

Advocate

Sudhir P. Rasal

B.A. LL.B.

**At. Post. Nachane, Shanti
Nagar, 1040, Rasal Wadi,
Ratnagiri
Mob - 9225141313**

LEGAL SCRUTINY REPORT

Application No : - 77000045750

Date: 31/05/2025

**To,
The Manager
ICICI. H.F.C.
Ratnagiri Branch, Ratnagiri**

Dear Sir/Madam,

Legal Scrutiny Report in respect of the file of : Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar

PART I: PROPERTY DETAILS:

Name of the Applicant/Borrower/s : Mrs. Nida Aabshar Borkar

Name of the Co-applicant/s: (if any): Mr. Aabshar Riyaz Borkar

- 1. Type of Loan: Home Loan**
- 2. Purpose of Loan: Builder Flat Purchase**
- 3. Name of the Property Owner/s:** S. M. Builders & Developers through Prop. of Mr. Dilshad Moajam Dhalak
- 4. Description of the Property (with Boundaries):**

S. No./ H. No. 424A/14/14/1 area 0-06-25 H. R. of which Flat No.203, Second Floor, area admeasuring area 467 Sq.ft Carpet + 35 Sq. Ft. Open Balcony Total area 502 Sq.Ft in building name of '**Bushra Residency**' building, situated at Zadgaon Mu. Out, Tal Dist- Ratnagiri

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Nature / Status of the Property: Residential.

5. Type of Property: Residential Flat.

**PART II: LIST OF DOCUMENTS SUBMITTED BEFORE ME/US FOR SCRUTINY
AND LEGAL OPINION: (SPECIFY THE DOCUMENTS ARE ORIGINAL OR
XEROX)**

1. Copy of 7/12 extract of land S. No./ H. No. 424A/14/14/1 area 0-06-25 H. R.
2. Copy of Reg. Sale Deed in favour of S. M. Builders & Developers through Prop. of Mr. Dilshad Moajam Dhalak dated 30/09/2022 vide Reg. No. 5779/2022
3. Copy of N.A/Construction Permission from S. D. O. Ratnagiri dated 10/10/2022
4. Copy of Approved Construction Plan.
5. Copy of RERA Certificate dated 07/07/2023
6. Copy of Draft of Agreement to Sale in favour of Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar

PART III: FLOW OF TITLE OF PROPERTY: (HISTORY OF TITLE)

It shows that Nazir Ahmad Sardar purchased 0.06.25H.R area from the original plot bearing S.No.424A, H. No. 14/14having total area of 0-08-72 H.R. vide registered sale deed for consideration of Rs.2,22,000/- rom Vinayak Vitthal Desai through his power of attorney Suresh Dudhaji Sawant. The plot purchased by Nazir Sardar was numbered as S. No. 4244, H.No. 14/V/r

having area 0-06-25 H.R. and the remaining with the owner was numbered as s.No.4244, H.No.14/14 having area 0-02-47 H. R. is fact is evident from

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mutation entry no. 10026, dated 03/01/1980 which was duly certified on 04/03/1980 by concerned revenue authority.

It states that plot owner Nazir Ahamad Sardar sold the plot to Gharkul Construction registered partnership firm vide sale deed dated 30/09/2020. The sale deed is registered at Sr. No. 2904/2021. Consideration paid to the Owner Nazir Ahmad Sardar is Rs. 25,00,000/- The khata number of the Gharkul Construction is 3320. Name of the Gharkul Construction was mutated for the said plot on revenue record.

It states that the Gharkul Construction sold the said property to S. M. Builders and Developers. Rs. 30,00,000/-consideration was paid to Mr. Sachin Padmakar Nandgaokar. S. M. Builders and Developers proprietary firm purchased the said plot vide sale deed dated 30/09/2022 at Sr. No. 5779. S. M. Builders and Developers became the absolute owner and possessor of the said property. The name of S.M. Builders and Developers was mutated in the revenue records for the said plot by this mutation entry. The said entry is duly certified.

After acquired all rights to develop the said landed property the Builder/developer S. M. Builders & Developers through Prop. of Mr. Dilshad Moajam Dhalak decided to construct a residential building on said landed property for that they obtained N.A/Construction Permission from S. D. O. Ratnagiri dated 10/10/2022. The construction plan is also get approved by concern authority.

After acquired all necessary permissions builder/developer started the construction of residential building named and styled '**Bushra Residency**'.

Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar decided to purchase Flat No.203, Second Floor, area admeasuring area 467 Sq.ft Carpet + 35 Sq. Ft. Open Balcony Total area 502 Sq.Ft in building name of '**Bushra Residency**' building, situated at Zadgaon Mu. Out, Tal Dist- Ratnagiri. According Draft of Agreement to Sale is prepared both vendor S. M. Builders & Developers through Prop. of Mr. Dilshad Moajam Dhalak & Purchaser Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar.

PART IV EVIDENCE OF TITLE OF PROPERTY

PART V: OTHER PROVISIONS:

- 5.1 Whether provisions of urban land ceiling act are applicable? **No.**
- 5.2 Whether any property/ies intend 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; if yes then to what extent? **No.**
- 5.4 Whether the user land has been converted into Non-Agricultural for Residential use by the order of the competent Authority? **Yes.**
- 5.5 Whether up to date tax/land revenue has been paid in respect of the property? **Yes**
- 5.6 Whether all original documents for last 13/30 years have been scrutinized; if not give reasons? **Yes.**
- 5.7 Whether required documents are available for creating mortgage? **Yes.**

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- 5.8 Whether all the previous owners of the property had the right and competency to transfer the property? **Yes.**
- 5.9 Whether the proposed mortgage by deposit of title deeds is possible? **Yes.**
- 5.10 What is the tenure of the land; if it is leased? _____ years (remaining period) **No.**
- 5.11 Whether the land is Adivasi (tribal) land? **No.**
- 5.12 Whether the land /property are joint family property? **No.**
- 5.13 Whether SARFAESI Act applicable? **Yes.**
- 5.14 Is land/property/flat being subject to any reservations /acquisitions/requisitions? **No.**
- 5.15 Whether the property has been transferred by a power of attorney (POA) holder of the original landowner in favour of the loan applicant? N/A
- 5.16 Whether the said POA holder has/had authority to sell the property under POA? N/A
- 5.17 Whether POA as recorded in 5.15 is registered? N/A
- 5.18 Whether any prior permission /NOC /consent required from any Authority to mortgage the Property (Authority may be Govt. / Municipal Corporation / Land Development Authority / Industrial Development Authority / Society etc.). If permission is required, specify the name of the authority from whom permission/NOC is required and list all permission/ No objection required – N/A
- 5.19 Whether any permission / consent is required to sell the property upon invocation of the mortgage. If so, indicate the Authority from whom the permission is required; Indicative Time line to obtain such permission; and any premium payable to the Authority upon such transfer – N/A
- 5.20 Whether Search Report is obtained and submitted? **Yes**
- Search Report Details: -
- Search Conducted Years: 13 Years

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Name of the Advocate / Searcher: Adv. Sudhir Prabhakar Rasal

Search Report Date: 31/05/2025

Note:-----

5.21 Whether EC is obtained? _____

EC Details: -

No. of Years EC Obtained:

Any Encumbrance to Specify:

EC Applied by: -----

PART VI: CERTIFICATE:

In view of the foregoing, I/We certify that the title deeds intended to be deposited, relating to the property and offered as security by way of equitable mortgage and the documents of title referred to above are perfect evidence of the title and that if the said registered/equitable mortgage is created in the manner required by law, it would satisfy the requirements of creation of equitable mortgage.

I/We further certify that **Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar** has/would derive a valid, clear, marketable and unencumbered title in the property/ies stated above after Reg. Sale Deed..

The mortgage if created will be available to ICICI HFC for the liability of the intending Borrower / Co borrower **Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar** The following original documents to be collected by ICICI HFC for creation of registered/equitable mortgage of the said property: -

Following documents needs to be submitted prior to disbursal of loan/at the time of disbursement of the loan: -

1. Original Reg. Agreement to Sale in favour of Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar after execution

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2. Original N.O.C. of Builder

Following documents are required post disbursal: (if any): -

1. Original NOI
2. Original Reg. Sale Deed in favour of Mrs. Nida Aabshar Borkar & Mr. Aabshar Riyaz Borkar after execution

REMARKS (if any): -

Yours Faithfully

Sudhir

Prabhakar Rasal

Digitally signed by
Sudhir Prabhakar Rasal
Date: 2025.05.31
16:28:56 +05'30'

Mr. Sudhir P. Rasal

(Advocate)