ॲड.सुनिल डी.जाधव
M. Com., LL. B.
नोटरी नंदुरबार जिल्हा

* कार्यालय *
अमृत सिनेमा पाठीमागे,
अमर सिनेमा मार्ग, नंदुरबार,.
ता.जि.नंदुरबार-425412
मो.नं.9422793128

दिनांक : 05/02/2024

FORMAT – A

(Circular No.:-28/2021)

ADV. SUNIL DEVBA JADHAV
BAR COUNCIL
OF
MAHARASHRA & GOA
Fn.No.MAH/1458/1998
NANDURBAR

To

Maha RERA

LEGAL TITLE REPORT

Sub: Title Clearance Certificate with respect to Plot No. 27, 28, 29, 30, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 on Survey No. 273/1 (Area 2795.56 sq. mt.) situated at Nandurbar, Taluka – Nandurbar, District – Nandurbar (Hereinafter referred as the said plot)

I have investigated the title of the said plot on the request of Mrs. Alkaben Yogesh Desai and Shri. Yogesh Pramodchandra Desai and following documents i.e.

1. Description of Property:
   All the part and parcel of Plot No. 27, 28, 29, 30, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, Survey No. 273/1 (Area 2795.56 sq. mt.) situated At/Post Nandurbar, Taluka & District – Nandurbar.

   The boundaries of said Plot No. 27, 28, 29, 30, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 Survey No. 273/1 are as follows:

Item No.	Survey No. 273/1	Area (Sq. Mt.)	BOUNDARY			
			EAST	WEST	SOUTH	NORTH
1	Plot No. 27	194.28	Plot No. 28	Road	Road	Plot No. 74
2	Plot No. 28	180.00	Plot No. 29	Plot No. 27	Road	Plot No. 74
3	Plot No. 29	180.00	Plot No. 30	Plot No. 28	Road	Plot No. 74
4	Plot No. 30	180.00	Plot No. 73	Plot No. 29	Road	Plot No. 74

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5	Plot No. 63	218.66	Road	Plot No. 66	Road	Plot No. 64
6	Plot No. 64	135.00	Road	Plot No. 66	Plot No. 63	Plot No. 65
7	Plot No. 65	138.75	Road	Plot No. 66	Plot No. 64	Plot No. 75
8	Plot No. 66	282.62	Plot No. 63,64,65	Plot No. 67	Road	Plot No. 75
9	Plot No. 67	206.25	Plot No. 66	Plot No. 68	Road	Plot No. 75
10	Plot No. 68	180.00	Plot No. 67	Plot No. 69	Road	Plot No. 75
11	Plot No. 69	180.00	Plot No. 68	Plot No. 70	Road	Plot No. 75
12	Plot No. 70	180.00	Plot No. 69	Plot No. 71	Road	Plot No. 75
13	Plot No. 71	180.00	Plot No. 70	Plot No. 72	Road	Plot No. 74&75
14	Plot No. 72	180.00	Plot No. 71	Plot No. 73	Road	Plot No. 74
15	Plot No. 73	180.00	Plot No. 72	Plot No. 30	Road	Plot No. 74

2. The Documents of allotment of Plot:
3. Registered Sale Deed bearing No. 190 / 1999 dated 7 February 1999
4. Registered Sale Deed bearing No. 528 / 2000 dated 9 March 2000
5. Registered Sale Deed bearing No. 2562 / 2001 dated 4 October 2001
6. N A Order dated 14 July 2022
7. Sanad dated 8 August 2022
8. Notarized Partition Deed dated 5 September 2022
9. 7/12 extract issued by Mandal Adhikari, Nandurbar dated 17 August 2023
10. Construction Permission dated 16 October 2023 by CEO Nandurbar Municipal Council
11. Mutation Entry No. 12905, 20826, 38569, 41273, 41527, 43114, 48043, 48168, 48222, 52149, 54696, 55181, 55231, 58329
12. Search Report for 30 Years from 1995 till 2024

2/- On perusal of the above-mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of Mrs. Alkaben Yogesh Desai and Shri. Yogesh Pramodchandra Desai is clear, marketable and without any encumbrances.

Owners of the land

1) Mrs. Alkaben Yogesh Desai – Plot No. 27, 28, 29, 30 Survey No 273/1 (Area 734.28 Sq. mt.)

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2) Shri. Yogesh Pramodchandra Desai – Plot No. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 Survey No 273/1 (Area 2061.28 Sq. mt.)

Qualifying comments / remarks, if any :- No

3/- The report reflecting the flow of the title of the owner on the said land is enclosed herewith as annexure.

