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

Date : 19/07/2017

TITLE-CUM SEARCH REPORT

WHEREAS Mr. Balkrishna s/o Dasrao Bhakare, partner of M/s. Deven Developers R/o. : Shamboo Mahadeo Nagar, Sahakar Nagar, Aurangabad, approached me and requested to issue title-cum search report in respect of the Plot No. 9 admeasuring 360 Sq. Mtrs, Plot no.10 & plot No. 11 each admeasuring 315 Sq. Mtrs, situated at Parijat Co-op. Housing Society Ltd, in the land Gut No.104, Nakshtrawadi, Aurangabad, I have gone through the documents of title produced by him before me and I have also taken the search at the Office of Sub-Registrar, Aurangabad, & thereupon I am issuing this title-cum search report as under :

1) That, the property land Gut No.104, totally admeasuring 3 Hecter 95 R., to the extent of 4 Acres 35 Gunthas was owned and possessed by one Biharilal Melwani, and out of the same, he sold 81 R., portion to Ramkrishna Laxmanrao Joshi and 15 others under the registered sale-deed No.5670, dated 22.10.1984. Accordingly, the Mutation Entry No. 340 came to be sanctioned in pursuance of the said sale-deed on 15.1.1985. Similarly, Digamber Vithalrao Bhilegaonkar and 7 others, purchased 41 R., portion out of land Gut No.104 from Biharilal Melwani, under the registered sale-deed dated 5th December, 1984, registered at Sr.No.6399, at the Office of Sub-Registrar, Aurangabad, and as per the said sale-deed Mutation Entry No.341 came to be sanctioned on dated 15.1.1985. Both the above said pieces purchased by the above said purchasers, being adjacent to each other, they jointly converted the said land in to non-agriculture and as such obtained the joint N.A. permission from the Collector, Aurangabad, on dated 6.1.1987.



2) The above said purchasers of both the sale-deeds also decided to form a Co-operative Housing Society amongst themselves and accordingly the society under the name and style of "Parijat Co-operative Housing Society Ltd., Nakshtrawadi", came to be registered with the Deputy Registrar, Co-operative Society, Aurangabad, on dated 31.7.1993. Accordingly, the property admeasuring 3 Acres purchased by the above said purchasers came to be mutated in the name of Parijat Co-operative Housing Society Ltd., Nakshtrawadi, under the Mutation Entry No.693. Parijat Co-operative Housing Society Ltd., Nakshtrawadi, also prepared the layout of the said property and it came to be approved by the Town Planning Authority on dated 2.6.1999. Thereafter, Hemant Pardikar, Shishir Pardikar, Vishakh Pardikar, Rajabhau Pimpalkar, Digamber Bhilegaonkar and Vanmala Panse, submitted their resignation and requested to transfer their share in favour of Mrs. Anuradha Sirsumkar, Sadanand Kulkarni and Sanjeev Atre. Accordingly, these persons came to be admitted as members of the Society. Similarly, Laxmikant Sirsumkar expired on 11.6.2011, and in his place, as per the nomination, his son Prakash Sirsumkar came to be admitted as member of the Society. As per the Board Resolution dated 22.8.1999, the plots came to be allotted to each of the members of the society and after allotment of the plots, Mrs. Sujata Keshavrao Deshpande and Sudhakar Wanjerkhedkar exchanged their plots interse, and therefore, Sudhakar Wanjerkhedkar became the owner of Plot No.21. Similarly, Jagannath Bardapurkar also expired and after his death, his wife Mangala Bardapurkar came to be admitted as member of the Society. In view of the above said changes, the following persons became the owner/allottee of the respective plots mentioned against their names :-



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Sr.No.	Name	Plot Number
1.	Bhalchandra Atre	5
2.	Mandabai Kulkarni	9
3.	Suman Bhilegaonkar	10
4.	Sachin Narsikar	11
5.	Pramila Shiradkar	12
6.	Veena Rokade	15
7.	Ramkrishna Joshi	16
8.	Sudhir Khursale	20
9.	Sudhakar Wanjerkhedkar	21
10.	Abhijeet Panse	23
11.	Kavita Nirkhi	24
12.	Surekha Kothekar	25

All the above referred plot holders entered into registered Development Agreement, in respect of their respective plots with M/s. Deven Developers Through its partner Balkrishna s/o Dasrao Bhakare, on dated 11.8.2011, registered at Sr.No.6366, at the Office of Sub-Registrar, Aurangabad. This Development Agreement also came to be consented by other members of the Society, as well as, the persons who are not at present member of the Society, but, who were the co-owners while purchasing the land under the above referred two sale-deeds and in view of the said development agreement a registered power of attorney came to be executed on dated 11/08/2011 registered at sr.no.6367 in favour of Balkrishna s/o Dasrao Bhakare. Afterwards deed of correction to the said development agreement also came to be executed and registered at sr no.



