

Ref.: -07/L/17

Date :-

Title Search & Legal scrutiny Report

To,
The Branch Manager,
Housing Development Finance Corporation Limited
Patna

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Sub: Title Search Report & Legal scrutiny report with respect to Residential/Commercial Project named as **SUNAINA VIHAR** constructing on land measuring area 77 Decimals .of land situated at Mauza- Mustaffapur , bearing Thana no. 36, Tauzi no. 5241, Khata no.68, Plot no. 874 & 875, P.S. – Khagaul, District – Patna.

Dear Sir,

As per your instruction, I have conducted the legal scrutiny of the aforesaid project and investigated the title of Smt. Sumitra Devi W/o Late Bishwanath Singh, Sri Satyendra Kumar, Sri Dhirendra Kumar and Sri Sushil Kumar all S/o Late Bishwanath Singh and Sri Sunil Kumar S/o Late Amrit Singh over their immovable property as mentioned in the schedule-I on the basis of title documents pertaining to project/property (more particularly mentioned in the Schedule-I) and conducted a detailed investigation of title and conducted the search of available records of the Index-II of last 13 years from 2004 to till date in the Sub-Register office, Danapur, and thereby verified the valid, clear, legal & marketable title of aforesaid Present owners upon their above mentioned property & legality of the said project and submit my report as under:-

1. DETAILS / DESCRIPTION OF THE IMMOVABLE PROPERTY UNDER SCRUTINY:

1	Name of Project under scrutiny:	SUNAINA VIHAR
2	Nature/Type of Project:	RESIDENTIAL
3	Khesra Nos./plot no. and its Area covered under Title scrutiny:	Plot no. 874 & 875, Khata no. 68, Area – 77 decimals.
4	Detailed Address of aforesaid Land:	Mauza – -Mustaffapur, P.S.- Khagaul, Patna.

2. DESCRIPTION OF DOCUMENTS SCRUTINIZED & VERIFIED:

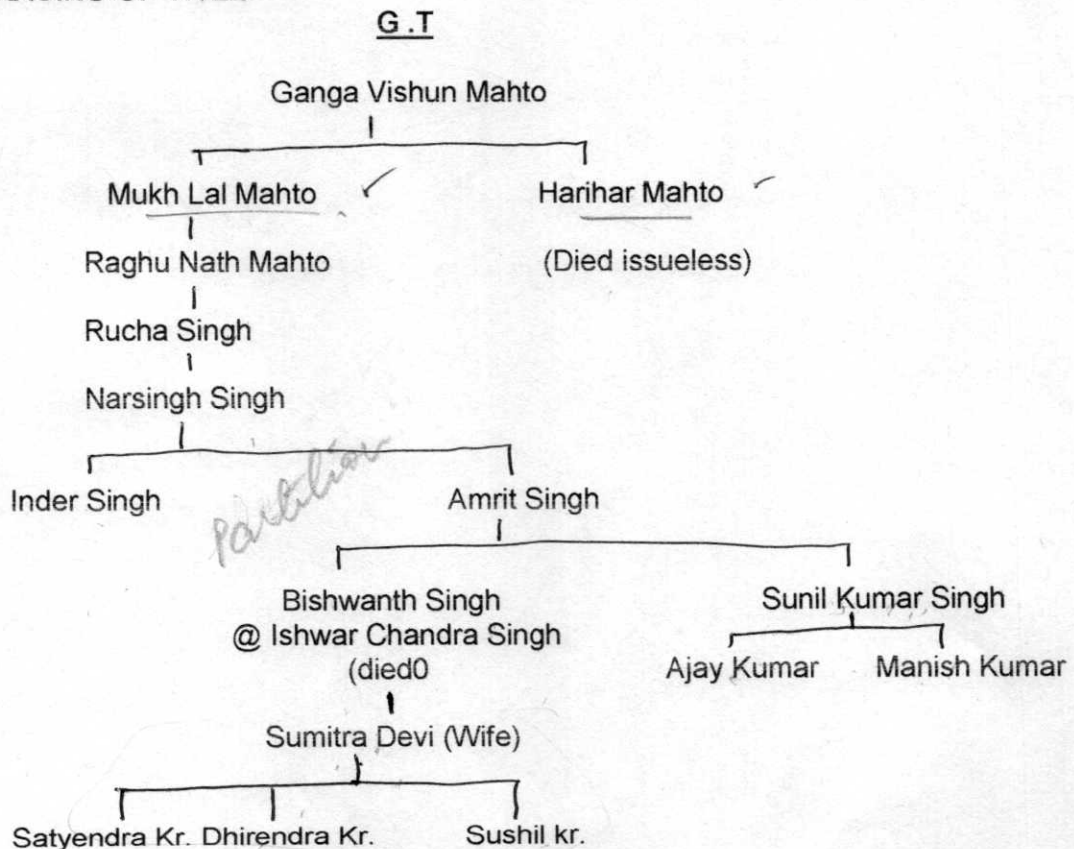
I HAVE EXAMINED & VERIFIED THE DOCUMENTS AS MENTIONED BELOW:

