

Uttam Manikrao Deshpande

Advocate
B.Com.LL.B.

Office :

Flat No. 2
Ganesh Krupa Appmt.
Ulka Nagari,
Aurangabad.

Date: 20.08.2016

TITLE CUM SEARCH REPORT

Whereas, Mr. Devanand S/o. Narayanrao Kotgire R/o.: Flat No.2, Priyanka Apartment, Khinvasara Park, Ulka Nagari, Aurangabad, partner of M/s. Everest Realtors, approached me and requested to issue Title cum Search Report, in respect of the land Gut No.52/2, totally admeasuring 11 H 41 R to the extent of 1 H 76.25 R land situated at village Wadgaon Kolhati, 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 property for last 13 years and thereupon I am issuing this title sum search report as under.:-

That, the property land Gut No. 52/2, totally admeasuring 11 H 41 R to the extent of 8 Hecter was owned and possessed by M/s. Khorakiwala Holdings and Investment Pvt. Ltd. Mumbai, and it sold the same to M/s. Future Alliances under the registered sale-deed dated 16.12.2006. M/s. Future Alliances sold the area to the extent of 3 H 25 R to M/s. City Mangal Construction under the registered sale deed dated 24.10.2010. However, one Shamsundar Dwarkadas Somani filed a suit for specific performance of contract against M/s. Khorakiwala Holding and investment Pvt. Ltd, and M/s. Future Alliances and its partners and M/s. P.K. Developers bearing Special Civil Suit No. 514/2008 in the Court of the Hon'ble Civil Judge, Senior Division, Aurangabad, thereby challenging the sale deed executed by M/s. Khorakiwala Holdings and Investment Pvt. Ltd. in favour of M/s. Future Alliances and by M/s. Future Alliances in favour of M/s. P.K. Developers,. However, the said suit ended with the compromise and as per the terms of compromise, M/s. Future Alliance agreed to allot and transfer the ownership and possessory right of plotted area admeasuring 24600 sq. fts. In the layout prepared by them.


Adv. Uttam Manikrao Deshpande
Flat No. 2, First Floor,
Ganesh Krupa Apartment,
Plot No. 106, Ulka Nagari, Aurangabad-431005

However, Mr. Shamsundar Somani under the agreement to sale dated 12.08.2010, agreed to transfer the said area to Mr. Pankaj Gangwal. While executing the sale deed of 3 H 25 R portion of the land gut No. 52/2, by M/s. Future Alliances, to M/s. City Mangal Construction, the responsibility to hand over the plotted area as per the consent terms of Spl. C.S. No. 514/2008 was placed upon M/s. City Mangal Construction. But M/s. City Mangal Construction and Mr. Shamsundar Somani and Mr. Pankaj Gangwal, settled their dispute finally and thereunder Mr. Shamsunder Somani and Mr. Pankaj Gangwal relinquished all their rights of whatsoever nature in the land gut No. 52/2 of Village Wadgaon Kolhati, Tq. & Dist. Aurangabad in favour of M/s. City Mangal Construction. Accordingly, both of them executed registered Deed of consent on dated 27.12.2011, in favour of M/s. City Mangal Construction. As such city Mangal Constructions became owner and possessor of 08 Acres 33 Gunthe land of Gut No. 52/2(P) village Vadgaon Kolhati, Tal. & Dist. Aurangabad.

It is seen that M/s. City Mangal Construction, entered in to registered Development agreement in respect of 1 H 76.25 R portion of land Gut no. 52/2 and specifically bounded by East : Remaining portion of land Gut No. 52/2, West: Remaining portion of land gut no. 52/2, South : M.I.D.C. land and North : 15 Meter wide Road, with Mr. Devanand Narayan Kotgire (HUF) on dated 15.10.2011, registered at Sr. No. 7799, at the Office of the Sub Registrar, Aurangabad. In accordance with the terms and conditions of the said Development Agreement, the partners of M/s. City Mangal Construction also executed the registered power of attorney in favour of Mr. Devanand Kotgire in respect of the said land.

