

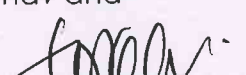
Legal Opinion

WHEREAS, M/s, Vansh Heights, Through its Partner Mr. Vinod Agrawal, Mr. Nitin Singhaniya, Mr. Shailesh Devidan and Santosh Dhanuka approached me and requested verify title documents and litigation RCS no. 2064/2012 and give legal opinion to in respect of the property Land Gut No. 105 totally admeasuring **06 Hectar 53 Are**, 14 Are Potkharab, Land revenue Rs.14.56 ps., out of which to the extent of **01 Hectar 21 Are** Situated at village Shendra Jahangir Tq. & District Aurangabad.

1. I have gone through the available revenue record and papers and from the perusal of the same, it has been revealed that the property land Survey no. 64 admeasuring 09 Acre 12 Gunthas, 04 Are Potkharab, land Revenue of Rs.08.58 ps. and Survey no. 66 admeasuring 06 Acre 33 Gunthas, 10 Are Potkharab, land Revenue of Rs.06.00 ps. Situated at Village Shendra Jahangir Tq. and District Aurangabad was originally owned and possessed by Dattu Kisan and his name was appearing in revenue record since 1970-71 as owner and Bhivsan Ashruba as a possessor. That in the year 1970-71 consolidation scheme was going on and Survey no. 64/1 and 66 converted into Gut no. 105 totally admeasuring 06 Hectar 53 Are, 14 Are Potkharab land Revenue of Rs.14.56 ps. Situated at Village Shendra Jahangir Tq. and District Aurangabad.
2. That in the year 1975 Dattu Kisan died leaving behind legal heirs namely wife Rukhminibai Dattatray Bhurewar, son Babu Dattarya Bhurewar and Kisan Dattarya Bhurewar and accordingly name of his legal heirs came to be mutated in the revenue record wide mutation entry no. 101.
3. That Babu Dattarya Bhurewar died leaving behind legal heirs namely 1. Ramdas Baburao Bhurewar, 2. Shankar Baburao Bhurewar, 3. Rajesh Baburao Bhurewar, 4. Kisan Baburao Bhurewar and daughter 5. Sushila

Prabhakar Shriramwar, 6. Bharti Vishnu Koturwar, 7. Kaushalya Baburao Bhurewar and wife 8. Chandrabhagabai Baburao Bhurewar and accordingly name of his legal heirs came to be mutated in the revenue record wide mutation entry no. 578.

4. That in the year 1990 1. Ramdas Baburao Bhurewar, 2. Rukhminibai Dattatray Bhurewar, 3. Chandrabhagabai Baburao Bhurewar, 4. Kisan Dattatray Bhurewar, 5. Shankar Baburao Bhurewar, 6. Rajesh Baburao Bhurewar transferred Land **Gut No. 105** admeasuring **06 Hector 53 Are**, 14 Are Potkharab, Land revenue Rs.14.56 ps., out of which to the extent of **09 Acre 00 Gunthas** Situated at village Shendra Jahangir Tq. & District Aurangabad to **Devidas Navsaji Bharsakhale** under registered sale deed bearing registration no. 340/1990 dated 14.08.1990 registered at the office of Sub-registrar Aurangabad and accordingly his name came to be recorded to the revenue record as owner and possessor wide mutation entry no. 606.
5. That in the year 1991 1. Ramdas Baburao Bhurewar, 2. Shankar Baburao Bhurewar, 3. Rajesh Baburao Bhurewar, 4. Kisan Baburao Bhurewar and daughter 5. Sushila Prabhakar Shriramwar, 6. Bharti Vishnu Koturwar, 7. Kaushalya Baburao Bhurewar and wife 8. Chandrabhagabai Baburao Bhurewar 9. Kisan Dattatray Bhurewar transferred Land **Gut No. 105** admeasuring **06 Hector 53 Are**, 14 Are Potkharab, Land revenue Rs.14.56 ps., out of which to the extent of **03 Hector 03 Are (07 Acre 23 Gunthas)** Situated at village Shendra Jahangir Tq. & District Aurangabad to **Shashikala Shivdas Bharsakhale** under registered sale deed bearing registration no. 8852/1991 dated 26.08.1991 registered at the office of Sub-registrar Aurangabad and accordingly her name came to be recorded to the revenue record as owner and possessor wide mutation entry no. 645.
6. That in the year 2011 Devidas Navsaji Bharsakhale died leaving behind legal heirs namely son Milind Devidas Bharsakhale, Sunny Devidas Bharsakhale, wife Babanbai Devidas Bharsakhale and daughter Rani Anand Jadhav and



accordingly name of his legal heirs came to be mutated in the revenue record wide mutation entry no. 2347 as owner and possessor. They also get measured the land from TILR Aurangabad to the extent of 03 Acres 00 Gunthas in file no. MORENO/ATITATDI/13616/2016 dated 24.10.2016.

