



**Dated: 00/00/2000**

**Ref: -----**

To,

The Manager,  
M/s XXX Finance Company Ltd.,  
Branch Name Bhopal

Dear Sir/Madam,

As desired by you, I hereby submit our legal scrutiny report in respect of the scheduled property

**I. Name of the Applicant: Shri Anand S/o Shri Ghanshyam**

**II. Co- Applicant : Shri Ram ji S/o Shri Dasrath Ji**

**Title Holder : Shiv Developer's**

**APPL No. – APPL000xxxx**

**III. DESCRIPTION OF THE PROPERTY:**

One Plot No. 40, Part of Khasra No.155/1, 155/2, 155/3, 144/2, 966/199,  
910/169, Yyyy Colony (Dwarika Dham Colony), Situated at Rampur, Tehsil –  
Rampur, Distt- Raisen (M.P).

***SCHEDULE OF PROPERTY to be mentioned in detail***

East by : Colony Road ,

West by : Plot No. 57,

North by : Plot No. 41,

South by : Plot No. 39,

**Measuring with and extent 990 sq.ft.**

Situated within the Sub-Registration District of (Bhopal) and in the Registration District of (*Bhopal*)



**LIST OF PHOTOCOPY OF THE DOCUMENT EXAMINED:**

Sl.No	Date	Documents	Survey No & Extent
1.		Draft Sale Agreement executed by Shiv Developer's in favour of <b>Shri Ram ji S/o Shri Dasrath Ji</b>	<b>990 sq.ft.</b>
2.	01/09/2020	Registered Power of Attorney Deed Dated 01/09/2020 executed by Smt Rekha W/o Late Shri Mansaram in favour of Shri Devendra S/o Late Shri Mansaram, vide E-Registration no. MP059692020AXXXXXXX, which duly registered in sub registrar office Bhopal.	



IV. **FLOW OF TITLE TO THE SAID PROPERTY:-**

*In depth Flow of Title of the property to be mentioned herein. The same should be covering a minimum period of 13 Years.*

1. **That** the caption Property, as One Plot No. 40, Part of Khasra No.155/1, 155/2, 155/3, 144/2, 966/199, 910/169, Yyyy Colony (Dwarika Dham Colony), Situated at Rampur, Tehsil – Rampur, Distt- Raisen (M.P)..having area is 990sq,ft is under search, being delineated hereto in detail in the foregoing pares/clauses.
2. **That** the aforesaid land Developed by **Shiv Developer's** they have Colonizer License Case no. 129/B-121 Dated 09/05/2014.
3. **That** the **Shiv Developer's** purchased above land Khasra No.155/1, 155/2, 155/3, 144/2, 966/199, 900/199 through two sale deed.
4. **That** the khasra no. 155/3 purchase through Registered Sale Deed Dated 31/03/2012 executed by POA Holder Shri Mustafa S/o Shri Hussin for Smt. Nazma S/o shri Insaf in favour of in favour of **Mustafa Hasanji S/o Shri Mohd. Bhai Hasanji** ,Vide Book No. A-1, Vol No. 1111, Doc No. 4444 which duly registered sub registrar office Raisen.
5. **That** the after that khasra no. 155/3 admeasuring area 1.00 acre purchase through Registered Sale Deed Dated 13/07/2013 executed by Mustafa Hasanji S/o Shri Mohd. Bhai Hasanji in favour of **Shiv Developer's** ,Vide Book No. A-1, Vol No. 555, Doc No. 222 which duly registered sub registrar office Raisen.
6. **That** the Registered Sale Deed Dated 12/06/2007 executed by Smt. Maankuwer Bai W/o Shri Jaganath in favour of **Smt. Nazma Insaf S/o shri Mohd. Insaf** ,Vide Book No. A-1, Vol No. 2222, Doc No. 666 which duly registered sub registrar office Raisen
7. **That** the Khasra no. 155/1 rakba 0.725 hectare, Khasra no. 155/2 rakba 0.720 hectare total land 3.57 hectare purchase through Registered Sale Deed Dated 31/03/2012 executed by Smt. Nazma Insaf S/o shri Mohd. Insaf in favour of **1. Shabba Hussian S/o Shri Ali Hussian 2. Tahir S/o Shri Nooruddin 3. Murtja Ali S/o Shri Tayab Ali**,Vide Book No. A-1, Vol No. 3333, Doc No. 4444 which duly registered sub registrar office Raisen.



