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इतर पावती

Original/Duplicate

नोंदणी क्रं. :39म

Regn.:39M

पावती क्रं.: 7002 दिनांक: 07/10/2019

गावाचे नाव: **रहाटगांव**

दस्तऐवजाचा अनुक्रमांक: **अरन1-0-2019**

दस्तऐवजाचा प्रकार :

सादर करणाऱ्याचे नाव: **अॅड जे.जे.देशमूख रा.अमरावती**

वर्णन **अर्ज क्र 3478,मौजे रहाटगाव सर्वे नं 71/1,82/1 प्लॉट नं 5. 2007 ते 2019 एकून 13 वर्ष.**

शोध व निरीक्षणे रु. 325.00

एकूण: रु. 325.00

Sub Registrar Amravati

उप दुय्यम निबंधक क्र.-1
अमरावती शहर-१

1); देयकाचा प्रकार: By Cash रक्कम: रु 325/-

Jitendra Deshmukh
Advocate

Mob.No. 9860217659

Off./Resi. : D-4, Ashiyana Apartment, Vidya Colony, Beside District Court, Camp, Amravati. Pin-444602

11/10/2019

TO WHOM SO EVER IT MAY CONCERN

SEARCH AND TITLE VERIFICATION REPORT

SUBJECT : **Search and Title Verification Report for the period of last 13 years in respect of Commercial Plot No. 5 admeasuring 3193.85 Sq.mtr. situated at Survey No. 71/1 & 82/1, of Mouje- Rahatgaon, Pragane- Nandgaonpeth Tq. & Dist. Amravati owned and possessed by Shree Amba Business Park a partnership firm - through its partner Shri. Gopal Narayandasji Panpaliya R/o. Balaji Plot, Amravati Tq. & Dist. Amravati**

1) That, Shri Gopal Narayandasji Panpaliya, resident of Amravati, approached with the relevant documents of title and requested to give search and the title verification report in respect of the following described property, which is hereinafter referred to as the "Said Property". I **Jitendra J. Deshmukh**, Advocate of Amravati do hereby give this search and title deed verification report as under :-

DESCRIPITION OF THE "SAID PLOT"

" The layout situated at Mouje-Rahatgaon, Pragane- Nandgaonpeth Tq.& Dist. Amravati out of field Survey No. 71/1 & 82/1, admeasuring 4 Hector 10-R, which was sanctioned by the Amravati Municipal Corporation vide its order dtd. 03.11.2016 and converted in to non-agriculture land vide order of Collector Amravati passed in Revenue Case No. N.A.P.34/ Rahatgaon-52/2016-2017 dtd.11.11.2016, total 17 plots admeasuring 30731.74 sq.mtr. **out of which Commercial Plot No.5** admeasuring 3193.85 sq.mtr. (34378.60 Sq.ft.) which is bounded as under :-

Towards East	-	12 mtr. wide Road in the layout
Towards West	-	12 Mtr wide Service Road in the layout
Towards North	-	Plot No. 4 and
Towards South	-	9 mtr wide Road in the layout

2) That I have been provided with certain documents and caused the search of following documents for tracing the title of said property :-

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i) Sale deed in favour of one Jitendra Ramsing Thakur executed by 2nd Joint Civil Judge, Senior Division, Amravati on behalf of one Shyam alias Ganpat Madhukarrao Sabnis registered at Sr.No. 26/2015 dtd. 01.01.2015. (in respect of 4 Hector 10 R of land situated at Mouje- Rahatgaon Pragane- Nandgaonpeth Tq. & Dist. Amravati out of field survey no. 71/1 & 82/1)

ii) Sale deed cum assignment deed executed by Jitendra Thakur, Prabhavati Madhukar Sabnis, Sneha Shirish Muzumdar, Kalindi Dipak Joshi in favour of 4 persons namely Shri.Gopal N. Panpaliya, Shri Pravin B. Maloo, Sandhya S.Talda and Shri. Suraj A. Talda for valuable consideration, registered at Sr.No.4769/2015 dtd.16.12.2015 (in respect of 4 Hector 10 R of land situated at Mouje- Rahatgaon Pragane- Nandgaonpeth Tq. & Dist. Amravati out of field survey no. 71/1 & 82/1)

