



Office - 5-B, 3rd floor,
Old B. J. Market, Jalgaon
Mo. No. 9890711409

Nilesa Bansilal Runwal
Advocate
Regd. No. Mah. /1413/2001
Dated 16/06/2001

OPINION OF TITLE OF THE PROPERTY
(Search Report)

1) Name of Applicant –

Jagannath Kalu Mahajan and Kishor Jagannath Mahajan both R/o.
12, Satpuda Housing Society, Ganpati Nagar, Jalgaon, Tal. Dist.
Jalgaon.

2) Full Description of the property of Recent owner –

Mauje Meharun Shivar, S. No. 478/1/B/3, Plot No. 7/8/9/10, total
admeasuring area 1199.29 Sq. Mtr.

Address of the property verified –

Mauje Meharun Shivar, S. No. 478/1/B/3, Plot No. 7/8/9/10, total
admeasuring area 1199.29 Sq. Mtr. Situated at Meharun, Tal.
Jalgaon. Dist. Jalgaon

3) Name of the person in whose name Taxes / are raised. :-

Jagannath Kalu Mahajan and Kishor Jagannath Mahajan both R/o.
12, Satpuda Housing Society, Ganpati Nagar, Jalgaon, Tal. Dist.
Jalgaon.

**4) Date of visit to registrar of Assurances office and name of
offices / authorities in whose office documents verified. :-**

On 26/04/2019 Sub. Registrar office, Jalgaon

5) Receipt No. and amount :-

On 26/04/2019, Challan No. MH000889762201920E, Rs. 750/-

6) Period for which record verified.:-

1991 to 2019 (30 Years)

7) Whether up to date taxes / society charges and other statutory charges are paid. :-

Yes.

8) a) Title of the seller / owner is clear, marketable and free of encumbrance –

Yes, except In Special Leave to Appeal no. 3834/2019 Bupendra Shridhar Wani and others challenges of High court order dated 11/01/2019 in Hon'ble Supreme Court of India but no relief can granted to petitioner till this date and leave petition to appeal No. 3834/2019 is pending.

b) Whether original titles of property are scrutinized and found to be in order.

Yes

9. List with details of title deeds scrutinized.

Lay out and 7/12 Extract of the property and Index II, D extract and mutation entries, Original Sale Deed, High court Order, Supreme Court Record of proceedings.

10) Source and history of Title

a) On dated 27/02/1987 Vinay Chaturdas Shah sold this S. No. according to Divided by 478/1b. to Chandrakant Keshrimal Rathi, Dilip Ananda Kolhe, Sau. Mangla Madhusudan Kabra, on Rs. 4,40,000/- area H. 0.39.5 R. i.e. mutation entry No. 1456 was effected in record of rights.

b) On dated 27/02/1987 Vinay Chaturdas Shah sold this S. No. according to Divided by 478/2 to Chandrakant Keshrimal Rathi, on Rs. 4,40,000/- area H. 0.39 R. i.e. mutation entry No. 1476 was effected in record of rights.

c) On dated 27/02/1987 Vinay Chaturdas Shah sold this S. No. according to Divided by 478/3. to Chandrakant Keshrimal Rathi, Dilip Ananda Kolhe, Sau. Mangla Madhusudan Kabra, on Rs. 4,28,000/- area H. 0.36.5 R. i.e. mutation entry No. 1477 was effected in record of rights.

d) On dated 27/02/1987 Vinay Chaturdas Shah sold this S. No. according to Divided by 478/4. to Sunita Chandrakant Rathi, Dilip Ananda Kolhe, Madhusudan Girdharilal Kabra, on Rs.

3,00,000/- area H. 0.25 R. i.e. mutation entry No. 1457 was effected in record of rights.

- e) On dated 11/05/1987 Hon'ble Chief officer of Jalgaon Nagarpalika order No. 171 i.e. on dated 29/04/1987 Chandrakant Keshrimal Rathi, Dilip Ananda Kolhe, Sau. Mangla Madhusudan Kabra, this S. No. 478/1b/3 Lay Out sanctioned so this Plot No. 1 to 10 the area is taking. i.e. mutation entry No. 19833 was effected in record of rights.
- f) On 03/08/2016 Chandrakant Keshrimal Rathi, Dilip Ananda Kolhe, Sau. Mangla Madhusudan Kabra, sold out this plot No. 7, 8, 9, 10 to Rajesh Anantrai Doshi (1/3), Ramchandra Laxminarayan Soni, (1/3), Hemant Krishanachandra Depura (1/3) Jointly on Rs. 1,35,00,000/- of sale deed No. 3076/2016 on dated 27/06/2016. Which effected on M.E. No. 77973.
- g) On 17/12/2017 Rajesh Anantrai Doshi (1/3), Ramchandra Laxminarayan Soni, (1/3), Hemant Krishanachandra Depura (1/3) Jointly sold out this plot No. 7, 8, 9, 10 to Jagannath Kalu Mahajan and Kishor Jagannath Mahajan both R/o. 12, Satpuda Housing Society, Ganpati Nagar, Jalgaon, Tal. Dist. Jalgaon on Rs. 2,25,00,000/- of sale deed No. 4026/2017 on dated 08/12/2017. Which effected on M.E. No. 81856.
- h) On dated 02/08/2018 the said S.No. 478/1/b/3 of this plot No. 7, 8, 9, 10 is amalgamated from order S.D.M. Jalgaon i.e. total area is 1199.29 sq. mtr. and assistant director Jalgaon Municipal Corporation, also order of amalgamation i.e. 1886 on dated 07/12/2018. which effected on M. E. No. 83962.
- i) On dated 12/10/2017 the Governor of state of Maharashtra order and gazette this S. No. 478/1/b/3 released the reservation from Site No. 162 children park.
- j) On dated 08/03/2018 Jalgaon Municipal Corporation Commissioner, sanction of building permit and commencement certificate i.e. T.P./B.P./1291.
- k) In Writ Petition 3463/2018 Bupendra Shridhar Wani and others challenges of dispute of reservation released of children park, but On dated 11/01/2019 the Hon'ble High Court of Judicature Bench at Aurangabad order in Writ