Adv. Sunil D. Jadhav

Advocate

Encl: Annexure

Date: 05/02/2024

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FLOW OF THE TITLE OF THE SAID LAND

Sr. No.

1. 7/12 Extract issued by Talathi Office, Nandurbar Dated 18 August 2023
2. Mutation Entry No. 12905, 20826, 38569, 41273, 41527, 43114, 48043, 48168, 48222, 52149, 54696, 55181, 55231, 58329
3. Search Report for 30 Years from 1995 till 2024 taken from Sub-Registrar office at Nandurbar vide online search receipt nos. MH015070011202324E and MH015070526202324E.
4. Any other relevant title – Nil
5. Litigations, if any – Nil

Adv. Sunil D. Jadhav

Advocate

Date – 05/02/2024

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FLOW OF THE TITLE OF THE SAID LAND

In respect of property Plot No. 27, 28, 29, 30, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, Survey No. 273/1 situated at Nandurbar, Taluka & District Nandurbar. The owners of the above-mentioned property are Mrs. Alkaben Yogesh Desai and Shri. Yogesh Pramodchandra Desai, both resident of Nandurbar, Taluka & District Nandurbar have approached me for the investigation of the title. Therefore, I have taken a search of the registry from the office of Sub Registrar, Nandurbar for the period of 30 years i.e. 1995 to 2024.

a. It appears from the record that previously the land Survey No. 273 situated at Nandurbar was owned by and belonging to Mr. Nivrutti Keshav Marathe, Smt. Sarjabai w/o. Shivram, Sau. Girjabai w/o Yashwant Marathe and their names appeared in kabjedar column of the said land since prior to 1980-81.

   The owner of Survey No. 273 Mr. Nivrutti Keshav Marathe, Smt. Sarjabai w/o. Shivram, Sau. Girjabai w/o Yashwant Marathe repaid the encumbrance of Nazrana on 06-11-1991. As the encumbrance of Nazrana was repaid as per order of Tahsildar Nandurbar bearing No. Tenancy-92/Nandurbar dated 06-11-1992, the encumbrance of Nazrana was deleted from the column of other rights of the said Land Survey No. 273. I have perused **M.E. No. 9428** which was recorded on 11-11-1992 and was duly certified on 20-01-1993.

b. Thereafter, on 02-09-194 Mr. Vitthalrao Raghunath Shelke purchased 1 H. 40 R. land of Western side out of total area of Gat No. 273 from Mr. Nivrutti Keshav Marathe, Smt. Sarjabai w/o Shivram, Sau. Girjabai Yashwant Marathe through their General Power of Attorney Holder Mr. Arvind Yashwant Jagdale by registered sale deed on payment of Rs. 2,50,800/-. Hence, in view of this transaction, the land Survey No. 273 was divided into 2 parts as Survey No. 273/1 and 273/2. The land remained with Mr. Nivrutti Keshav Marathe, Smt. Sarjabai w/o Shivram, Sau. Girjabai Yashwant Marathe was numbered as

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Survey No. 273/1 and land purchased by Mr. Vitthalrao Raghunath Shelke was numbered as Survey No. 273/2. I have perused **M.E. No. 10725** which was duly certified.

c. The land Survey No. 273/1 was New Impartible Tenure Land subject to the provisions of Section 43 of the Bombay tenancy and Agricultural Lands Act.

Thereafter, in the year 1998 Mr. Nivrutti Keshav Marathe, Smt. Sarjabai w/o Shivram, Sau. Girjabai w/o Yashwant Marathe applied to the Sub Divisional Officer Nandurbar Division Nandurbar for deleting the term i.e. land subject to the provisions of Section 43 of the Bombay tenancy and Agricultural Lands Act. As per order of Sub Divisional Officer Nandurbar bearing Tenancy/512 dated 05-12-1992 the amount of 40 times Nazrana i.e. Rs. 1,223/- have been deposited to the Government Treasury by the applicants, Hence the word, i.e. the land is New Impartible Tenure Land Subject to the provisions of Section 43 of the Bombay tenancy and Agricultural Lands Act was deleted from the record of rights of the said land Survey No. 273. I have perused **M. E. No. 12711** which was duly certified.

d. Thereafter, Mr. Yashwant Anandrao Jagdale (10% share), Mr. Suhas Jayant Natawadkar (10% share), Mr. Pramodchandra Navnitlal Desai (20% share), Mr. Yogesh Pramodchandra Desai (20% share), Mr. Chintamani Devram Mahajan (20% share), Mr. Mahendrakumar Kunjbihari Shah (20% share) have purchased Survey No. 273/1 situated at Nandurbar from Mr. Nivrutti Keshav Marathe, Smt. Sarjabai Shivram Marathe, Smt. Girjabai Yashwant Marathe by registered sale deed on payment of Rs. 2,00,000/- on 19-10-1996. Hence, their names were entered in kabjedar column of the said land. I have perused **M.E. No. 12905** which was duly certified.

