000095	No.2018329000123	No.2018011000210
No.2018013000096	No.2018329000124	No.2018011000211
No.2018013000097	No.2018329000125	No.2018011000212,
No.2018013000098	No.2018329000126	No.2018011000213
No.2018013000099	No.2018329000127	No.2018011000214
No.2018013000100	No.2018329000128	No.2018011000215

5. Period for which record searched (search should cover past 30 years)

We have carried out search with the office of Sub-Registrar Bhavnagar-1 from the available records for the period from 1987 to 2005 and thereafter we have obtained computerized search from 2005 to 2018 (original nine receipt and search result consisting page no. 1 to 64 are enclosed) and has not found any subsisting charge registered over the same.

6. **List of the title deeds to be obtained from the owner for creation of deposit of title deeds.**

- 1) **Original** affidavit of the owner regarding its ownership, title and possession etc.
- 2) **Original** registered sale deed no. 122 dated 17/01/2017 executed in favour of Shree Kuber Developers.
- 3) **Original** registered sale deed no.5074 dated 07/12/2010 executed in favour of Savita Ramkrushna Jain.
- 4) **Original** registered sale deed no.376 dated 29/01/2010 executed in favour of Nalini Vasantraai Shah.
- 5) **Original** power of attorney dated 6/4/2009 executed by Agarsinh Vajesinh Ravalji.
- 6) **Original** registered agreement for sale no. 590 dated 06/04/2009 executed in favour of Madhavjibhai Manjibhai Bhugalia.

Residence : Plot No. 3/B, Bhagyoday Society, Near Talaja Jakatnaka, BHAVNAGAR.

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- 7) Original allotment letter dated 20/02/21004 in the name of Agarsinh Vajesinh Ravalji.
- 8) Original share certificate no.210 dated 15/1/1990 in the name of Agarsinh Vajesinh Ravalji
- 9) Copy of the order dated 15/5/1998 of District Panchayat.
- 10) Copy of the order dated 2/8/96 of district Panchayat.
- 11) Copy of the NA order dated 10/2/1994.
- 12) Copy of the approved lay-out plan.
- 13) Copy of the development permission dated 4/11/1993.
- 14) Copy of the village form no.7/12 & 8-A in the name of Bhagatsinh Co. Op. Housing Society.
- 15) Copy of the village form no.6 entry no. 2135, 2034, 2033, 992, 1658, 1061, 1312, 657.
- 16) Copy of the public notice dated 28/08/2016 published in Saurashtra Samachar Daily news paper issued by Advocate A. A. Akhiyani.
- 17) Original certificate dated 18/12/2017 issued by Advocate A. A. Akhiyani in respect of not receiving any objection against the public notice dated 28/8/2016.
- 18) Copy of the permission no. BADA/TEK/275/SR/6/Vashi/3831 dated 7/1/2017 along with approved building plan.
- 19) Original registered sale deed no. 123 dated 17/1/2017 executed in favour of Kuber Developers.
- 20) Original registered sale deed no. 5085 dated 8/12/2010 executed in favour of Ramkrushna Hansraj Jain.
- 21) Original registered sale deed no. 353 dated 28/1/2010 executed in favour of Nehaben Bhavinbhai Shah.
- 22) Original power of attorney dated 13/4/2009 executed by Jentibhai Khodabhai Italia.
- 23) Original registered agreement for sale no.613 dated 13/4/2009 executed in favour of Vijaybhai Rajabhai Jethwa.
- 24) Original allotment letter dated 20/2/1994 in the name of Jentibhai Khodabhai Italia.
- 25) Original share certificate dated 1/10/1991 in the name of Jentibhai Khodabhai Italia.
- 26) Original registered sale deed no. 515 dated 2/3/2017 executed in favour of Kuber Developers.
- 27) Original registered sale deed no. 5076 dated 7/12/2010 executed in favour of Saurabh Vipinkumar Jain.
- 28) Original registered sale deed no. 355 dated 28/1/2010 executed in favour of Monish Kishorbhai Shah
- 29) Original power of attorney dated 17/6/2009 executed by Lallubhai Nathubhai Patel.
- 30) Original registered agreement for sale no.1285 dated 17/6/2009 executed in favour of Sureshbhai Popatbhai Savani.
- 31) Original allotment letter dated 20/2/1994 in the name of Lallubhai Nathubhai Patel.

