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Regn.: 39M

पावती क्र.: 9029 दिनांक: 07/09/2016

साक्षात् नाव:

दस्तावेजाचा अनुक्रमांक: अगग-0-2016

दस्तावेजाचा प्रकार:

सादर करणाऱ्याचे नाव: अई बी.के. जाधव

वर्जन अर्ज क्र. 3029/2016 रट नं. 124 मोजे गावेली औरंगाबाद शोध 30 वर्षे 1987 ते 2016

SEARCHFEE

रु. 750.00

एकूण:

रु. 750.00

Sub Registrar Aurangabad I

सह. मुख्य निवृत्तक वर्ग - २

औरंगाबाद क्रमांक - १

1); देयकाचा प्रकार: By Cash रकम: रु 750/-

BHAUSAHEB K. JADHAV,

B.Com. LL.B. **Advocate,**

Plot No.8, Vishranti Chowk,
Mukundwadi Railway Station Road,
Jaibhavani Nagar, Aurangabad 431005.
Email : advbkjadhav@gmail.com
Mob. Nos. 9823325993, 7588533587.

DATE:-21ST APRIL,2017

TO WHOMSOEVER IT MAY CONCERN

Subject:- Search & title report of land admeasuring 7 Hector 78 R forming part of land Gut No.124 of village Gandheli, Tq. & Dist. Aurangabad.

In reference to above subject & at the request of **M/s. Divine Ventures**, a registered partnership firm through its partner, I had taken search in the office of Sub-Registrar Aurangabad for the period of 1987 to 2016 and verified the transactions pertains to above subjected land. I have also verified the title documents as well as revenue documents placed in my hand and also placed my reliance on the earlier search cum title reports given by the Advocate concerns. My observations are as under:-

NAME OF EXISTING OWNER:-

M/s.DIVINE VENTURES
A registered partnership firm
Having its registered office at
Shop No.11-12, Atharwa Plaza,
Sutgirmi Chwok, Aurangabad.
(Herein after referred to as "**the Owner**")

DESCRIPTION OF PROPERTY:-

Land admeasuring 7 Hector 78 R forming part of land Gut No.124 being and situated at village Gandheli, Tq. & Dist. Aurangabad and bounded as under:-

Towards East:-	Some remaining part of Gut No.124 & thereafter Gut No.125,
Towards West:-	Land Gut No.49,
Towards North:-	Land Gut No.645 of Chikalthana Territory,
Towards South:-	Land Gut No.122 & 123.

BRIEF HISTORY OF SOURE OF ACQUIRING TITLE BY THE OWNER:-

1) From the perusal of Consolidation statement prepared under implementation of consolidation scheme under section 9 (3) & 9(4) of The Prevention of Fragmentation And Consolidation of Holdings Act, 1947, the

land Gut No.124 was formed for an total area of 26 Acres 3 Gunthas and was recorded in the name of three holders as detailed under

Name of Holder	Area
Jagannath Kaduba Rithe	02 Acres
Lahanu Dhondiba	11 Acres 02 Gunthe
Kadu Mhatarba	13 Acres 01 Gunthe
Total	26 Acres 03 Gunthe

2) The title of the Owner i.e. M/s. Divine Venture, is derived through the tow land holders mentioned above i.e. Lahanu Dhondiba & Kaduba Mhatarba therefore transactions are classified in Phase I & II as detailed under:-

Phase -I

- a) As stated in para 1) Lahanu S/o Dhondiba was holder of 11 Acres 02 Gunthas of land as per the Consolidation statement and he was holing the said land till 1990. In the year 1990 or thereabout it appears that, said land standing in the name of Lahanu S/o Dhondiba was partitioned/distributed amongst his sons and mutation to that effect was recorded vide ME NO. 378 dated 01.01.1991, accordingly sons of Lahanu acquired respective portions of land as under:-

Raibhan S/o Lahanu	02 Acres 31 Gunthas
Sheshrao S/o Lahanu	02 Acres 31 Gunthas
Ashok S/o Lahanu	02 Acres 30 Gunthas
Bhausaheb S/o Lahanu	02 Acres 30 Gunthas
TOTAL	11 cres 02 Gunthas

- b) Afterwards all the sons of Lahanu sold out entire land admeasuring 11 Acres 02 Gunthas to Nazirkhan S/o Abdul Hamid Khan as under:

VENDOR	AREA	SALE DEED NO. & DATE	MUTATION NO. & DATE
Bhausaheb & Raibhan	2 A 00 G (81R)	326 20.11.91	411 12.02.1992
Raibhan & Bhausaheb	2A 00 G (81 R)	442 11.02.93	464 05.06.1993
Sheshrao	2 A 31 G (1H11 R)	661 16.06.94	510 29.07.1994
Paibhan	31G (31R)	221 18.01.95	548 20.03.1994
Bhausaheb	30 G	220	548

	(30 R)	18.01.95	20.03.1995
Ashok	2 A 30 G (1H10 R)	1582 29.05.95	564 20.06.1995
Total	11 Acre 02 Gunthe		

- c) Accordingly Nazirkhan S/o Abdul Hamid Khan became absolute owner in possession of 11 Acre 02 Gunthas of land who in turn sold an area of 10 Acres 25 Gunthas out of the said land to:-

PURCHASER	AREA	SALE DEED NO. & DATE	MUTATION NO. & DATE
Rajendra Bagmal Munot (HUF)	6 A 00 G (2H 43R)	3394 17.10.97	687 23.04.1998
Vimalkumar Vinodkumar Sureshkumar All S/o Bhagwandas Tibdiwala	4A 23 G (1H85 R)	3395 17.10.97	687 23.04.1998
Total	10 A25G		

- d) Vimlakumar S/o Bhagwandas Tibdiwalal thereafter parted with his share of 61 R in favor of his wife namely Vimladevi with consent of Vinodkumar & Sureshkumar, under registered Gift deed No.5206 dated 11.10.2001 and mutation to that effect was sanctioned bearing ME No. 1038. Accordingly Vinodkumar Tibdiwala, Sureshkumar Tibdiwala and Vimalbai W/o Vimalkumar Tibdiwala became owner in possession of 4 Acre 23 Gunthas of land, they in turn sold it to Mr. Santoshkumar Sunderlal Jain under registered sale deed no. 1991 dated 27.03.2003 and mutation that effect is sanctioned bearing ME No.1316 on 03.05.2003.
- e) The land admeasuring 6 Acres purchased by Rajendra Bagmal Munot (HUF) was sold in favor of Santoshkumar Sunderlal Jain vide registered sale deed no. 1992 dated 27.03.2003 and mutation to that effect is sanctioned bearing ME No.1322 dated 19.05.2003.

- f) Accordingly Mr. Santoshkumar Sunderlal Jain became absolute owner in possession of 10 Acre 23 Gunthas of land under Phase-I in the manner stated above.

Phase-II

- g) The another holder of land as per consolidation statement i.e. Kadu S/o Mhatarba was holding 13 Acres 01 land till 1986. It appears that in the year 1986 said Kadu S/o Mhatarba retained an area of 2 Acres for himself and remaining 11 Acres 01 Gunthas of land distributed amongst his sons and grand sons by way of partition as under:-

Kadu S/o Mhatarba	02 Acres
Sampat S/o Kaduba	03 Acres 13 Gunthas
Murlidhar S/o Kaduba	03 Acres 14 Gunthas
Govindrao S/o Kaduba	03 Acres 24 Gunthas
Karbhari & Rajaram Both sons of Jagannath who was predeceased son of Kaduba	00 Acres 30 Gunthas
TOTAL	13 Acres 01 Gunthas

- h) Afterwads Kaduba S/o Mhatarba expired leaving his 2 Acres of land which was succeed by above named sons and grandsons and it has got partitioned wherein 1 Acre each was allotted to Murlidhar and Sampat mutation entry to that effect was sanctioned on 26.05.1995 bearing ME No.571.
- i) In view of above Sampat S/o Kaduba was holding 3 Acres 13 Gunthas of his original share and 1 Acre by way of succession and was holding total land admeasuring 4 Acres 13 Gunthas. The said Sampat S/o Kaduba sold his entire 4 Acres 13 Gunthas (1 Hecter 75 R) of land to Mr. Pritam S/o Narendrakumar Khinvasara vide registered sale deed no. 3476 dated 27.10.1997 and mutation to that effect was sanctioned on 23.04.1998 bearing ME No.685. The said purchaser Pritam Khinvasara in turn sold the said 4 Acres

13 Gunthas(1 Hecter 75 R) of land to Mr. Santosh S/o Sunderlal Jain vide registered sale deed no.1990 dated 27.03.2003 and mutation entry is sanctioned to that effect bearing ME No.1318 on 03.05.2003.