I have perused the Certified copy of Sale Deed. The Sale Deed was written on 19-10-1996 and it was executed and registered at **Document Sr No. 190/99** on 03-02-1999. The land was purchased for Rs. 2,00,000/-. This fact is mentioned in the Sale Deed. I have also perused the certified copy of Index II.

Thereafter, Mr. Pramodchandra Navnitlal Desai purchased 10% share in Survey No. 273/1 situated at Nandurbar of Yashwant Anandrao Jagdale from him by registered Sale Deed

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on payment of Rs. 25,000/- on 23-10-1996. Hence his name was entered in kabjedar column of the said land.

I have perused the Certified Copy of the Sale Deed. The Sale Deed was written on 19-10-1996 and it was executed and registered at **Document Sr. No. 2562/01** on 04-10-2001. The land was purchased for Rs. 25,000/-. The possession of the said 10% share of Survey No. 273/1 situated at Nandurbar was handed over to Mr. Pramodchandra Navnitlal Desai on the date of sale deed. This fact is mentioned in the Sale Deed.

e. Thereafter, Smt. Alkaben Yogesh Desai and Smt. Lilaben Mahendra Shah purchased 20% share of Mr. Chintamani Devram Mahajan in Survey No. 273/1 situated at Nandurbar from him by registered Sale Deed on payment of Rs. 1,70,000/- on 09-03-2000. Hence their names were entered in kabjedar column of the said land. I have perused **M.E. No. 20826** which was recorded on 05-07-2000 and was duly certified.

I have perused the Certified Copy of the Sale Deed. The Sale Deed was written on 22-11-1999 and it was executed and registered at **Document Sr. No. 528/2000** on 09-03-2000. The land was purchased for Rs. 60,000/-. However, stamp duty was paid on for Rs. 1,70,000/- being market value of the said land. The possession of the said 20% share of Survey No. 273/1 situated at Nandurbar was handed over to Smt. Alkaben Yogesh Desai and Smt. Lilaben Mahendra Shah on the date of sale deed. This fact is mentioned in the sale deed.

f. Thereafter, Mr. Hiteshkumar Mohanlal Jain and Mrs. Shobhaben Mohanlal Jain, Mr. Rajendra Devraj Jain purchased 4250 sq. mt. area out of 10% share from Mr. Mahendrabhai Kunjbihari Shah by registered sale deed on payment of Rs. 11,07,000/- on 13-03-2015. Hence their names were entered in kabjedar column of the said land. I have perused **M. E. No. 38569** which was recorded on 14-03-2015 and was duly certified.

g. Thereafter on 09-03-2017 Mr. Rajendra Devraj Jain purchased 20% share of Mr. Mahendrakumar Kunjbihari Shah in Survey No. 273/1 situated at Nandurbar from him registered sale deed. Hence his name was entered in kabjedar column of the said land. I have perused **M. E. No. 41273** which was recorded on 19-04-2017 and was duly certified.

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h. Thereafter, one of the owner of Survey No. 273/1, Mr. Pramodchandra Navnitlal Desai died on 07-09-2016. He had behind him Smt. Vidyaben Pramodchandra Desai, Mr. Yogesh Pramodchandra Desai, Smt. Vandana Dipak Shah as his Legal Heirs. Hence, the names of all the Legal Heirs of the deceased were entered in kabjedar column of the said land Survey No. 273/1. I have perused **M. E. No. 41527** which was duly Certified.

i. Thereafter, in the year 2018 one of the owners of Survey No. 273/1, Mr. Hiteshkumar Mohanlal Jain and Smt. Shobhanaben Mohanlal Jain through her General Power of Attorney Holder Mr. Hiteshkumar Mohanlal Jain and owner of land Survey No. 46/1/A/2 situated at Varul Tal. Nandurbar Mr. Rajendra Devraj Jain have exchanged their lands between them on without any consideration by way of registering Exchange Deed bearing No. 1221/2018 without any consideration. Hence their names were entered in kabjedar column of the said respective land. I have perused **M. E. No. 43114 and 54696** which was duly certified.

j. Thereafter, Smt. Vandana Dipak Shah and Smt. Vidyaben Pramodchandra Desai have executed a registered relinquishment Deed bearing No. 1780/17, on 19-09-2017 and given up their rights from Survey No. 273/1 situated at Nandurbar in favor of Mr. Yogesh Pramodchandra Desai. As they have given up their rights from the said land their names were deleted from kabjedar column of the said land. I have perused **M. E. No. 48222** which was duly certified.

