

Subhash Manohar Bodke

Advocate

B-214, Meghdoot Shopping Centre, Opp.CBS Nashik

TITLE & SEARCH REPORT

TO WHOM SO EVER IT MAY CONCERN

- 1) **Name & Address of the person on whose behalf the report is prepared**

Mr. Manoj Madhukar Toshniwal
R/o Flat No. 2, Yashodeep Society ,
Tilakwadi , Nashik

2) **Name & Address of the owners of the property**

1 Mr. Gangadhar Premraj Kabra

2 Mrs. Seema Gangadhar Kabra

R/o Flat No. 4, Kishorchandra Co.Op. Hsg. Soc
Behind Ashwin Hotel, Canada Corner, Nashik

3) **Details of the property**

S.No. 774+ 775/ 2 / 8 , Plot No. 8

All that piece and parcel of the N.A. property bearing
S.No. 774+ 775/ 2 / 8 , Plot No. 8 adm. area 391.5 Sq.Mtrs.
N.A. Asst Rs. 258.00 paise situated at Nashik within the
local limits of Nashik Municipal Corporation and within the
limits of Taluka & District Nashik which is bounded as

On towards East :-	7.50 Mtr. Colony Road
On towards West :-	Property of S.No. 775/ 1 B
On towards South :-	Plot No.7
On towards North :-	Plot No.9

4) **Object of the report**

To verify the title of the property .

- 1) Revenue record' extracts for last 15 years
- 2) Public notice is published for title verification
- 3) The search report of Index II

5) **Documents made available**

Document details

- i) Revenue record for last 15 years 1999 to 2014
- ii) Record of right for last 15 years (6 D Mutation entries)
- iii) Search Report for last 15 years
- iv) **Public Notice** published in two news papers by
Adv. Ajay M. Toshniwal

*** As per Mutation Entry No. 37474 dtd . 2.2.1998**

That 1) Gulam Mustafa Husain Saheb Kokani 2) Jarina Gulam Mustafa kokani 3) Fakruddin Gulam Mustafa kokani 4) Afrin Gulam Mustafa kokani 5) Mohmmad Fasi Gulam Mustafa kokani has sold the following properties to the following purchasers.

Sr.No.	Name of purchaser	S.No.	Area	Date of purchase
1)	Ratan Ramchandra Pagar	774 part	0.20	28.6.1995
2)	Gulab Ramchandra Pagar	774 part	0.20	28.6.1995
3)	Prakash Namdeo Davange	775/ 2 p	0.20	28.6.1995
4)	Narayan Namdeo Davange	775/ 2 p	0.20	28.6.1995
5)	Keshav Chindhu Davange	775/ 2 P	0.20	28.6.1995
6)	Jagan Chindhu Davange	775/ 2 P	0.20	28.6.1995
7)	Valu Damu Mahale	775/ 2 P	0.20	28.6.1995
8)	Pundlik Damu Mahale	775/ 2 P	0.20	28.6.1995
9)	Dilip Damu Mahale	775/ 2 P	0.20	28.6.1995
10)	Raghunath Shivram Davange	775/ 2P	0.20	28.6.1995

The purchasers are agriculturist and prior permission of ULC was obtained. Hence the name of purchasers were mutated as per application and copy of sale deed.

*** As per Mutation Entry No. 46454 dtd .11.6.2002**

That owner of S.No. 774 part , 775/ 2 Ratan Ramchandra Pagar ,Gulab Ramchandra Pagar, Gulam Mustafa Husain Kokani and other has collectively prepared layout plan which was sanctioned by Nashik Municipal Corporation Nashik vide letter No. Nagar rachna/ Antim/ B-3/ 10 dtd. 14.5.2002 and Collector of Nashik has granted N.A. permission vide order No. Mah/ Kaksha 3/ NA/ 125/ 98 dtd. 5.12.1998 . Hence as per layout plan and N.A. order the said S.No. was divided into various plot i.e. Plot No. 1 to 48.