3830 on dated 09/06/2015, which is only in respect of the plot no. 9,10,11. However Mandabai w/o Suresh Kulkarni, who was owner of plot no. 9, expired on 14/11/2011, leaving behind her Suresh Bajirao Kulkarni as husband and Nitin and Bipin as sons and they all executed registered deed of confirmation to above stated development agreement, on dated 25/08/2015, registered at sr.no.5126 and they also executed a registered power of attorney in favour of Balkrishna Dasrao Bhakre on the same date registered at sr.no.5127 and accordingly they also executed registered deed of confirmation to registered deed of declaration on dated 15/09/2015, registered at sr. no. 3675.

3) That after execution of above referred development agreement, the total land of society came to be re-measured including therein all the plots of the society. After re-measurement of land, it is traced out that actual dimension of the land on the spot are not as per sanctioned lay out and therefore the allottee of the plot by society will not be able to occupy their respective plot and make construction thereon and therefore in the General body meeting of the society dated 11/03/12, it is resolved that a fresh layout of the land of the society be prepared and submitted for approval of the town planning authority. The proceedings shows that the partner of m/s. Deven developers was also present in the general body meeting and he also gave consent for preparation of the fresh revised layout of the society and accordingly the fresh revised layout came to be approved by town planning authority on 25/06/2014

4) Thereafter M/s. Deven Developers by obtaining the order of Town Planning Authority on 05/08/2014 amalgamated the plot no. 9,10,& 11 and thereafter the permission of for the construction is also obtained from Municipal corporation



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Aurangabad on 11/08/2014 in file no. 308/17/2014-15 in respect of the plot no. 9,10,11 and accordingly the Declaration U/sec.2-A of Maharashtra Apartment Ownership Act, came to be executed and registered at Sr.No.816, on dated 23/02/2015, and thereby proposed building being constructed on the plot Nos. 9, 10 and 11 nomenclature as "PARIJAT -A" is submitted to the provisions of Maharashtra Apartment Ownership Act. Afterwards M/s. Deven developers also obtained the loan of Deogiri Nagri Sahakari Bank Ltd Aurangabad, and accordingly executed the registered mortgage deed in favour of the said Bank on dated 15/06/2015 registered at Serial No.5586 at the Office of Sub Registrar Aurangabad, in respect of flats which came in the share of M/s. Deven developers which is constructed on plot no. 9,10,11 along with other flats constructed on other plots of the society .

5) On the basis of above referred documents produced before me and as per the facts, which came to my knowledge I feel that, Suresh, Nitin & Bipin Kulkarni, Suman Bhilegaonkar, Sachin Narsikar, established clear chain of title

in respective of plots No. 9, 10, 11 respectively, for last more than 15 years and they validly entered into registered Development Agreement with M/s Deven Developer, as stated above. During my search at the office of Sub Registrar, Aurangabad I found that transaction in respect of certain flat mentioned in schedule A annexed hereto came to be registered excepting those flats & charge of Deogiri Nagri Sahakari Bank Ltd Aurangabad, no other encumbrances is trace out on the said property as per available index thereat and therefore, I say that said property are free from all types of encumbrances except transaction mentioned in schedule-A & charge of Deogiri Nagri Sahakari Bank Ltd Aurangabad. In substance, I feel that, Suresh, Bipin & Nitin Kulkarni, Suman



Bhilegaonkar, Sachin Narsikar are having good marketable title in respect of their above referred their plots no. 9,10 and 11 respectively and they validly entered in to registered Development Agreement with M/s. Deven Developers.

SCHEDULE A

Sr No	Date	Particular	Registered Agreement to sale no.
1.	16/10/15	Flat No A-103 Jagdish Rameshwar Upadhye	4048
2.	30/11/15	Flat No. A-201 Samprati Kunal Salvi	4558
3.	27/01/16	Flat No. A-202 Gajanan Lalsing Jadhav	332
4.	22/01/16	Flat No. A- 303 Uivala Ashok Nana	283

4.	22/01/16	Flat No. A-304 AnaveerAshok Nanna	284
5.	22/01/16	Flat No. A-304 AnaveerAshok Nanna	284
6.	15/09/15	Flat No.A-305 Deepak Rameshwar Upadhye	3677
7.	30/03/16	Flat No.A-402 Uddhav Manikrao Khedkar	1274

Hence, this title-cum search report.

Date : 19/07/2017



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(S.R. MALANI)
ADVOCATE.