7. That as per order of Tahasildar Land reform in file no. 2007/BHUSUDHAR/KAWI/294 dated 27.03.2008 name of Tenant Bhivsan Ashruba came to be deleted as per mutation entry no. 1791. That the Bhivsan Ashruba also declared as Owner u/s. 28 (6) Hyderabad Agricultural and Tenancy Lands Act 1950 in respect of Land Survey no. 65 to the extent of 10 Acres 25 Gunthas Land revenue Rs.11.88 ps. In file no. RB.WS.VII.KHATA 88/60 dated 21.05.1968, therefore he has no right in respect of Land Survey no. 64 and 66.
8. That the Bhivsan Ashruba died leaving behind Sons 1. Raghunath Bhivsan Bharsakhale, 2. Navsaji Bhivsan Bharsakhale, 3. Gopinath Bhivsan Bharsakhale 4. Housaji Bhivsan Bharsakhale, 5. Ramrao Bhivsan Bharsakhale, 6. Shamrao Bhivsan Bharsakhale, 7. Shivdas Bhivsan Bharsakhale and two daughters 8. Champabai w/o. Hari Khotkar, 9. Lochanbai W/o. Bahurao Pakhare.
9. That in the year 2008 Shamrao Bhivsan Bharsakhale, Ramrao Bhivsan Bharsakhale, Gautam Bhivsan Bharsakhale and Angad Raghunath Bharsakhale, filed Suit for Partition and Separate possession against Shivdas Bhivsan Bharsakhale, Devidas Navsaji Bharsakhale, Shashikala Shivdas Bharsakhale, Vishnu Shivdas Bharsakhale, Talathi Shendra Kamangar, Gopinath Bhivsan Bharsakhale, Champabai Haribhau Khotkar, Locahnbai Bahurao Pakhre bearing RCS no. 125/2008 on 05.02.2008 and said suit dismissed in default on 04.02.2012.



10. That in the year 2012 Champabai Haribhau Khotkar, Jijabai Raghunath Divekar, Gautam Housaji Bharsakhale, Ramrao Bhivsan Bharsakhale, Shamrao Bhivsan Bharsakhale and Locahnbai Bahurao Pakhre filed RCS no. 2064/2012 against Kadubai Bansi Gadekar and other 23, Suit for Partition and Separate possession. In this suit Champabai Haribhau Khotkar and Ramrao Bhivsan Bharsakhale withdrawn their claim as per Purshish below Exh. 33, however subsequently they both are added as defendant no. 24 and 25. In this suit application Exh. 5 came to be rejected and against said order MCA no. 95/2013 filed and said appeal came to be allowed and injunction as prayed in application came to be allowed and said suit pending before Jt. Civil Judge Junior Division At Aurangabad.

11. That in the year 2016 Babanbai Devidas Bharsakhale, Milind Devidas Bharsakhale and Sunny Devidas Bharsakhale, entered into Agreement of Sale Land Gut No. 105 admeasuring **06 Hector 53 Are**, 14 Are Potkharab, Land revenue Rs.14.56 ps., out of which to the extent of **01 Hector 21Are** Situated at village Shendra Jahangir Tq. & District Aurangabad with **Bhushan Devidas Shirole and Dnyaneshwar Rajaram Goje** under the notarized Agreement to sale dated 05.09.2016.

12. That after executing agreement of sale Bhushan Devidas Shirole and Dnyaneshwar Rajaram Goje settled dispute of plaintiff and defendant in RCS No. 2064/2012 out of court and obtain consent for their Agreement of Sale including Plaintiffs and defendant and they also agreed to sign sale deed as consenting party as per Terms and Condition of Deed of Consent and further agreed to submit compromise before Civil Judge Junior division At Aurangabad.

13. In view of the above discussion it was seems that Babanbai Devidas Bharsakhale, Milind Devidas Bharsakhale, Sunny Devidas Bharsakhale, Rani Anand Jadhav are the absolute owner and possessor of the property Land

Gut No. 105 admeasuring **06 Hector 53 Are**, 14 Are Potkharab, Land revenue Rs.14.56 ps., out of which to the extent of **03 Hector 20 Are** Situated at village Shendra Jahangir Tq. & District Aurangabad, however the other legal heirs of Bhivsan Ashruba filed suit and claimed that the above property is ancestral property and it was purchased in the name Devidas Navsaji Bharsakhale, said suit is pending but as per instruction given by the Bhushan Devidas Shirole and Dnyaneshwar Rajaram Goje all the plaintiffs are ready to compromise the matter sign as a consenting party to sale deed and accordingly they got executed Deed of Consent to their transaction i.e. Agreement of Sale copy enclosed here with.

14. That in light of instruction you can purchase the Land Gut no. 105 to the extent of 3 Acre 00 Gunthas (01 Hector 21 Are) in following manners as under :-

- I. Issue paper Proclamation in two leading newspapers.
- II. Before making payment, submit the compromise in court and get order on compromise from court.
- III. On execution and registration of sale deed all the plaintiffs and other legal heirs obtain consent to sale deed, pay partially sale proceed against their consent.
- IV. That One of the defendant i.e. Aghad Raghunath also issued Paper proclamation in newspaper on 20.08.2017 and objected the transaction, therefore we need to obtain consent of him.
- V. That Bhushan Devidas Shirole and Dnyaneshwar Rajaram Goje got executed Agreement of sale therefore their consent also need to be obtained.

15. That I have gone through all the deeds and documents. This opinion regarding title issued only on the basis of documents and revenue record produced before me and information given by Bhushan Devidas Shirole

and Dnyaneshwar Rajaram Goje. Before entering any transaction kindly verify the original document and follow the instructions mentioned in Para no. 14 of Opinion. HENCE THIS TITLE REPORT.

DATE. 27.08.2017



(Anil P Malani)
ADVOCATE

Enclose

All the above referred
documents vide page no. 1 to 99.