- j) Similarly Murlidhar S/o Kadu was holding 3 Acres 14 Gunthas of his original share and 1 Acre by way of succession and was holding total admeasuring 4 Acres 14 Gunthas of land. The said Murlidhar S/o Kaduba sold his entire 4 Acres 14 Gunthas (1 Hecter 75 R) of land to Dr. Madhusudan Bhardiya vide registered sale deed no. 1609 dated 24.04.1998 and mutation to that effect was sanctioned on 15.05.1998 bearing ME No.695. The said purchaser Dr. Madhusudan Bhardiya in turn sold the said 4 Acres 14 Gunthas (1 Hecter 75 R) of land to Mr. Santosh S/o Sunderlal Jain vide registered sale deed no.2009 dated 28.03.2003 and mutation entry is sanctioned to that effect bearing ME No.1317 on 03.05.2003.

3. Accordingly Mr. Santoshkumar S/o Sunderlal Jain became absolute owner in possession of 08 Acre 27 Gunthas of land under Phase-II in the manner stated above and in total he became absolute owner in possessor of 7 Hecter 78 R land under Phase I & II as detailed above.

- a) Mr. Santoshkumar Sunderlal Jain thereafter under Six development agreements bearing registration nos. 2553, 2555, 2557 dated 06.12.2003 and registered development nos. 892, 1546 & 1548 dated 12.04.2004 assigned development rights over entire 7 Hecter 78 R land in favor of Sahara India Commercial Corporation Limited (SICCL).

- b) The said SICCL in pursuant to aforesaid development agreements converted aforesaid land for Non-agricultural purpose and obtained permission to that effect vide permission No. जा.क्र. २००४/मशा/जमीन १/अकृषी/प्र.क्र.१०६/२००४ and subsequent permission no.

जा.क्र.२००७/मशाका/जमीन१/कावी-जिल्हाधिकारी कार्यालय, औरंगाबाद

दि.१४/०५/२००७, issued by the District Collector. Consequently Town Planning Authority had approved lay-out in the above mentioned land vide letter no. अकृषिक/ग.न. ४८ ते ५१ व १२४ मॉ.गांधेरी-चिकलठाणा/ता.औरंगाबाद/ससंऔ/२३४ दिनांक २३/०२/२००७.

- c) It also revealed that, afterwards development agreement executed interse between SICCL and Mr. Santoshkumar Sunderlal Jain was cancelled vide cancellation of development agreements nos. 1989 & 1992 dated 07.08.2008.
- d) Mr. Santoshkumar S/o Sunderlal Jain again entered into another registered development agreement with Jaswant City Homes Hathras Pvt. Ltd. (JCHHPL) and those development agreements were registered bearing nos.1194 & 1996 dated 07.05.2008, and accordingly the name of JCHHPL was recorded in other rights column in 7/12 extract as a Development vide mutation entry no. 1863
- e) Further it reveals that, the said developer JCHHPL is renamed as Sahara City Homes Hathras Pvt. Ltd. (SCHHPL).
- f) It further revealed that, thereafter the earlier developer and subsequent developer i.e. SICCL & SCHHPL along with their Prime company i.e. Sahara Prime City Limited (SICL) along with the then title holder Mr. Santoshkumar Sunderlal Jain transfer entire land admeasuring 07 Hector 78 R along with development rights and permissions thereof, in favor of the Owner i.e. M/s. Divine Ventures under the registered sale deed bearing day book serial no. 3673/2016 dated 26.11.2016. Accordingly Owner is presently holding exclusive title & possession thereon.
- g) The Owner i.e. M/s. Divine Ventures appears to have cleared off the Grampanchayat Tax for the year 2016-17 vide receipt no.74 dated 29.10.2016 and also cleared off N.A.Tax upto 31.03.2017 vide Challan No. MH006668487201617M dated 13.12.2016 which was paid on 17.12.2016. issued by the concern Tahesil.

BHAUSAHEB K. JADHAV,
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Opinion:-

On going through the documents made available and on making search with the office of Sub-Registrar I noticed series of transactions as mentioned in para 2 & 3 herein above and in view of the same, I am of the opinion that, M/s. Divine Ventures is holding marketable & exclusive title and is holding possession thereof over Non-agricultural land admeasuring 07 Hecter 78 R forming part of land Gut No.124 being and situated at village Gandheli, Tq. & Dist. Aurangabad.

B.K. Jadhav
B.K. Jadhav
Advocate.