iii) Assignment Deed cum Confirmation of Sale Deed dtd. 16.12.2015 registered at Sr.No. 4769/2015 executed by Smt.Rajna Shyam alias Ganpat Sabnis infavour of Shri.Gopal N. Panpaliya, Shri Pravin B. Maloo, Sandhya S.Talda and Shri. Suraj A. Talda for valuable consideration, registered at Sr.No. 1707/2016 dtd. 07.04.2016. (in respect of 4 Hector 10 R of land situated at Mouje- Rahatgaon Pragane- Nandgaonpeth Tq. & Dist. Amravati out of field survey no. 71/1 & 82/1)

iv) Assignment Deed cum confirmation of sale deed dtd.01.01.2015 registered at Sr.No. 26/2015, Sale deed dtd. 16.12.2015 registered at Sr.No. 4760/2015 and confirmation of assignment deed dtd. 07.04.2016 registered at Sr.No.1707 executed by Alka Shivaba Dongre alias Kanchan alias Alka w/o. Sushil Bhole and Simran d/o. Shyam alias Ganpat Sabnis, infavour of Shri. Gopal N. Panpaliya and three others by accepting valuable consideration which was registered at Sr.No. 1545/2016 dtd. 14.06.2016.

v) Copy of Judgment and decree of Spl. C.S. No.226/2013, filed by Jitendra Thakur (Jitendra -Vs- Shyam).

vi) Copy of Spl.Civil Suit No. 14/2015, filed by mother Prabhavati Sabnis (Prabhavati and others -Vs- Jitendra)

vii) Copy of Spl. Civil Suit No. 25/2015, filed by one Ranjana (Ranjana -vs- Prabhavati)

viii) Copy of sanctioned map.

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ix) Copy of conversion of the land into non-agriculture passed by Collector, Amravati in Revenue Case No. N.A.P.34/ Rahatgaon-52/2016-2017 dtd.11.11.2016.

xi) 7/12 extract of above described 4 Hector 10-R of land infavour of Shri. Gopal N. Panpaliya and three others.

xii) Memorandum of understanding and partition deed in respect of 17 plots in between Shri. Pravin B. Maloo, Gopal N. Panpaliya, Sandhya Subhash Talda and Suraj A. Talda which has been registered at Sr.No.838/2017 dtd. 31.03.2017.

xiii) Gaon Namuna 6 & 2 in respect of said property i.e. Plot No. 5.

xiv) Sale deed dtd.18.01.2018 registered with sub-registrar of Amravati at Sr.No. 193/2018

xv) Deed of Declaration in respect of said plot executed by Shri Amba Business Park through its partners.

3) That, upon perusal of above said documents, going through the records of the cases referred above and on making independent inquiries, it is observed that, the field admeasuging 4 H.10-R situated at Mouje-Rahatgaon, Pragane- Nandgaonpeth Tq. & Dist. Amravati out of field Servey Nos.71/1 and 82/1 (hereinafter referred to as the "said field") was initially owned and possessed by one Smt. Sarswati Ganpat Sabnis, and who has executed a will in respect of said field and bequeathed the said field to her grandson namely Shyam alias Ganpat Madhukarrao Sabnis.

That, after the death of said Smt. Sarswati Ganpat Sabnis her grand son Shyam alias Ganpat Madhukarrao Sabnis became the sole and absolute owner of the said fields and was in possession of the same.

That, subsequently said Shyam alias Ganpat Sabnis agreed to sale said field to one Jitendra Pransing Thakur on 01.02.2008 by accepting Rs.5,00,000/- as earnest money, for total sale consideration of Rs. 58,00,000/-.