- (i) Photo copy of Kathiyan.

- (ii) Photocopy of Land Tax receipt no. 00516078 dt. 20.05.2016 in the name of Sri Sunil Kumar S/o Late Amrit Singh.
- (iii) Photocopy of Land Possession Certificate .no. 198 dt. 27.05.2016 in the name of Sri Sunil Kumar S/o Late Amrit Singh.
- (iv) Photocopy of Land Tax receipt no 00516077 dt. 20.05.2016 in the name of Smt. Sumitra Devi W/o Late Ishwar Chandra Singh @ Sri Bishwanath Singh.
- (v) Photocopy of Land Possession Certificate .no. 200 dt. 27.05.2016 in the name of Smt. Sumitra Devi W/o Late Ishwar Chandra Singh @ Sri Bishwanath Singh.
- (vi) Photo copy of Registered development agreement deed no. 8631 dt. 17.09.2015..
- (vii) Photocopy of deed of Share distribution of flats dt. 27.12.2016..

3. HISTORY OF TITLE:

TRACING OF TITLE:



a. Regarding Plot no. 874 & 875

From perusal of Kathiyan, it appears that land measuring 01 acre 90 decimals situated at Mauza- Mustaffapur , bearing Thana no. 36, Tauzi no. 5241, Khata no.68, Plot no. 874 & 875, P.S. - Khagaul, District -

Patna was the kathyiani land and it was recorded in the kathyian in the name of Mukh La Mahto and Harihar Mahto both S/o Ganga Vishun Mahto.

From perusal of G.T. development agreement dt. 17.09.2015, land tax receipt and Land possession it appears that the land in question was recorded in the name of Mukh La Mahto and Harihar Mahto both S/o Ganga Vishun Mahto. Harihar Lal Mahto died issueless. Mukh Lal Mahto died leaving his only son namely Raghu Nath Singh. Raghu Nath Singh also died leaving his only son namely Rucha Singh. Rucha Singh also died leaving his only son namely Narsingh Singh. Later on Narsingh Singh died leaving his two sons namely Inder Singh and Amrit Singh. Later on there was a family partition was held between them and land measuring 77 Decimals .of land situated at Mauza- Mustaffapur , bearing Thana no. 36, Tauzi no. 5241, Khata no.68, Plot no. 874 & 875, P.S. – Khagaul, District –Patna came in the share of Amrit Singh and accordingly he came in possession. Amrit Singh also died leaving his two sons namely Bishwanth Singh @ Ishwar Chandra Singh and Sunil Kumar. Later on Bishwanth Singh @ Ishwar Chandra Singh also died leaving his wife namely Smt. Sumitra Devi and three sons namely Satyendra Kumar, Dhirendra Kumar and Sushil Kumar. Sunil Kumar has two sons namely Ajay Kumar and Manish Kumar and accordingly there was family partition between them and land measuring 34 ½ decimals came in the share of Smt. Sumitra Devi & ors. and land measuring 34 ½ decimal came in the share of Sri Sunil Kumar and accordingly they came in possession over their respective shares and their names were also mutated.

