

LEGAL SCRUTINY REPORT		
SAMADHAN JANKIRAM PATIL B.A. LL.M Advocate, Dhule Court.	 ADVOCATE	Office:- Shop No. 19, 1 st Floor, Lokshahir Annabhau Sathe Complex, Fashipul, Dhule. PIN - 424001 House:- 15/B, Arya Nagar, Wadel Road, Walwadi, Deopur Dhule. PIN – 424002 Mob- 8888319273 Mail- Sajapatil@gmail.Com

To,
The Manager,
ICICI Home Finance Company Ltd.
Location :- Dhule Branch
Dear Sir/Madam,

Date:- 14/10/2024

Legal Scrutiny Report in respect of the file Application No:- **7791946472**

PART I: PROPERTY DETAILS:-

With reference to your instructions and documents produced before me of **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar.**, I submit my Legal Scrutiny Report as hereunder:

- Name of the Applicant/Borrower/s** :- **Mr. Hemant Dnyaneshwar Chaudhari.**
- Name of the Co-applicant/s: (if any)** :- **Mrs. Kalpana Dnyaneshwar Chaudhari**
- Type of Loan** :- **HL BT + Top up Loan**
- Purpose of Loan** :- **HL BT + Top up Loan**
- Name of the Property Owner/s** :- **Mrs. Kalpana Dnyaneshwar Chaudhari**
- Description of the Property (with Boundaries):-** To find out clear & marketable title of **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar.**

The boundaries of Property:- (As per Sale Deed)

East	6 Mtr. Road
West	S. No. 111/2
South	Plot No. 15
North	Remaining part of Plot No. 14

- Nature / Status of the Property** :- **N.A. Property**
- Type of Property** :- **Residential/Commercial/ Industrial/ Urban/Semi urban/ Rural.**

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

Sr. No.	Date of Document	Name of the Document	Whether Original /Xerox
01	02/09/2020	R.R. Receipt No. 3942, Sale Deed Reg. No. 2346/2020	Xerox
02	30/05/2018	R.R. Receipt No. 3301, Sale Deed Reg. No. 2117/2018	Xerox
03	19/02/1990	N.A. order	Xerox
04	07/10/1989	Layout	Xerox
05	01/08/2024	LOD of HDFC Bank Ltd. Br. Nandurbar	Original
06	-----	Mutation Entry-6550, 5255, 671, 448, 3938.	Certified

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

It appears from the revenue / CTS and 7/12 extract records that the originally **Plot No. 14 out of S. No. 111/3 Area 195.50 Sq. Mtr.** situated at **Kukdel Tal. Shahada Dist. Nandurbar, Mr. Shubhash Katthu Patil & Mr. Prakash Katthu Patil** Who was the original land lord of the said property since 1993.

As per M.E. No. 3938 dt. 13/01/1999, **Mr. Shubhash Katthu Patil & Mr. Prakash Katthu Patil** has sold **Plot No. 14 out of S. No. 111/3 Area 195.50 Sq. Mtr.** to **Mrs. Kalpana Chhotulal Patil** by reg. sale deed No. 2267/2010 on dt. 07/01/1999.

As per M.E. No. 448 dt. 03/05/2010, **Mrs. Kalpana Chhotulal Patil** has sold **Plot No. 14 out of S. No. 111/3 Area 195.50 Sq. Mtr.** to **Mr. Rajendra Rohidas Patil** by reg. sale deed No. 2267/2010 on dt. 03/05/2010.

As per M.E. No. 671 dt. 21/08/2010, **Mr. Rajendra Rohidas Patil** has sold **Plot No. 14 out of S. No. 111/3 Area 195.50 Sq. Mtr.** to **Mr. Prabhakar Tarachand Bhalerao** by reg. sale deed No. 4162/2010 on dt. 21/08/2010.

It appears from Reg. Sale deed, **Mr. Prabhakar Tarachand Bhalerao** has sold **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr.** to **Mr. Ravindra Bhuresing Girase** by reg. sale deed No. 2117/2018 on dt. 30/05/2018. Revenue M.E. No. 5255 was duly mutated by Circle officer.

It appears from Reg. Sale deed, **Mr. Ravindra Bhuresing Girase** has sold **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr.** to **Mrs. Kalpana Dnyaneshwar Chaudhari** by reg. sale deed No. 2346/2020 on dt. 02/09/2020. Revenue M.E. No. 6550 was duly mutated by Circle officer.