Petition No. 3463/2018 i.e. relief from any dispute that the open spaces, Children play ground are the lungs of the city and the amenities have to be provided for, at the same time the lands of the private individuals in the development plan cannot be perpetually and perennially kept under reservation without any development activities. On that court it is said that section 127 of the M.R.T.P. act is a fetter on the power of eminent domain. At least since 1983, these writ lands were under reservation. No steps were taken for all the years and the owners issued the notice under section 127 of the M.R.T.P. Act. No steps for acquisition were initiated as contemplated under the law viz, no declaration under section 126 of M.R.T.P. act read with section 6 of land acquisition Act, 1894 was issued. In view of the judgment of the Apex Court in a case of M/s. girnar Traders v/s state of Maharashtra and Ors. Reported in (2011) 3 SCC 1, the reservation stands lapsed. This court considering the said aspects has declared the reservation on the said land to have lapsed in writ petition No. 9685 of 2016 under order dated 25/04/2017. As observed supra, the judgment of this Court is not under challenge in the present writ petition nor the same has been challenged by either of the parties before the Apex Court.

- i) In Special Leave to Appeal no. 3834/2019 Bupendra Shridhar Wani and others challenges of High court order dated 11/01/2019 in Hon'ble Supreme Court of India but no relief can granted to petitioner till this date.

Legal opinion

I have to submit my opinion Mauje Meharun Shivar, S. No. 478/1/B/3, Plot No. 7/8/9/10, total admeasuring area 1199.29 Sq. Mtr. Situated at Meharun, Tal. Jalgaon. Dist. Jalgaon is absolutely free from any charge, line or encumbrances except In Special Leave to Appeal no. 3834/2019 Bupendra Shridhar Wani and others challenges of High court order dated 11/01/2019 in Hon'ble Supreme Court of India but no relief can granted to petitioner till this date and leave petition to

appeal No. 3834/2019 is now pending and in my opinion the present owner Jagannath Kalu Mahajan and Kishor Jagannath Mahajan both R/o. 12, Satpuda Housing Society, Ganpati Nagar, Jalgaon, Tal. Dist. Jalgaon has a good marketable title over the N.A. plots and he is the owner in possession of the same.

11. Whether any permission of any authority or person is required to be obtained before creation of Mortgage if so give complete details if any.

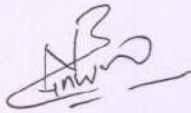
No.

12. Any other information.

No.

Date – 27/04/2019




Nileshe Bansilal Runwal
Advocate, Jalgaon

CERTIFICATE

The above said property is not under any acquisition or requisition by any public or private authority, the Hon'ble High Court relief order in favour of said owner but except In Special Leave to Appeal no. 3834/2019 Bupendra Shridhar Wani and others challenges of High court order dated 11/01/2019 in Hon'ble Supreme Court of India but no relief can granted to petitioner till this date and leave petition to appeal No. 3834/2019 is pending. Others no notice, claim, or any kind of order from any court of law etc. as per the information by the applicant but separate undertaking in that respect must be furnished by the applicant while creating security.

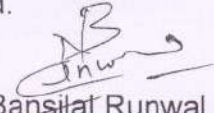
So from the verification or the mutation entries and on the basis of documents submitted by the applicant as mentioned above I am of the opinion that the title of owner / possessor Jagannath Kalu Mahajan and Kishor Jagannath Mahajan both R/o. 12, Satpuda Housing Society, Ganpati Nagar, Jalgaon, Tal. Dist. Jalgaon Said Plot No. 7, 8. 9. 10 is except In Special Leave to Appeal no. 3834/2019 Bupendra Shridhar Wani and others challenges of High court order dated 11/01/2019 in Hon'ble Supreme Court of India but no relief can granted to petitioner till

this date and leave petition to appeal No. 3834/2019 is pending. And is clear and marketable.

And hence the said title certificate is issued.

Date – 27/04/2019




Nilesch Bansilal Runwal
Advocate, Jalgaon

1. **Please note** – I, have not carried out any personal (physical) inspection of the property or have made inquiries of the actual occupiers of the property and so no liabilities in the respect.