

**Procedure: Return of documents pertaining to
Movable / Immovable Property to Legal Heirs**

In case of unfortunate incidence of death of the borrower / mortgagor, the following procedure to be followed by legal heirs to collect documents upon full and final repayment of the loan account:

Documents to be submitted by the legal heirs of deceased Mortgagor:

- (a) A request letter from the legal heir(s) of the deceased Mortgagor (s) to return of the documents, along with self-attested valid KYC Documents as indicated below of all legal heir(s) (original to be furnished for verification);
- (b) Certified true copy of Death Certificate issued by the competent authority;
- (c) Certified true copy of Legal Heirship Certificate issued by the Competent Authority confirming the detail of legal heirs of deceased Mortgagor(s) / Succession Certificate, issued by Court of Competent jurisdiction in case legal heir ship certificate is not obtained (applicable in case there is no Will left by the deceased in respect of the property);
- (d) Copy of Will or Certified true copy of Registered Will executed by the deceased Mortgagor(s) or Certified true copy of Probated Will issued from the court of competent jurisdiction / Certified true copy of Will (Waziat) executed by the deceased Mortgagor in accordance with law of Succession as applicable to Muslims.
- (e) Letter of Administration issued by the court of competent jurisdiction;
- (f) A duly signed and Notarized Declaration by all the legal heirs, confirming that Will produced to the Bank is last Will and the same has not been cancelled/revoked/amended during the life time of the Mortgagor (s) nor been validity has been challenged before any court of competent jurisdiction and requesting the Bank to rely upon the Will to return the documents (applicable in case probate of Will is not obtained);
- (g) In case any of the legal heir (s) is / are not able to visit the branch to collect the documents from the Bank, original duly notarized Power of Attorney in favour of his / her agent to collect the documents from the Bank along with indemnity executed by the legal heirs in favour of the Bank agreeing to keep the Bank indemnified on account of any loss occurred to the Bank [In case PoA is executed outside India, said PoA shall be duly executed in the presence of and attested by Consulate General of India/High Commission of India / Indian Embassy / Apostille by the MEA and shall be duly stamped upon its receipt in India as per the stamp duty in accordance with respective State where it is received];
- (h) In case the legal heir is a minor, above said documents shall be submitted by the natural guardian of the minor legal heir along with documentary proof confirming the age of minor legal heir and also the identity particulars of the natural guardian. In case no natural guardian is available, the above said documents shall be submitted by the guardian appointed by the court of competent jurisdiction along with order passed from the court appointing him/her as the court guardian of the minor legal heir and documentary proof confirming his/her identity;

**Procedure: Return of documents pertaining to
Movable / Immovable Property to Legal Heirs**

- (i) Duly stamped and Notarized Affidavit-cum –Indemnity;
- (j) Any other documents as required by the Bank upon verification of the above said documents/details.

In jointly owned property, in case of demise of one of the Mortgagor, all the other Mortgagors, the documents mentioned above at para no. (a) to (j) (as applicable) shall be furnished to the Bank by the legal heirs of deceased Mortgagor along with surviving Mortgagors prior to release / return of documents.

Post submission of documents:

- (a) Upon submission of the above documents, the Bank will initiate the process of verification and due diligence and thereafter advise if further clarification/additional document or other details are required by the Bank.
- (b) In case documents submitted by the legal heirs are found to be satisfactory, the documents will be returned by the Bank to the legal heirs of the deceased sole Mortgagor / legal heirs of the deceased Mortgagor(s) / their authorised agent under PoA / minor legal heir and natural guardian or minor legal heir and court guardian in case of minor legal heir along with surviving Mortgagors if any, in the presence of all of them against due acknowledgement (signature and acknowledgment on behalf of minor legal heir to be made from his/her respective natural or court appointed guardian) either at the banking outlet/branch where the loan accounts of the Borrower was serviced or at the branch office of the Bank where the documents are available, as preferred by the legal heirs and surviving Mortgagor(s).
- (c) Necessary charges if any, involved in return of the documents including legal charges incurred by the Bank towards obtaining legal opinion from the panel advocate of the Bank or verification of the documents submitted from the legal heirs, shall be reimbursed from the legal heirs by the Bank.

The procedure given above is a broad guideline and not exhaustive.

The legal heirs / surviving Mortgagors are not entitled for return of the documents: (i) if the Bank is entitled to continue to hold the documents (a) in terms of undertaking / agreement if any executed from the deceased Mortgagor(s) in favour of the Bank and liability /obligations agreed or undertaken under the said undertaking / agreement is not yet been discharged or redeemed; (b) the Bank is holding the documents as agent or in trust on behalf of the other charge holder in pursuance to any arrangement; (c) till compliance of other terms if any agreed by the Borrower and the deceased Mortgagor(s) under OTS settlement if any entered in respect of the loans; (iv) due to order issued by the court of competent jurisdiction or law enforcement authority directing the Bank not to return the documents; (v) litigation filed or pending in respect of the property by the Bank against the Mortgagor(s) / deceased Mortgagors (substituted by legal heirs) / the Borrower as the case may be till its disposal; and (vi) if the documents have been impounded /seized by any statutory / regulatory authority or court or law enforcement authority.

**Procedure: Return of documents pertaining to
Movable / Immovable Property to Legal Heirs**

List of KYC Documents:

- A) Photograph and any one of the following for Identify Proof.
1. Passport
 2. Driving License
 3. PAN Card
 4. Employee ID Card
 5. Election ID Card
 6. Aadhaar Card
- B) Any one of the following for Address Proof.
1. Passport
 2. Latest electricity or telephone bill (accepted if issue by Govt. or reputed companies)
 3. Title Deed of the property
 4. Latest house lease agreement duly stamped
 5. Driving license
 6. Aadhaar Card
 7. Election ID Card
 8. Bank account statement or passbook (first page & page bearing latest transactions).
- C) Any one of the following for Signature Proof.
1. PAN Card
 2. Passport
 3. Bankers Verification
 4. Photo ID Credit Card

Note: The borrowers can obtain the pre-printed format (s) of letters / affidavit-cum-Indemnity, Declaration, etc. from our Retail Asset Centre / Branch located nearest to their residences.