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- 32) Original share certificate dated 15/05/1990 in the name of Lallubhai Nathubhai Patel.
- 33) Original registered sale deed no. 540 dated 4/3/2017 executed in favour of Kuber Developers.
- 34) Original registered sale deed no. 5078 dated 7/12/2010 executed in favour of Saurabh Vipinkumar Jain.
- 35) Original registered sale deed no. 355 dated 28/1/2010 executed in favour of Rabia Vishalbhai Jain
- 36) Original registered sale deed no.378 dated 29/1/2010 executed in favour of Mansi Kishorbhai Shah.
- 37) Original power of attorney dated 10/7/2009 executed by Ketankumar Rameshchandra Dave.
- 38) Original registered agreement for sale no.1469 dated 10/7/2009 executed in favour of Narayanbhai Nanjibhai Italia.
- 39) Original allotment letter dated 20/2/1994 in the name of Ketankumar Rameshchandra Dave.
- 40) Original share certificate dated 01/10/1991 in the name of Ketankumar Rameshchandra Dave .
- 41) Original registered sale deed no. 539 dated 4/3/2017 executed in favour of Kuber Developers.
- 42) Original registered sale deed no. 5086 dated 8/12/2010 executed in favour of Vishal Ramkrushna Jain.
- 43) Original registered sale deed no. 356 dated 28/1/2010 executed in favour of Kishorbhai Kantilal Shah.
- 44) Original power of attorney dated 20/4/2009 executed by Ambabhai Shamjibhai Dankhara.
- 45) Original registered agreement for sale no.687 dated 20/4/2009 executed in favour of Babubhai Ganeshbhai Dhapa.
- 46) Original allotment letter dated 20/2/1994 in the name of Ambabhai Shamjibhai Dankhara.
- 47) Original share certificate dated 01/10/1991 in the name of Ambabhai Shamjibhai Dankhara.
- 48) Original registered sale deed no. 514 dated 2/3/2017 executed in favour of Kuber Developers.
- 49) Original registered sale deed no. 5073 dated 8/12/2010 executed in favour of Vipinkumar Hansraj Jain.
- 50) Original registered sale deed no. 354 dated 28/1/2010 executed in favour of Bhavin Vasantraai Shah.
- 51) Original power of attorney dated 22/4/2009 executed by Khimjibhai Ramjibhai Patel.
- 52) Original registered agreement for sale no.722 dated 22/4/2009 executed in favour of Bharatbhai Himmatbhai Chudasama.
- 53) Original allotment letter dated 20/2/1994 in the name of Khimjibhai Ramjibhai Patel.
- 54) Original share certificate dated 15/05/1990 in the name of Khimjibhai Ramjibhai.