k. Thereafter, Mr. Rajendra Devraj Jain and 3 others applied to the Tahsildar Nandurbar Division Nandurbar for converting their agricultural land Survey No. 273/1 admeasuring 4 H. 25 R. situated at Nandurbar, Tal and Dist. Nandurbar from agricultural purpose to non-agricultural purpose i.e. residential purpose. After making necessary inquiry the Tahsildar Nandurbar vide his Order No. 2022/Gavthan/Vinishiti/dated 13-07-2022 granted the said permission to them to convert the land for Non-Agricultural purpose i.e. for residential purpose. And as per order of Tahsildar Nandurbar bearing Gavthan/sanad/1258/22 dated 08-08-2022 Saad was approved to the said Non-

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Agricultural Land Survey No. 273/1. I have perused the photocopy of N.A. order, the photocopy of Sanad and Blue Prints of Layout Plan.

As the land was converted into N.A. purpose as per order of Tahsildar Nandurbar dated 02-09-2022 the old 7/12 extracts of the Survey No. 273/1 was came to be closed and New 7/12 extracts along with sub divisions of the plots in Survey No. 273/1 came to be prepared. I have perused **M. E. No. 55181** which was duly certified.

I. Thereafter, the owners of Survey No. 273/1, Mr. Yogesh Pramodchandra Desai, Smt. Alkaben Yogesh Desai, Mr. Rajendra Devraj Jain, Rajendra Devraj Jain HUF, Mr. Suhas Jaywant Natawadkar effected partition in the plots made in Survey No. 273/1 between them by way of Partition Deed executed before Notary in the year 2022. In the said partition, the Plot No. 27, 28, 29, 30 and other plots mentioned in M. E. 55231 were came into the share of Smt. Alkaben Yogesh Desai. Further, in the said partition, the Plot No. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 and other plots mentioned in M. E. 55231 were came into the share of Mr. Yogesh Pramodchandra Desai. I have perused **M. E. 55231** which was duly certified.

I have pursed the Original Copy of the Partition Deed. The Partition Deed was written on 05-09-2022 and it was registered before Notary at Sr. No. 1185/22 dated 05-09-2022.

Since the date of partition of the possession of the Plot Nos. 27, 28, 29 and 30 out of Survey No. 273/1 situated at Nandurbar is with Smt. Alkaben Yogesh Desai.

Since the date of partition of the possession of the Plot Nos. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72 and 73 out of Survey No. 273/1 situated at Nandurbar is with Mr. Yogesh Pramodchandra Desai.

The Layout plan was approved by the Assistant Director Town Planning, Nandurbar vide its letter No. S. No. 273/1/729 dated 10-06-2022.

The Non-Agricultural permission was granted by the Tahsildar Nandurbar vide its order No. 2022/Gavthan/NASR/Nandurbar/1235/2022 dated 13-07-2022.

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By way of above transactions name of the applicant,

1. Mrs. Alkaben Yogesh Desai came on Bhogvata Dharkache Nav column of 7/12 extract of Plot No. 27, 28, 29, 30 of Survey No. 273/1, Total Area 734.28 Sq. mt., situated at Nandurbar, Taluka & District Nandurbar.

2. Shri. Yogesh Pramodchandra Desai came on Bhogvata Dharkache Nav column of 7/12 extract of Plot No. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 of Survey No. 273/1, Area 2061.28 Sq. mt., situated at Nandurbar, Taluka & District Nandurbar.

From all above-mentioned records, Index-II and perusal of other relevant documents and relying upon them I have made my opinion as follows:

This is to be certified that Mrs. Alkaben Yogesh Desai is the real and sole owner of Plot No. 27, 28, 29, 30 of Survey No. 273/1, Area 734.28 Sq. mt., situated at Nandurbar, Taluka & District Nandurbar and having title to the said landed property. The title is valid, legal and clear. The said plots are readily marketable and free from any sort of encumbrances. It can be mortgaged.

This is to be certified that Shri. Yogesh Pramodchandra Desai is the real and sole owner of Plot No. 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 of Survey No. 273/1, Area 2061.28 Sq. mt., situated at Nandurbar, Taluka & District Nandurbar and having title to the said landed property. The title is valid, legal and clear. The said plots are readily marketable and free from any sort of encumbrances. It can be mortgaged.

Hence this search and title Report.

Sub-Registrar, Nandurbar issued online receipts vide No. MH015070011202324E and MH015070526202324E dated 05/02/2024.

Adv. Sunil D. Jadhav

Advocate

Date :- 05/02/2024

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