Later on Smt. Sumitra Devi W/o Late Bishwanth Singh @ Ishwar Chandra Singh , Satyendra Kumar, Dhirendra Kumar and Sushil Kumar all s/o Late Bishwanth Singh @ Ishwar Chandra Singh and Sri Sunil Kumar Singh S/o Late Amrit Singh as Karta & Head of the family executed a development agreement on 17.09.2015 with the builder namely M/S Kashyap Green Homes Pvt. Ltd. through its Director namely Mr. Arun Kumar Singh S/o Late Jagdish Prasad Singh to construct a multistoried building in the name of **SUNAINA VIHAR** over the land in question.

From perusal of Sale deed, tax receipt and Land Possession Certificate issued by the Circle Officer, Danapur, Patna, it appears that the present land owners are the legal title holder of the land in question. Thus accordingly chain of title is complete and accordingly said Smt. Sumitra Devi W/o Late Bishwanth Singh @ Ishwar Chandra Singh , Satyendra Kumar, Dhirendra Kumar and Sushil Kumar all s/o Late Bishwanth Singh @ Ishwar Chandra Singh and Sri Sunil Kumar Singh S/o Late Amrit Singh derived legal, valid marketable & free from all encumbrance title over the said land 77 Decimals .of land situated at Mauza- Mustaffapur , bearing Thana no. 36, Tauzi no. 5241, Khata no.68, Plot no. 874 & 875, P.S. – Khagaul, District –Patna.

1.	The Name of person who is/are the Current/Present Land Owner of the aforesaid Property:	Smt. Sumitra Devi W/o Late Bishwanth Singh @ Ishwar Chandra Singh , Satyendra Kumar, Dhirendra Kumar and Sushil Kumar all s/o Late Bishwanth Singh @ Ishwar Chandra Singh and Sri Sunil
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		Kumar Singh S/o Late Amrit Singh .
2.	The Name of Builder/Developer who develops/construct the aforesaid property/building:	M/S Kashyap Green Homes Pvt. Ltd.
4.	Whether the Property is freehold or leasehold?	Freehold
5.	If Lease hold then tenure:	N/A
	5.1. Name of Lessor:	N/A
	5.2. Whether permission for sale is/was obtained by the seller?	N/A
	5.3. Whether NOC for creation of Mortgage obtained?	N/A
	5.4. Any other detrimental Clause in the lease-deed?	N/A
6.	How the Present Land Owner acquired title over the property? <i>Whether by Purchase / Gift / Partition / Release / WILL / Inheritance / Allotment etc.</i>	By <i>kathiyani & Inheritance</i>
	i. In case of Purchase through Sale-deed:- Whether the Seller is /was competent to Sell?	Yes
	ii. How the Seller acquired the property?	By <i>kathiyani & Inheritance</i>
	iii. Whether all the previous deeds & link documents till in the name of Present landowner is available?	No
	iv. Whether the names of Seller was recorded in revenue records at the time of Sale to present Landowners.	Yes
	v. Whether Seller has transferred clear, legal, marketable & free from all encumbrances' title in favor of Present Land Owner?	Yes
7.	Whether minor's interest is involved in the property? If yes precautions to be taken	N/A
8.	Have you searched all the relevant records in the Sub-Registrar office? Whether any defect or adverse entry found	Yes

	which affect the title of the present owners?	
9.	Have you verified all the current & previous deeds, chain documents, PI mentioned specifically). Whether any defects found which affect the title of the present owners? Whether same is found correct and title from person to person have been legally transferred till present owners?	Yes, No defects are found in title.
10	Whether you have verified the contents of the title-deeds? Whether any defect is found in the same?	Yes. No defect was found.
11.	Are the chain of title-deeds are complete and genuine?	Yes
12.	Whether title-deed contains any restrictive clause in respect of free transfer.	N/A
13	Whether any acquisition proceeding is in progress in the area? Whether the same will affect the mortgage or transfer of title of units in favor of prospective buyers?	N/A
14	Whether property is mutated in the name of Present Land Owners /Transferor in appropriate authority?	Yes by the Circle Officer, Danapur, Patna.
15	What is the nature of title of the present owner i.e. tenancy right, full ownership, occupancy right, possession right, minor's right or any other type or right clarify.	<i>Full Ownership</i>
16	Have the provisions of the Indian Registration Act and the Indian Stamps Act been complied with?	Yes
17	Whether chain of title is complete and ownership in the name of present land owner is legal, clear, marketable and free from all encumbrances?	Yes.
18	In case of transferor is POA holder, whether the POA is properly executed/stamped/ authenticated / enforceable as per the law of the state.	N/A