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- 55) Original registered sale deed no. 121 dated 17/1/2017 executed in favour of Kuber Developers.
- 56) Original registered sale deed no. 5075 dated 7/12/2010 executed in favour of Sakshi Saurabhbhai Jain.
- 57) Original registered sale deed no. 377 dated 29/1/2010 executed in favour of Astha Monishbhai Shah.
- 58) Original power of attorney dated 30/4/2009 executed by Mukeshbhai Talshibhai Patel.
- 59) Original agreement for sale dated 30/4/2009 executed in favour of Lavjibhai Manjibhai Bhungalia.
- 60) Original allotment letter dated 20/2/1994 in the name of Mukesh Talshibhai Patel.
- 61) Original share certificate dated 01/10/1991 in the name of Mukesh Talshibhai Patel.
- 62) Original registered consent deed no. 5 dated 1/1/2018 executed in favour of Kuber Developers.
- 63) Original registered sale deed no. 526 dated 3/3/2017 executed in favour of Kuber Developers.
- 64) Original registered sale deed no. 5073 dated 8/12/2010 executed in favour of Jayantbhai Tulsibhai Dave.
- 65) Original registered sale deed no. 352 dated 28/1/2010 executed in favour of Chhayaben Kishorbhai Shah.
- 66) Original power of attorney dated 22/4/2009 executed by Pravinbhai Karshanbhai Viradia.
- 67) Original registered agreement for sale no.724 dated 22/4/2009 executed in favour of Vallabhbhai Rudabhai Solanki.
- 68) Original allotment letter dated 20/2/1994 in the name of Pravinbhai Karshanbhai Viradia.
- 69) Original share certificate dated 15/05/1990 in the name of Pravinbhai Karshanbhai.
- 70) Original registered sale deed no.516 dated 2/3/2017 executed in favour of Kuber Developers.
- 71) Original registered sale deed no.4914 dated 24/11/2010 executed in favour of Nilamben Vipinbhai Jain.
- 72) Original registered cancellation deed no.4913 dated 24/11/2010 executed in favour of Ashok Bhagvanbhai Patel.
- 73) Original registered sale deed no. 350 dated 28/1/2010 executed in favour of Kishorbhai Kantilal Shah.
- 74) Original agreement for sale dated 4/4/2009 executed in favour of Harshidaben Babubhai Patel.
- 75) Original allotment letter dated 20/2/1994 in the name of Ashokbhai Bhagvanbhai Patel.
- 76) Original share certificate dated 15/05/1990 in the name of Ashokbhai Bhagvanbhai Patel.
- 77) Original nine no-due certificate issued by Bhagatsinh Co. Op. Housing Society for nine individual plots dated 15/08/2017.

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7. Source and history of title.

It appears from the file produced before us that, the and of survey no. 6-p adm. 12141.00 sq. mt. was recorded in the name of Rudabhai Bhikhabhai as seen from the entry no. 992 dated 13/5/1982. While the land of survey no.6/1-p adm. 18764.00 was recorded in the name of Vallabhbbhai Bhikhabhai under order of ULC vide entry no. 17/06/1990. Shri Bhagatsinh Co. Op. Housing Society then purchased the land adm. 17600.00 sq. mt. from Vallabhbbhai Bhikhabhai through his power of attorney Ravjibhai Hirabhai under the registered sale deed no. 4227 dated 4/9/1993. The said society also purchased the land adm. 9800.00 sq. mt. from Rudabhai Bhikhabhai Patel under the registered sale deed no. 4228 dated 2/9/1993. The District Panchayat of Bhavnagar then converted the land adm. 27,400.00 sq. mt. in to NA for residential purpose vide its order dated 10/2/1994 in the name of Bhagatsinh Co. Op. Housing Society. Accordingly lay-out plan was approved.

1) One Agarsinh Vajesinh was one of the member of society and was having share certificate no. 210 dated 15/5/1990. The said society then allotted plot no. 11 adm.200.00 sq. mt. to its member Agarsinh Vajesinh vide allotment letter dated 20/02/1994. Thereafter Naliniben Vasantrai Shah then purchased the said plot no.11 from Agarsinh Vajesinh vide registered sale deed no.376 dated 29/01/2010 in which Madhavjibhai Manjibhai has also been joined as confirming party. The said Naliniben sold the said plot no.11 to Savita Ramkrushna Jain vide registered sale deed no.5074 dated 7/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.11 from Savita Ramkrushna Jain vide registered sale deed no. 122 dated 17/1/2017.

2) One Jentibhai Khodabhai Italia was one of the member of society and was having share certificate no. 55 dated 1/10/1991. The said society then allotted plot no. 12 adm.200.00 sq. mt. to its member Jentibhai Khodabhai Italia letter dated 20/02/1994. Thereafter Nehaben Bhavinbhai Shah then purchased the said plot no.12 from Jentibhai Khodabhai Italia vide registered sale deed no.353 dated 28/01/2010 in which Vijaybhai Rajabhai Jethva has also been joined as confirming party. The said Nehaben Bhavinbhai Shah sold the said plot no.12 to Ramkrushna Hansaraj Jain vide registered sale deed no.5085 dated 8/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.12 from Ramkrushna Hansaraj Jain vide registered sale deed no. 123 dated 17/1/2017.