4) That, as said Shyam Sabnis failed to execute the sale deed of the said field infavour of Jitendra Thakur, he has initated the proceedings for execution of sale deed in the court of law in Amravati which was registered as Spl. Civil Suit No. 226/2012 and in the said suit the decree was passed for execution of sale deed in favour of said Jitendra Thakur and in persuance of said judgment and decree said Shri. Thakur has filed execution case no.17/2014 for obtaining the sale deed of the said fields and in the said execution the court of Civil Judge Senior Division, Amravati executed the registered sale deed in favour of Shri. Thakur registered at

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Sr.No. 26/2015 dtd. 01.01.2015 and thus Shri. Jitendra Pransing Thakur became the sole and absolute owner and possessor of the said fields. It is also noted that, no appeal is being preferred against the judgement and decree passed in Spl. Civil suit No. 226/2012.

5) That, the mother of Shyam alias Ganpat Madhukarrao Sabnis namely Smt. Prabhavati Madhukar Sabnis and sister of Shyam Sabnis namely Sneha Muzumdar filed Spl. Civil Suit No. 14/2015 against Jitendra Pransing Thakur for setting aside judgement and decree, cancellation of sale deed and permanent injunction where Hon'ble 3rd Joint Civil Judge, Amravati has granted injunction from creating third party interest in favour of them. That, mother of Shyam alias Ganpat Madhukarrao Sabnis namely Smt. Prabhavati Madhukar Sabnis claimed herself to be the only class one legal heir of Shyam Sabnis by contending that Shyam Sabnis has expired. It was also contended by her that, Shyam alias Ganpat Madhukarrao Sabnis died unmarried and intestate.

6) That, said Jitendra Pransing Thakur, mother Smt. Prabhavati Madhukar Sabnis and sister of Shyam Sabnis namely Sneha Muzumdar and Kalindini Dipak Joshi have agreed to settle the disputes and differences amicably between them self without recourse to litigations and for that purpose they all jointly were willing to abandon their claims/ rights by way of selling out the said fields and accordingly all the parties to Special Civil Suit No. 14/2015 have filed compromise pursis in the court and withdrawn Spl. Civil No. 14/2015 on 16.12.2015.

7) Thereafter, with an intention to resolve the disputes and to put an end to the dispute raised by mother and sister of deceased Shyam alias Ganpat Madhukar Sabnis who have challenged the sale deed dtd. 01.01.2015 executed infavour of Jitendra Pransing Thakur by the court, said Jitendra Pransing Thakur, Smt. Prabhavati Madhukar Sabnis, Sneha Muzumdar and Kalindini Dipak Joshi have jointly decided to transfer all their rights, title, interest and possession of all and any nature whatsover infavour of 1) Shri. Gopal Narayandasji Panpaliya, 2) Shri. Pravin Balkrushnaji Maloo, 3) Sau. Sandhya Subhash Talda and 4) Suraj Ashokkumar Talda by accepting the valuable sale consideration and accordingly they have executed the sale deed of the said fields in favour of 1) Shri. Gopal Narayandasji Panpaliya, 2) Shri. Pravin Balkrushnaji Maloo, 3) Sau. Sandhya Subhash Talda and 4) Suraj Ashokkumar Talda (for the sake of brevity hereinafter collectively referred to as "purchasers") on 16.12.2015 which was registered of Sr.No. 4769/2015 and the possession of the said field as the absolute owners thereof has been transferred and handed over to the "purchasers" and accordingly the names of these four persons have been mutated in record of rights, 7/12 extracts and Government records.

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8) During the course of my search I found that, one Smt.Ranjana was claiming herself to be the widow of late Shyam @ Ganpat Madhukar Sabnis filed Spl. Civil Suit No. 25/2015 for setting aside both the sale deeds dated 01.01.2015 and 16.12.2015, and also filed objections under section 47 in Spl. Exeuction Case No. 17/2014.

9) That, the "purchasers" of the said fields with an intention to resolve all the disputes and put an end to the disputes in connection to the said fields permanently negotiated with said Ranjana who allegedly claiming to be the wife of deceased Shyam Sabnis, without accepting her status and accordingly said Ranjana withdrawn the said Spl. Civil Suit No. 25/2015 and executed the Deed of Assignment cum Confirmation of sale deed dtd. 16.12.2015 infavour of the "purchasers" by accepting valuable consideration from them (vide registered Assignment Deed cum Confirmation of sale dtd. 16.12.2015 **registered at Sr.No. 1760/2016 dtd.07.04.2016**) and transferred assigned, demised and assured all her rights, title and interest in the said fields to infavour of the "purchasers" and confirmed the possession of them over the said fields as owners thereof under the sale deed dtd. 16.12.2015.