It appears from LOD of HDFC Bank Ltd. Br. Nandurbar it can be seen that **Mrs. Kalpana Dnyaneshwar Chaudhari** has taken loan on **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar.**

And thereafter I have taken Online E- search of **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar** Vide Search Receipt E- Challan GRN No. MH. 009692281202425P with Receipt No. 1113687135 dt. 12/10/2024.

7/12 extract issued by Talathi office **Kukadel Tal. Shahada Dist. Nandurbar** of **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar** in the name of **Mrs. Kalpana Dnyaneshwar Chaudhari R/o. Kukadel Tal. Shahada Dist. Nandurbar** on the said property.

For the purpose of search & verification I have also inspected Index II registers from 2010 onwards in respect of the above-mentioned property. The records of Sub-Registrars Offices at some places were misplaced and not available and some were in bad, torn, and worn out and mutilated condition. From 2009 onwards entries of computer system have been checked by me, but at some places the entries are not properly feed up in the system. Hence, ensure any charge on above said property except the charge of **HDFC Bank Ltd. Br. Nandurbar.**

PART IV: EVIDENCE OF THE TITLE OF PROPERTY:-

- 1) 7/12 Extract.
- 2) Copy of R.R. Receipt No. 3942, Sale Deed Reg. No. 2346/2020, Dated - 02/09/2020.
- 3) Copy of R.R. Receipt No. 3301, Sale Deed Reg. No. 2117/2018, Dated - 30/05/2018.

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 & tenancy regulations?	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 on the property?	Not provided
5.6	Whether all original documents for last 13 yrs have been scrutinized?	As far as supplied
5.7	Whether required documents are available for creating mortgage?	Yes
5.8	Whether previous owners had the right /competency to transfer the property?	Yes
5.9	Whether proposed mortgage by deposit of title deeds is possible?	Yes. suggested Equitable Mortgage deed.
5.10	What is the tenure of the land if it leased? ----- years (remaining period)	N.A.
5.11	Whether the land is Adivasi (Tribal) Land?4	No
5.12	Whether the land/property is joint family property?	No
5.13	Whether SARFAESI Act applicable?	Yes
5.14	Is the land / property / flat is 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 favor 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.)?	N.A.
5.19	Whether any permission / consent is required to sell the property upon invocation of the mortgage?	N.A.
5.20	Whether Search Report is obtained and submitted? Search Conducted Years:- 13 Year.	Yes. Enclosed:- 13 yrs. Search receipt E-Challan GRN No. MH. 009692281202425P Dt. 12/10/2024.
5.21	Whether EC is obtained? [Nos. of Years EC obtained. Any encumbrance to specify- As per report EC applied by:-	Yes

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/** Registered Mortgage and the documents of title referred to above are perfect evidence of the title and that if the said **equitable mortgage/** Registered Mortgage is created in the manner required by law, it would satisfy the requirements of creation of **equitable mortgage/** Registered Mortgage.

I/We further certify that owner **Mrs. Kalpana Dnyaneshwar Chaudhari** would derive a valid, clear & marketable and unencumbered title **except the charge of –NIL--** in the property/ies stated above.

The mortgage if created will be available to ICICI HFC for the liability of the intending Borrower / Co borrower **Mrs. Kalpana Dnyaneshwar Chaudhari** after clearing the above-mentioned charge.

The following original documents to be collected by ICICI HFC for creation of equitable mortgage/**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: -

Sr. No.	Date of Document	Name of the Document	Whether Original/Xerox
01	Updated	7/12 Extract	True
02	02/09/2020	R.R. Receipt No. 3942, Sale Deed Reg. No. 2346/2020	Xerox
03	30/05/2018	R.R. Receipt No. 3301, Sale Deed Reg. No. 2117/2018	Xerox
04	19/02/1990	N.A. order	Xerox
05	07/10/1989	Layout	Xerox

06	-----	Commencement Certificate	Xerox
07	-----	Approved Plan	Xerox
08	01/08/2024	LOD of HDFC Bank Ltd. Br. Nandurbar	Original
09	-----	Mutation Entry-6550, 5255, 671, 448, 3938.	Certified

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

Sr. No.	Date of Document	Name of the Document	Whether Original/Xerox
01	After execution	R.R. Receipt, Index II of NOI	Original
02	02/09/2020	R.R. Receipt No. 3942, Sale Deed Reg. No. 2346/2020	Original
03	30/05/2018	R.R. Receipt No. 3301, Sale Deed Reg. No. 2117/2018	Original
04	-----	Commencement Certificate	Original
05	-----	Approved Plan	Original
06	To be taken	No Dues Certificate of HDFC Bank Ltd. Br. Nandurbar	Original

REMARKS (if any):-Nil.