8. **That** the after that Khasra no. 155/1 rakba 0.320 hectare, Khasra no. 155/2 rakba 0.720 hectare total land 2.57 hectare purchase through Registered Sale Deed Dated 11/02/2013 executed by Shabba Hussian S/o Shri Ali Hussian 2. Tahir S/o Shri Nooruddin 3. Murtja Ali S/o Shri Tayab Ali in favour of **Shiv Developer's** ,Vide Book No. A-1, Vol No. 3333, Doc No.3333 which duly registered sub registrar office Raisen.
9. **Thus** the after purchase above land through both regi. Sale deed **Shiv Developer's** become owner of above land and has got mutation in revenue record, revenue department issued Bhoo Rin Pustika No. LL 00.
10. **That** the after that Khasra no. 174 , 966/199, 910/169/2 hectare total land 1.416 hectare purchase through Registered Sale Deed Dated 02/11/2007 executed by Smt. Sugana Devi W/o Shri Radheshyam in favour of **Smt. Anjali W/o Shri Kumar**, Vide Book No. A-1, Vol No. 222, Doc No. 463 which duly registered sub registrar office Raisen.
11. **That** the after that Khasra no. 174 , 966/199, 910/169/2 hectare total land 1.416 hectare purchase through Registered Sale Deed Dated 26/12/2014 executed by Smt. Anjali Jain W/o Shri Pawan Kumar Jain in favour of **Shiv Developer's**, Vide E-Registration No.MP350372014A1000219 which duly registered sub registrar office Raisen.
12. **Thus** the **Shiv Developer's** become owner of above land Khasra no. 177 , 966/199, 910/169/2 hectare total land 1.416 hectare.
13. **That** later on **Shiv Developer's** obtain Diversion for other then agriculture use of above land vide Diversion Order No. Diversion Order no. 00/A-2/2014-15 Dated 12/02/2015 from office of SDO Raisen.
14. **That** later on **Shiv Developer's** obtain Colony development Permission vide Order No. 237/AB-121/2014-15 Dated 22/06/2015 from office Raisen.
15. **That** the searching of available record of Sub-Registrar, Bhopal no other entry of execution of sale deed/mortgaged deed etc.
16. **That** it is advised to the XXXX XXXX Finance Company Ltd., to inspect the said immovable property for the purpose of physical verification & the said house is obtain the latest receipt/s of property tax, Lease Rent and constructed as per Govt. Norms & Building permission ,TCP and rera approval *etc.* from your officer & Penal Valuer.



17. **That** the search of Online registration deed/E-registration in the said document Online Registry portal search option is unavailable, So Bank should obtain an affidavit form the title holder's regarding he/she/they have not sold the said property Executed by anybody and the same is free from all encumbrances.

#### **PART IV EVIDENCE OF PROPERTY**

The property offered for creation of Equitable Mortgage acquired on Ownership basis, after payment of full consideration the said **Shri Anand S/o Shri Ghanshyam (Name of the Borrower/s)** will become owner of the said land based on the list of documents perused under Part II of this report. The Property under reference is clear and marketable free from any encumbrances.