10) That, during the course of my search, I came across the fact that 1) Alka d/o. Shivaba Dongre alias Kanchan alias Alka w/o. Sushil Bhole and after separation with him claiming herself to be the widow of Shyam alias Ganpat Madhukar Sabnis and 2) Simran d/o. Shyam alias Ganpat Sabnis approached to said "purchasers" and represented that, Alka was married to one Sushil Bhole and is having one daughter out of wedlock with Sushil Bhole by name Komal Sushil Bhole and Komal has married with one Mr. Amit Kothari and also represented that after separation of said Sushil Bhole she became the wife of Shyam @ Ganpat Madhukar Sabnis and out of co-habitation with him daughter namely Simran Shyam alias Ganpat Sabnis was born and her name as his daughter was recorded in all Government records. It has also represented by both of them that, said Shyam Sabnis is having no issue except daughter namely Simran.

11) That, said Alka and Simran approached to the "purchasers" and showed all the documents to them and requested to resolve all the disputes and the "purchasers" with an intention to resolve all the disputes and put an end to the disputes in connection to the said fields permanently paid consideration to said Alka and Simran and in lieu of the valuable consideration paid by the "purchasers" to them they have executed Deed of Assignment Deed cum confirmation of sale deed dated 01.01.2015 registered at Sr.No.26/2015 and Sale deed dated 16.12.2015 registered at Sr.No.4769/2015 and confirmation of assignment deed dated 07.04.2016 registered at Sr.No.1707 **(which was registered at Sr.No. 1545 dtd. 14.06.2016)** .

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12) That, on perusal of all the above mentioned and referred documents it is clear that the "purchasers" are the sole and absolute owners of the said fields for valuable consideration and accordingly their names have been mutated in the record of rights of the said fields and all the transfer deeds, assignment deeds, confirmation deeds are seems to be legal and valid one for valuable consideration and "purchasers" have resolved all the claims and disputes directly connected to the said fields.

13) That, after the "purchasers" became the joint owners of the said fields, their names have also been recorded as the owners in revenue record and all other Government records in proportion to their share in the land/ said fields. It has specifically mentioned in the sale deed Gopal Panpaliya will have 10% share, Pravin Maloo will have 50% share, Sandhya Subhash Talda will have 30% share and Suraj Talda will have 10% share in the said fields.

14) That, after "purchasers" became the owners of the said fields admeasuring 4 H. 10-R they have applied to Amravati Municipal Corporation for sanctioning the layout converted map and also applied to the Collector for converting the said fields in to non-agriculture land and the Collector vide its order dtd. 14.09.2016 passed in Rev.Case No.NAP-34/Rahatgaon/17/2016-17 dtd. 14.09.2016, converted the said field in to non-agriculture land and accordingly the N.A. charges are levied and accordingly the Municipal Commissioner, Amravati vide its order dtd. 30.09.2016 and order of A.D.T.P. Amravati Municipal Corporation vide its order passed in A.M.C./A.D.T.P./F.S.-32/dtd.03.11.2016 sanctioned the layout converted map and

However, the purchasers have again applied to the Collector Amravati for revise of non-agriculture order passed by it and the Collector vide its order passed in Revenue Case No.N.A.P.34/ Rahatgaon-52/2016-2017 dtd.11.11.2016 revised its previous order converting the said field in to non-agriculture land and accordingly total 17 plots came in to existence total admeasuring 30731.74 Sq.mtr.

15) That, later on 31.03.2017, the "purchasers", in accordance to their share in the original fields, executed Memorandum of Understanding and Partition Deed (without consideration) and divided the said 17 plots amongst themselves.

That, said Memorandum of Understanding and Partition Deed (without consideration) has been registered at Sr.No. 838/2017 dtd.31.03.2017 and in pursuance thereto "said plot" has been put to the share of Shri.Suraj Ashokkumar Talda as the absolute owner thereof and accordingly his name has been mutated and recorded as the owner thereof in Government Records.