3) One Lallubhai Nathubhai was one of the member of society and was having share certificate no. 163 dated 15/05/1990. The said society then allotted plot no.4 adm.200.00 sq. mt. to its member Lallubhai Nathubhai vide allotment letter dated 20/02/1994. Thereafter Monish Kishorbhai Shah then purchased the said plot no.4 from Lallubhai Nathubhai under the registered sale deed no. 355 dated 28/1/2010 in which Sureshbhai Popatbhai Savani has also been joined as confirming party. The said Monish Kishorbhai Shah sold the said plot no.4 to Saurabh Vipinkumar

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Jain vide registered sale deed no.5076 dated 7/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.4 from Saurabh Vipinkumar Jain vide registered sale deed no.515 dated 2/3/2017.

4) One Ketankumar Rameshchanra Dave was one of the member of society and was having share certificate no.61 dated 01/10/1991. The said society then allotted plot no.15 adm.120.00 sq. mt. to its member Ketankumar Rameshchanra Dave vide allotment letter dated 20/02/1994. Thereafter Mansi Kishorbhai Shah then purchased the said plot no.15 from Ketan Rameshchandra Dave under the registered sale deed no. 378 dated 29/1/2010 in which Narayanbhai Nanjibhai Italia has also been joined as confirming party. The said Mansi Kishorbhai Shah sold the said plot no.15 to Rabia Vishal Jain vide registered sale deed no.5078 dated 7/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.15 from Mansi Kishorbhai Shah vide registered sale deed no.540 dated 4/3/2017.

5) One Ambabhai Shamjibhai Dankhara was one of the member of society and was having share certificate no.56 dated 01/10/1991. The said society then allotted plot no.13 adm.200.00 sq. mt. to its member Ketankumar Rameshchanra Dave vide allotment letter dated 20/02/1994. Thereafter Kishor Kantilal Shah then purchased the said plot no.13 from Ambabhai Shamjibhai Dankhara under the registered sale deed no. 356 dated 28/1/2010 in which Babubhai Ganeshbhai Dhapa has also been joined as confirming party. The said Kishor Kantilal Shah sold the said plot no.13 to Vishal Ramkrushna Jain vide registered sale deed no.5086 dated 8/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.13 from Vishal Ramkrushna Jain vide registered sale deed no.539 dated 4/3/2017.

6) One Khimjibhai Ramjibhai was one of the member of society and was having share certificate no.189 dated 15/05/1990. The said society then allotted plot no.5 adm.200.00 sq. mt. to its member Khimjibhai Ramjibhai Patel vide allotment letter dated 20/02/1994. Thereafter Bhavin Jasvantrai Shah then purchased the said plot no.5 from Khimjibhai Ramjibhai under the registered sale deed no. 354 dated 28/1/2010 in which Bharatbhai Himmatbhai Chudasama has also been joined as confirming party. The said Bhavin Jasvantrai Shah sold the said plot no.5 to Vipin Hansraj Jain vide registered sale deed no.5073 dated 7/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.5 from Vipin Hansraj Jain vide registered sale deed no.514 dated 2/3/2017.

7) One Mukesh Talshibhai Patel was one of the member of society and was having share certificate no.59 dated 01/10/1995. The said society then allotted plot no.14 adm.120.00 sq. mt. to its member Mukesh Talshibhai Patel vide allotment letter dated 20/02/1994. Thereafter Astha Monishbhai Shah then purchased the said plot no.14 from Mukesh Talshibhai Patel under the registered sale deed no. 377 dated 29/1/2010 in which Lavjibhai Manjibhai Bhungalia has also been joined as confirming party. The said Astha Monishbhai Shah sold the said plot no.14 to Residence : Plot No. 3/B, Bhagyoday Society, Near Talaja Jakatnaka, BHAVNAGAR.

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Sakshi Saurabhbhai Jain vide registered sale deed no.5075 dated 7/12/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.14 from Sakshi Saurabhbhai Jain vide registered sale deed no.121 dated 17/1/2017.