#### **PART V OTHER PROVISIONS:**

<b>Sr.No</b>	<b>Queries</b>	<b>Remark</b>
5.1.	Whether provisions of Urban Land Ceiling Act are applicable?	No
5.2	Whether property to be given as security is subject to any minor's claim/share?	No
5.3	Whether the property is affected by any revenue and tenancy regulations?	No
5.4	Whether the user land has been converted under Land Revenue law?	Yes
5.5	Whether up to date tax/Land Revenue has been paid on the property.	Yes
5.6	Whether all original documents for last 13 years have been scrutinized?	Yes(Photocopy)
5.7	Whether required documents are available for creating mortgage?	No
5.8	Whether all previous owners had the right/competency to transfer the property?	No
5.9	Whether proposed mortgage by deposit of title deeds is possible?	No
5.10	If property is a Plot /apartment, how far independent title is ensured?	N.A
5.11	Whether the property has been transferred /to be transferred by a POA holder of the original land owner Executed by the loan Applicant?	No
5.12	Whether POA holder of original land owner has/had authority under POA.	No
5.13	Whether the said POA as recorded in 5.12 is registered?	No
5.14	Whether the property is lease land? if yes, then what is the tenure of the lease?	No
5.15	Whether the land/property is joint family property?	No



5.16	Is the land/property/Plot is subject to any reservations/ acquisitions/ requisitions?	No
5.17	Whether Search Report is obtained and submitted?  Search Report Details Search Conducted Years Name of the Advocate Search Report Date	Yes, Vineet Choudhary dated 24/05/2023
5.18	Whether EC is obtained?  EC Details No. of Years EC Obtained Any Encumbrance To Specify Applied by	No Obtained
5.19	Whether Builder is a Private/Limited Company? ROC Search Report Submitted/Carried Out Any Charge/Mortgage is created on the Project/Property/Plot /Apartment If Mortgage/Charged, Name of the Bank/FI Whether NOC/Release Letter Obtained or Not	/N.A
5.20	Tenancy disputes and any Compensation claim If any	No

## VI Encumbrance

The above said Encumbrance Certificate is not disclosing any subsisting encumbrance over the Schedule Property.

The Nil Encumbrance Certificate for the period from 2010 to till date is required to be furnished.

### Evidence of Possession:

Finding on documents and revenue records for the Schedule Property stands in the name of **Shri Anand S/o Shri Ghanshyam** (Name of the Borrower)

The documents to be deposited (original / certified) for creation of valid and enforceable mortgage and the specific persons who are required to create mortgage / to deposit documents creating the mortgage.

### VII Final Certificate:

From the records and documents produced before me and information furnished to me, I am of the opinion **Shri Anand S/o Shri Ghanshyam** (~~Name of the Borrower/s~~) has got a good, valid and marketable title over the Schedule Property, subject to production of Nil Encumbrance Certificate from 2010 to till date the documents mentioned above same may be considered and taken as a security for the purpose of grant of loan and production and deposit of the documents to this Opinion.

**Enclosed : Search Receipt No. ----- Dated 12/05/2023 for 13 years.**



**VIII Documents Original and Photocopy required to be collected prior to disbursement:-**

Sr.No	Date	Documents	Original/Photocopy
1.	26/11/2021	Sale Agreement executed by Shiv Developer's in favour of <b>Shri Ram ji S/o Shri Dasrath Ji</b>	<b>Original</b>
2.	31/03/2012	Registered Sale Deed Dated 31/03/2012 executed by Smt. Nazma Insaf S/o shri Mohd. Insaf in favour of <b>Mustafa Hasanji S/o Shri Mohd. Bhai Hasanji</b> ,Vide Book No. A-1, Vol No. 3333, Doc No. 4444 which duly registered sub registrar office Raisen.	Photocopy
3.	13/07/2013	Registered Sale Deed Dated 13/07/2013 executed by Mustafa Hasanji S/o Shri Mohd. Bhai Hasanji in favour of <b>Shiv Developer's</b> ,Vide Book No. A-1, Vol No. 555, Doc No. 222 which duly registered sub registrar office Raisen.	Photocopy
4.	12/06/2007	Registered Sale Deed Dated 12/06/2007 executed by Smt. Maankuwer Bai W/o Shri Jaganath in favour of <b>Smt. Nazma Insaf S/o shri Mohd. Insaf</b> ,Vide Book No. A-1, Vol No.2222, Doc No. 666 which duly registered sub registrar office Raisen.	Photocopy
5.	31/03/2012	Registered Sale Deed Dated 31/03/2012 executed by Smt. Nazma Insaf S/o shri Mohd. Insaf in favour of <b>1. Shabba Hussian S/o Shri Ali Hussian 2. Tahir S/o Shri Nooruddin 3. Murtja Ali S/o Shri Tayab Ali</b> ,Vide Book No. A-1, Vol No. 555, Doc No. 4444 which duly registered sub registrar office Raisen.	Photocopy
6.	11/02/2013	Registered Sale Deed Dated 11/02/2013 executed by <b>Mahadev</b> in favour of <b>Shiv Developer's</b> ,Vide Book No. A-1, Vol No. 3333, Doc No. 3333 which duly registered sub registrar office Raisen.	Photocopy



