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Office : 18, Vikas Nagar, Behind Pawan Gas, New Osmanpura, Aurangabad.

Date: 11/10/2016

TITLE CUM SEARCH REPORT

Whereas, Sachin Madhukarrao Mule, director of M/s. Shreehari Associates Pvt. Ltd., Aurangabad, approached me and requested me to issue Title cum Search Report, in respect of the Land Gut No.55, admeasuring 1 H 88 R, to the extent of 38.5 R, situated at Itkheda, Tq. & Dist. Aurangabad, I have gone through the documents of title produced by him before me and also took the search at the office of Sub-Registrar, Aurangabad, in respect of the above properties for last 15 years and thereupon I am issuing this title cum search report as under :-

That, the property land Survey No.27/3 converted into Gut No.55 admeasuring 1 H 88 R including potkharab of 2 R situated at village Itkheda, Aurangabad was originally owned and possessed by Ganpat Narayan Khadke and after his death his legal heirs namely Pandharinath, Bhaurao and Dadarao Khadke became the owners and possessors of the same, but however in the revenue record the said property was recorded only in the name of elder brother Pandharinath Ganpat Khadke as HUF. However, each of the brother owned and possessed to the extent of 1/3 area in the same land. Pandharinath Ganpat Khadke and Bhaurao Ganpat Khadke sold their 1/3rd share of each of them to the purchaser Nandlal Modi under the separate sale deed registered at Sr.No.2723/74 and 1231/75 respectively. As such remaining 1/3rd area to the extent of 61 R was owned and possessed by Daadasaheb Ganpat Khadke, but however,

Signature of Daadasaheb Ganpat Khadke

Signature of Subhash R. Malani

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unauthorisely and without the consent of Dadarao Khadke his brother Pandarinath Khadke sold the said land to purchaser Appa Parashram, Janardhan Parashram and Kalyan Parashram all minors under the Guardianship of their father Parashram Nathu under the registered sale deed Nos.912/77 dated 16/05/1977. As per the said sale deed name of these purchasers were also mutated in 7/12 record under the mutation entry No.326. The said purchaser i.e. Appa, Janarthan and Kalyan all sons of Parashram through their guardian / father Paashram Nathu sold the said land to the extent of 61 R to Kaluram Savlaram Pawar the Chief Promoter of proposed Pallavi co.op Hsg. Society under the registered sale deed dated 17/11/1986 under the two registered sale deed NOS.7286 dated 17/11/1986 and 7309 dated 19/11/1986 and on the basis of said sale deed name of Pallavi co.op. Hsg. Society also mutated in 7/12 record as per the mutation entry No.131.

However, the real owner namely Dadarao Ganpat Khadke was in actual possession of the said 61 R portion of the land Gut No.55 and when he came to know about the above illegal transaction the said mutation entry No.326 and 131 referred above byfiling appeal before S.D.O. Aurangabad under Sec.247 of M.L.R. Code. The sai appeal came to be heard and decided by the Hon'ble SDM Aurangabad on datd 26/02/2010 and thereby he allowed the appeal and set aside the M.E. No.326 and 131. As per the said order of SDM Aurangabad the Talathi concerned took the mutation No.1426 and the said mutation came to sanctioned on 26/02/2010, and thereby names of Chief Promoter of proposed Pallavi co.op. Hsg. Society as well as Janardhan, Kalyan and Appa all sons of Parashram came to be deleted from the 7/12 record.

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Thereafter one Dadarao Sampatrao Khadke executed a registered General Power of Attorney in favour of Udhav Bhaurao Khadke on dated 12/03/2010 at registered Sr.No.2213 in respect of said 61 R portion of the land Gut No.55 and thereby authorized the Attorney Holder to enter into transaction in respect of said land. As per the said power of attorney Udhav Khadke as attorney holder of Dadarao sold the said land to Shreehari Associates under the registered sale deed NO.2037 dated 17/03/2010 and accordingly name of Shreehari Associates also came to be mutated in 7/12 record under the mutation entry No.1485.

In view of this facts, Proposed Pallavi Co.Op. Hsg. Society alongwith with its members have filed Spl. C.S. No.165/2011 in the Court of Civil Judge S.D. Aurangabad against Dadarao Khadke and Shreehari Associates for the relief of possession and also injunction in respect of said 61 R portion from the land Gut No.55. However, the said suit ended with compromise dated 21/03/2013 and as per the said compromise the Hon'ble 3rd Jt. C.J.S.D. Aurangabad passed the compromise decree on 25.03.2013. AS per the terms and conditions of the said compromise decree the Pallavi Co.op. Hsg. Society accepted the title possession of Shreehari Associates Pvt. Ltd., on accepting certain amount by cheque.

That, Shreehari Associates Pvt. Ltd, entered into registered development agreement in respect of said land with M/s. Rajveer Infra Projects on dated 07/08/2013 registered at Sr. No.5350 and in view of the said development agreement Shreehari Associate also executed a registered

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4
power of attorney in favour of Pritesh Arun Munot of partner of M/s. Rajveer Infra Projects firm.

However, thereafter M/s. Shreehari Associates with the consent of M/s. Rajveer Infra Projects, sold 22.05 R portion out of the above referred 61 R portion of the land Gut No.55 to M/s. Rajveer Infra Projects under the registered sale deed dated 10/02/2014 registered at Sr.No.1108, at the office of Sub-Registrar Aurangabad. Therefore there are remain to the extent of 38.95 R with M/s. Shreehari Associate out of land Gut No.55 at Itkheda, Aurangabad.

That , M/s. Shreehari Associates obtain construction permission from Municipal Corporation Aurangabad on dated 17/07/2014 in file no.8/17/2014-15. Similarly M/s. Shreehari Associates through Its GPA Pritesh Arun Munot also executed registered declaration of apartment on dated 02/09/2015, registered at sr. no.6110 and thereby submitted the site nomenclature as Aarya Casa being developed on the 38.95 R portion of land Gut No. 55 , Itkehda Aurangabad, to the provision of Maharashtra Apartment Ownership Act. M/s. Shreehari Associate agreed to sale Flat No.602 admeasuring 197 Sq. Mtrs on six floor of Aarya Casa building to Mrs. Deena Malpani under the registered agreement to sale , registered at sr.no. 852, dated 09/02/16 and further agreed to sale Flat No.601 admeasuring 197 Sq. Mtrs on six floor of Aarya Casa building to Dr. Kamalkishor Malpani under the registered agreement to sale , registered at sr.no. 853, dated 09/02/2016.

On the basis of above referred documents and as per facts which came to my knowledge I am of the opinion that M/s. Shreehari Associates Pvt. Ltd., established the clear chain of title for last more than 12 years, in respect of 38.95 R portion of the land Gut No.55 of Itkheda Aurangabad except flat no. 601 & 602 on six floor of Aarya Casa building. I

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have also taken the search at the office of Sub-Registrar Aurangabad for last 12 years by depositing the necessary inspection charges thereat, but as per available Index record thereat I did not trace out any encumbrances on the said land. Therefore, I say that the said land is free from all types of encumbrances except the above referred two registered agreement to sale. In substance I feel that M/s. Shreehari Associates Pvt. Ltd., is having good marketable title in respect of the land Gut No.55 to the extent of 38.95 R portion situated at Itkheda Aurangabad { except the above referred two flats no. 601 & 602 on six floor of said building } and M/s. Rajveer Infra Projects validity entered into development with them, and executed declaration of apartment as stated above.

Hence this title cum search report.

Dated: 11/10/2016



(S. R. Malani)
Advocate