19	Whether up-to-date Rent/tax, property tax and other govt. taxes are paid?	Yes
20	Whether property belongs to HUF? If yes then whether major Coparceners have no objections/join in execution, minor's share if any, rights of female members etc.	N/A

(B) Development Agreement / Joint Venture Agreement in favor of Developer (if any) :

That thereafter in order to develop/construct the aforesaid project/building said Present land owner has entered into a Registered Development Agreement with one builder/developer named as M/S Kashyap Green Homes Pvt. Ltd. That said agreement is executed on dated 17.09.2015 and registered on dated 17.09.2015 vide Doc. No. 8631 Book No. 01, Vol. No. 203 with District Sub-Registrar officer, Patna.

(C) Share Allocation Agreement executed between Developer and Landowner:

As per development agreement dated 17.09.2015 Land owner's shares is 50% of the total built up area in shape of flats and car parking space..

D. CONCLUSION:

Accordingly chain of title is complete and legally passed from person to person and thereby said Smt. Sumitra Devi W/o Late Bishwanth Singh @ Ishwar Chandra Singh , Satyendra Kumar, Dhirendra Kumar and Sushil Kumar all s/o Late Bishwanth Singh @ Ishwar Chandra Singh and Sri Sunil Kumar Singh S/o Late Amrit Singh .derived legal, valid marketable & free from all encumbrance title over the said land and thereby, as M M/S Kashyap Green Homes Pvt. Ltd through its authorized director (Developer), shall transfer the title of such Flat so constructed in the said project in their share, in accordance to the share allocation.

4. DETAILS OF SEARCHES AND INVESTIGATION AND FINDINGS, AFTER SCURUTINEY OF THE DOCUMENTS AND SEARCHES OF RECORDS AVAILABLE IN THE CONCERN SUB-REGISTRAR OFFICE, PATNA ARE GIVEN AS BELOW:

CERTIFCATE OF TITLE & NON ENCUMBERANCE CERTIFICATE LEGAL OPINION:

I have examined photocopy of all the documents relating to the property as mentioned in the schedule-I and on the basis of investigation & scrutiny of all the documents and Search conducted in the records in the concern Sub-Registrar office, I confirm that the chain of title is complete and legally passed from person to person and Smt. Sumitra Devi W/o Late Bishwanth Singh @ Ishwar Chandra Singh , Satyendra Kumar, Dhirendra Kumar and Sushil Kumar all s/o Late Bishwanth Singh @ Ishwar Chandra Singh and Sri Sunil Kumar Singh S/o Late Amrit Singh have got clear, legal, valid, marketable and free from all encumbrances title over the property as mentioned in the Schedule-I and the units being constructed/developed thereon. I further certify:

1. That I have verified all the title-deed submitted and referred to me in the records of at Sub-Registrar office and found chain of title-deeds are complete and were found duly registered with concerned Sub-Registrar, Patna.
2. That on search of the available records at the office of the Sub-Registrar Danapur and Patna from 2004 to till date I confirm that I have found entries of all the registered deeds & documents submitted and referred to me related to aforesaid property in the records maintained in the said Sub-Registrar office and I have not found any adverse entry, other transfer by way of sale, mortgage, gift, charge or alienation of any kind, related to aforesaid property appears in the registration records and on the basis of said search and scrutiny of all the documents in detail, I confirm that said property is free from all encumbrances and free from any defects whatsoever.
3. That there are no prior mortgages/charges whatsoever as found during my above referred search at Sub-Registrar's office pertaining to the immovable property covered by the above said title-deeds.

Mohan Kumar Singh
(Mohan Kumar Singh)
Advocate

Schedule-I
(Details of Immovable property)

The land measuring 77 Decimals .of land situated at Mauza- Mustaffapur , bearing Thana no. 36, Tauzi no. 5241, Khata no.68, Plot no. 874 & 875, P.S. – Khagaul, District –Patna.

Thanking You,

Mohan Kumar Singh
(MOHAN KUMAR SINGH)
ADVOCATE