In my opinion that -.

I am of the opinion that the title of the All the piece and parcel of **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar** present owner **Mrs. Kalpana Dnyaneshwar Chaudhari** is Valid, clear & marketable title **except the charge of HDFC Bank Ltd. Br. Nandurbar** in respect of property and can be considered as acceptable security by ICICI HFC, LTD.

Date-14/10/2024.

Samadhan J. Patil Advocate

SAMADHAN JANKIRAM PATIL B.A. LL.M Advocate, Dhule Court.	 ADVOCATE	Office:- Shop No. 19, 1 st Floor, Lokshahir Annabhau Sathe Complex, Fashipul, Dhule. PIN - 424001 House:- 15/B, Arya Nagar, Wadel Road, Walwadi, Deopur Dhule. PIN – 424002 Mob- 8888319273 Mail- Sajapatil@gmail.Com
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Dated – 14/10/2024

To,
 Branch Credit Manager, ICICI
 HFC LTD.

Reference:-

Loan Proposal of **Mr. Hemant Dnyaneshwar Chaudhari & Mrs. Kalpana Dnyaneshwar Chaudhari** (Intending Borrower), R/o- Kukadel Tal. Shaahda Dist. Nandurbar.

Description of the Property:-

All the piece and parcel of **Plot No. 14 out of S. No. 111/3 East to West South Side Area 97.75 Sq. Mtr. Situated at Kukadel Tal. Shahada Dist. Nandurbar.**

Type of Transaction:- HL BT + Top up Loan.

In my opinion the Type of Transaction is **HL BT + Top up Loan.**

I am of the opinion that the title of the present owner **Mrs. Kalpana Dnyaneshwar Chaudhari** is clear and marketable title **except the charge of HDFC Bank Ltd. Br. Nandurbar** in respect of property and can be considered as acceptable security by ICICI HFC, LTD.

I. Subject to condition documents required to be taken for security purpose as follows:-

Sr. No.	Date of Document	Name of the Document	Whether Original/Xerox
01	Updated	7/12 Extract	True
02	02/09/2020	R.R. Receipt No. 3942, Sale Deed Reg. No. 2346/2020	Original
03	30/05/2018	R.R. Receipt No. 3301, Sale Deed Reg. No. 2117/2018	Original
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05	07/10/1989	Layout	Xerox
06	-----	Commencement Certificate	Original
07	-----	Approved Plan	Original
08	01/08/2024	LOD of HDFC Bank Ltd. Br. Nandurbar	Original
09	To be taken	No Dues Certificate of HDFC Bank Ltd. Br. Nandurbar	Original
10	-----	Mutation Entry-6550, 5255, 671, 448, 3938.	Certified
11	After execution	R.R. Receipt, & Index II of NOI	Original
12	14/10/2024	Legal Title & Search Report issued by Adv. Samadhan J. Patil, Dhule along with Search paid Receipt for 13 years	Original

ANNEXTURE DOCUMENTS:-

For the purpose of opinion in respect of the aforesaid immovable property, following documents were made available for my perusal:

Sr. No.	Date of Document	Name of the Document	Whether Original /Xerox
01	02/09/2020	R.R. Receipt No. 3942, Sale Deed Reg. No. 2346/2020	Original
02	30/05/2018	R.R. Receipt No. 3301, Sale Deed Reg. No. 2117/2018	Xerox
03	19/02/1990	N.A. order	Xerox
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05	01/08/2024	LOD of HDFC Bank Ltd. Br. Nandurbar	Original
06	-----	Mutation Entry-6550, 5255, 671, 448, 3938.	Certified

Remark:- Documents are collected as per your policy & verify the all original documents of Present owner.

Hence, this Report.

Date-14/10/2024.

Samadhan J. Patil Advocate.