It is to be noted that at the time of purchase of land by M/s. City Mangal Construction, the said firm consists of three partners namely, Mr. Nakul Chandak, Mr. Abhishek Tapadia and Mr. Gopal Soni. But under the Deed of Admission-cum-Retirement dated 01.09.2011, Mr. Abhishek Tapadia and Mr. Gopal Soni retired from the said firm and


Adv. Uttam Manikrao Deshpande
Flat No. 2, First Floor,
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Mr. Deepak Kothari, Mr. Pravin Sikchi and Mr. Naresh Sikchi came to be admitted as partners of M/s. City Mangal Construction, and therefore, Development Agreement in favour of Mr. Devanand Kotgire came to be executed by the present partners of M/s. City Mangal Construction.

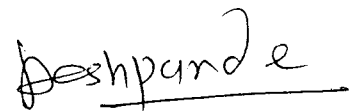
It is seen that M/s. City Managal Constructions sold land to the extent of 01 H 76.25 R to M/s. Everest Realtors – a partnership firm under registered sale deed No.1272 dated 15.02.2013. The sale deed is registered at the office of Sub-Registrar No. 5 at Aurangabad. The competent Revenue Authority has sanctioned the mutation in favour of M/s. Everest Realtors and its name is mutated in 7/12 extract as owner and possessor of the land.

It is seen that, on perusal of 7/12 extract of land Gut No. 52/2, a charge of Cosmos Co-op. Bank Ltd. is recorded against the said property.

That, on the basis of the above referred facts, I feel that, M/s. Everest Realtors – a partnership firm established clear chain of title for last more than 13 years in respect of above referred land Gut No. No. 52/2, to the extent of 1 Hectar 76.25 R. situated at Wadgaon Kolhati, Tq. & Dist. Aurangabad and bounded as East : portion of land Gut No. 52/2, West : Remaining portion of land Gut No. 52/2, South : M.I.D.C. Land and North : 15 mtr wide road.

During my search as stated above, except the charge of Cosmos Co-op. Bank Ltd. Aurangabad, I did not trace out any encumbrances on the said property, as per the index record available thereat. Therefore, In substance, I feel that, M/s. Everest Realtors, is having good marketable title on the property land Gut No.52/2, to the extent of 1 H 76.25 R situated at Wadgaon Kolhati, Tq. & Dist. Aurangabad.

Hence this title cum search report.

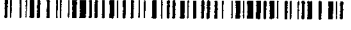


(Uttam M. Deshpande)
Advocate

Encl: Internet challan.

Adv. Uttam Manikrao Deshpande
Flat No. 2, First Floor,
Ganesh Krupa Appartment,
Plot No. 106, Ulka Nagar, Aurangabad-431005

CHALLAN
MTR Form Number-6

GRN	MH002409262201617E	BARCODE			Date	03/07/2016-16:51:46	Form ID		
Department				Inspector General Of Registration					
Type of Payment				Search Fee					
Other Items				TAX ID (If Any)					
				PAN No. (If Applicable)					
Office Name				ARB1_HQR SUB REGISTRAR AURANGABAD 1					
Location				- AURANGABAD					
Year				2016-2017 Specific From 04/07/2003 To 04/07/2016					
Account Head Details				Amount In Rs.		Flat/Block No.			
0030072201 SEARCH FEE				325.00		Premises/Building			
						Road/Street			
						Area/Locality			
						Town/City/District			
						PIN			
						4			
						3			
						1			
						0			
						0			
						9			
				Remarks (If Any)					
				land gut no 52/2 village wadgaon ko					
				lhati tal dist aurangabad admg 1 H					
				76.25 sq mtrs					
				Amount In		Three Hundred Twenty Five Rupees Only			
Total				325.00		Words			
Payment Details				BANK OF MAHARASHTRA					
Cheque-DD Details				FOR USE IN RECEIVING BANK					
				Bank CIN		REF No.		02300042016070395223 352503687	
Cheque/DD No				Date		03/07/2016-16:50:28			
Name of Bank				Bank-Branch		BANK OF MAHARASHTRA			
Name of Branch				Scroll No. . Date		Not Verified with Scroll			

Mobile No. 9822835617