8) One Pravinbhai Karshanbhai was one of the member of society and was having share certificate no.154 dated 15/05/1990. The said society then allotted plot no.2 adm.200.00 sq. mt. to its member Pravinbhai Karshanbhai Viradia vide allotment letter dated 20/02/1994. Thereafter Chhayaben Kishorkumar Shah then purchased the said plot no.2 from Pravinbhai Karshanbhai under the registered sale deed no.352 dated 28/1/2010 in which Vallabhbhai Rudabhai Solanki has also been joined as confirming party. The said Chhayaben Kishorkumar Shah sold the said plot no.2 to Jayantbhai Tulsibhai Dave vide registered sale deed no.5077 dated 7/12/2010. On demise of the said Jayantbhai Tulsibhai Dave on 7/8/2014 the society has mutated the said property in name of his wife Anuradhaben Jayantbhai Dave and she sold the said plot no. 2 to Kuber Developers a partnership firm vide registered sale deed no.526 dated 3/2/2017. On our instance the remaining heirs of deceased Jayantbhai Dave has also executed a consent deed in favour of Kuber Developers vide registered consent deed no. 5 dated 1/1/2018.

9) One Ashokbhai Bhagvanbhai Patel was one of the member of society and was having share certificate no.158 dated 15/05/1990. The said society then allotted plot no.3 adm.200.00 sq. mt. to its member Ashokbhai Bhagvanbhai Patel vide allotment letter dated 20/02/1994. Thereafter Kishor Kantilal Shah HUF then purchased the said plot no.3 from Ashokbhai Bhagvanbhai Patel under the registered sale deed no.350 dated 28/1/2010 in which Harshidaben Babubhai Patel has also been joined as confirming party, the above sale deed no.350 was cancelled vide registered cancel deed no. 4913 dated 24/11/2010. The said Ashokbhai Bhagvanbhai Patel sold the said plot no.3 to Nilamben Bipinbhai Jain vide registered sale deed no.4914 dated 24/11/2010. The captioned party Kuber Developers a partnership firm then purchased the plot no.3 from Nilamben Vipinkumar Jain vide registered sale deed no.516 dated 02/03/2017.

The captioned party, Kuber Developers a partnership firm then obtained permission amalgamated the above land of nine plots and got approved building plan for construction of flats and shops vide permission no. BADA/TEK/275/SR/6/Vashi/3831 dated 7/1/2017. The said society has also signed the above plan.

As the initially the NA was approved by District Panchayat for residential and now the plan has been approved for commercial cum residential therefore the party has applied for permission for change in use vide application dated 5/7/2017.

The society has signed the approved building plan and the party has stated before us that the said society at the time of its meeting transfer the said plots in the name of present owner.

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We have insisted that whatever facts declare before the bank by the borrower regarding his ownership and title is also required to be declared before us on oath by way of affidavit, the above affidavit would be a part of this opinion and branch is advised to keep that affidavit in bank's record. Accordingly we have attached draft of affidavit in which it has been declared that there is no charge over the above property and no litigation/suits/appeal etc. are pending in respect of the captioned property and the title deeds mentioned in this reports are genuine and true etc.

We may add that we have issued the above report on the basic of the papers produced before us, therefore you may please psychically verify the property before disbursement of loan amount.

8. Whether any permission of any Authority or person is required to be obtained before creation of mortgage if so give complete details if any.

No

9. Whether construction (if any) is in accordance with the approved plan? If not, mention the details of deviation and its effect?

Yes

10. Whether original prior title deed/original previous title deed has been perused and is being made available to the Bank. If not, justification for non-submission of original prior title deed/original previous titled deed be given.

N.A.

11. Comments: Whether Equitable Mortgage can be created?

Yes

12. Any, safeguard to be observed by Bank.

- 1) Registered mortgaged deed must be executed by the party in favour of Dena Bank.
- 2) All the title deeds mentioned above in Para 6 must be obtained from the party.
- 3) The borrower should produce Registration detail of RERA [Real Estate regulatory Authority]

13. Based on the search of public records of property in question made by me, I hereby certify that title of the seller/borrower is clear, marketable and free from all encumbrances and is valid & enforceable in the Court of Law.

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Note:- The above opinion has been issued for the Dena Bank only.

Please revert in case of any further clarification.

Place : Bhavnagar.
Date. 08/01/2018.