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16) That, thereafter the owner Shri Suraj Talda had applied to the Amravati Municipal corporation on the basis of revised map of layout, for sanction of building permission on 05.06.2017 and the Amravati Municipal Corporation vide its permit No.0549 dtd.10.07.2017 sanctioned the map for construction of the building.

That, thereafter said Suraj Ashok Talda sold said plot no.5 to the grantor i.e. Shree Amba Business Park a partnership firm who had for some changes, applied to Amravati Municipal Corporation for revise of sanctioned map and Amravati Municipal Corporation has revised the sanctioned map for construction vide permit no.0320 on 11.01.2019 and the Amravati Municipal Corporation after verifying the technical aspects have sanctioned the revised map for construction over the said plot bearing No. 5 vide above permit number.

17) That, the owner of said plot Shri Suraj Talda had sold the same to "SHREE AMBA BUSINESS PARK", having PAN No. ADLFS4299M, vide registered sale deed dtd.18.01.2018 registered with sub-registrar of Amravati at Sr.No. 193/2018 by accepting the valuable consideration from the firm and thus "Shree Amba Business Park" became the sole and absolute owner of the said plot having sanctioned building permission.

18) That the original owner Shri. Suraj Ashokkumar Talda at the time of obtaining the first sanction of the building permission have loaded the T.D.R. rights over the said plot to the tune of 333.09 sq.mtr and after the grantor purchased the said plot from Shri.Suraj Ashokumar Talda has purchased 2960.00 sq.mtr. T.D.R. and out of which while revising the sanctioned map have again loaded 113.84 sq.mtr. of T.D.R. as per prevailing rates (307.67 Sq.mtr. as per purchasing rate) thus the total T.D.R. loaded over said plot comes to 333.09 + 113.84 = 446.91 sq.mtr.

19) That, all the sale deeds referred above are reflected in Index - II registers maintained by office Sub- Registrar Amravati as well as in 7/12 extracts of the said fields and now in Gaon Namuna 6/2.

20) That, all the transfers are for valuable consideration and accordingly possessions have been transferred which seems to be valid and legal one. Subsequently, the "purchasers" have divided said plots and accordingly the possession to respective owners have been handed over which is also seems to be valid one. Thus, the title of said **Shri Amba Business Park a partnership firm through its partner** over the **said plot** seems to be legal and valid one.

21) I have caused a search of Index No. II at the Sub Registrar's office and confirmed the registration of the documents referred in the above paras & for that purpose I have paid necessary charges with the office of Sub-registrar, Amravati.

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22) I have also caused a search of Index no. II at the office of Sub Registrar, Amravati for the period of last 13 years i.e. from the year 2006 to 2019, vide receipt no. 7002 dated 07.10.2019.

23) The during my search, I did not come across any transactions so as to effect title of said Shri Amba Business Park a partnership firm through its partner over the said plot.

I have also got confirmed that the **said plot** is not the subject matter of any acquisition proceeding and is not covered under or affected by the Urban Land Ceiling Regulation Act, Bombay Land Requisition Act or Enactment providing for restoration of the land to the persons belonging to Schedule Tribes of any other enactment for the time being in force except sanctioned development plan of Municipal Corporation of City of Amravati.

21) That relying upon the document referred to in para no. 2 above and search taken, I am of the opinion and accordingly I opined that Shri Amba Business Park a partnership firm through its partner is the recorded owner of the above **said plot** and the same is owned by him and is free from all encumbrances and there is no charge, mortgage and loan of any nature whatsoever over it.

22) That, said Shri Amba Business Park a partnership firm through its partner is the registered owner of "**said plot**" admeasuring 3193.85 Sq.mtr. and in my opinion he will have right to transfer the same.

However, I advise to take separate affidavit to the effect that there is no encumbrances over the "**said plot**" admeasuring 3193.85 Sq.mtr. from Shri Amba Business Park a partnership firm through its partner of Amravati.

Hence, this title deed verification report.

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Jitendra J. Deshmukh
Advocate

Place : Amravati

Dated : 11/10/2019

Encl:-Payment receipt no..7002 dated 07.10.2019 issued by Sub-Registrar, Amravati.