7.	26/12/2014	Registered Sale Deed Dated 26/12/2014 executed by Smt. Anjali Jain W/o Shri Pawan Kumar Jain in favour of <b>Shiv Developer's</b> , Vide E-Registration No.MP350372014A1000000 which duly registered sub registrar office Raisen	Photocopy
8.	02/11/2007	Registered Sale Deed Dated 02/11/2007 executed by Smt. Sugana Devi W/o Shri Radheshyam in favour of <b>Smt. Anjali Jain W/o Shri Kumar</b> , Vide Book No. A-1, Vol No. 222, Doc No. 444 which duly registered sub registrar office Raisen.	Photocopy
9.		Mutation in the Name of <b>Shiv Developer's</b>	Photocopy
10.		Bhoo Rin Pustika No. LL 764073.	Photocopy
11.		Colonizer License Case no. 129/B-121 Dated 09/05/2014	Photocopy
12.		Colony development Permission vide Order No. 237/AB-121/2014-15 Dated 22/06/2015 from office Raisen	Photocopy
13.		Diversion Order no. 70/A-2/2014-15 Dated 12/02/2015	Photocopy
14.		Tn&CP	Photocopy
15.		An affidavit from title owner or borrower that the property is not subject to any litigation and Non encumbrance of the said property.	<b>Original</b>





**B. Documents Original and Photocopy required to be collected post**

Sr. No	Date	Documents	Original/Photocopy
		Proposed Sale Deed executed by Shiv Developer's in favour of <b>Shri Ram ji S/o Shri Dasrath Ji</b>	<b>Original</b>
		Applied Mutation	<b>Photocopy</b>

**Original** – Nil Encumbrance Certificate for the period from 2010 to till date of charge creation.

The mortgage if created will be available to M/s XXXX XXXX Finance Limited for the liability of the intending borrower.

**Remarks, if any:-**

1. After through scrutiny of title of property whether title is clear and marketable. And also note, Before Disbursement obtain Diversion and all necessary land use Permissions according to law or Noc's and obtain Mutation in the Name of title holder.
2. **That** the Online registration deed/E-registry in the said document Online Registry portal search option not working properly, So Bank should obtain an affidavit form the title holder's regarding he/she/they have not sold the said property Executed by anybody and the same is free from all encumbrances.
3. **That** the advised to inspect the said immovable property for the purpose of physical verification of the spot / property and to obtain the latest receipt/s of property tax, Lease Rent, etc.
4. **That** my report is on the basis of the available records in index-II of the Sub-registrar office and I have not search/verified the documents in any other department (except the Sub-registrar office) and it does not included records which are in process in indexing.
5. **That** the search of online registration deed/e-registry (effective from 01/08/2015 I the state of Madhya Pradesh) is not possible, Because the records in index-II are not available for scrutiny and it is made clear that after 01/08/2015, no index has been prepared by the respective Sub-respective Sub-registrar office, as all registration process shifted to automation. There is no module available for search for property details wise, till date.

Thanking You

**Vineet Choudhary**

(Advocate)