*** As per Mutation Entry No. 48609 dtd. 17.5.2003**

That 1) Gangadhar Premraj Kabra 2) Seema Gangadhar Kabra has purchased Plot No. 8 adm. area 391.50 Sq.Mtrs. out of S.No 774+775/ 2/ 8 from 1) Prakash Namdeo Davange 2) Narayan Namdeo Davange 3) Keshav Chindu Davange 4) Jagan Chindu Davange 5) Valu Damu Mahale 6) Pundlik Damu Mahale 7) Dilip Damu Mahale 8)

- v) **Sale deed** dtd. 14.5. 2003 between 1) Mr. Gangadhar Premraj Kabra 2) Mrs. Seema Gangadhar Kabra and Prakash Namdeo Davange and others which is registerd at Sr.No. 4326/ 2003
- vi) **TDR Sale deed** dtd.18.11.2014 between Mr. Gangadhar Premraj Kabra 2) Mrs. Seema Gangadhar Kabra and Viva Highways Ltd.(Previous name Viva Highways Pvt. Ltd.) which is registered at Sr.No. 8804 / 2014
- vii) **Development Agreement** between Mr. Gangadhar Premraj Kabra 2) Mrs. Seema Gangadhar Kabra and Mr Manoj Madhukar Toshniwal dtd. 9.12.2014 which is registered at Sr.No. 9441/ 2014
- viii) **General Power of Attorney** :between Mr. Gangadhar Premraj Kabra 2) Mrs. Seema Gangadhar Kabra and Mr Manoj Madhukar Toshniwal dtd. 9.12.2014 which is registered at Sr.No. 9442/ 2014
- ix) **Layout plan** :- Approved by Nashik Municipal Corporation vide their letter No. Nagar Rachna Vibhag/ Final/ B-3/ 10 dtd. 14.5. 2002
- x) **N.A. Order** :- Sanctioned by Collector Nashik vide order No. Mah/Kaksha 3/ LNA/ 125/ 98 dtd. 5.12.1998
- xi) **NA tax paid receipt** :- For the year 2014-2015 dtd. 20.9.2014 of Rs. 188

6) **The chronological event :-**

*** As per Mutation Entry No. 37440 dtd. 28.1.1998**

The owner of property bearing S.No. 774, 775/2, Smt. Gausiya Begam Gulam Mustafa died on 2.2.1994 . The deceased left behind following legal heirs .

- | | |
|--------------------------------------|----------|
| 1) Gulam Mustafa Husain Saheb Kokani | Husband |
| 2) Jarina Gulam Mustafa kokani | Daughter |
| 3) Fakruddin Gulam Mustafa kokani | Son |
| 4) Afrin Gulam Mustafa kokani | Son |
| 5) Mohmmad Fasi Gulam Mustafa kokani | Son |

Hence the name of legal heirs were mutated in owners column and M.E. was sanctioned.

Raghunath Shivram Davange 9) Ratan Ramchandra Pagar 10) Gulab Ramchandra Pagar through GPA Holder 1) Vijay Fakirchand Sabdra 2) Nanak Jesaram Chawla on 14. 5.2003 by way of sale deed . Hence as per application and copy of sale deed the name of purchaser was mutated in owners column .

*** As per Mutation Entry No. 64982 dtd. 23.7.2009**

That T.I.L. R. Nashik vide letter No. Adhi/ Abhi/ Kavi/ 1250/95 dtd. 23.7.2009 the Hissa form No. 12 is issued . Tahsilar Nashik vide letter No. Adhi/ Abhi/ Kavi/ 1250/ 09 dtd. 23. 7.2009 the area was changed and with that effect M.E. was sanctioned accordingly.

As on today

Mr. Gangadhar Premraj Kabra and Mrs. Seema Gangadhar Kabra has owned and possessed the property bearing S.No. 774+ 775/ 2 / 8 , Plot No. 8 adm. area 391.5 Sq.Mtrs. N.A. Asst Rs. 258.00 paise situated at Nashik .

Thereafter Mr. Gangadhar Premraj Kabra and Mrs. Seema Gangadhar Kabra has executed Development Agreement and General Power of Attorney on 9.12.2014 in favour of Mr. Manoj Madhukar Toshniwal which is registered at Sr.No. 9441/ 2014 and 9442/ 2014 .

7) **Public Notice** :- Public Notice were issued on 24.12.2014 in daily News paper Deshdoot and Gaonkari through Advocate Ajay M. Toshniwal by giving following details.

i) That Mr. Gangadhar Premraj Kabra and Mrs. Seema Gangadhar Kabra is the owner of the said property and they holding the possession of said property .

ii) If any person having any right and interest in said property should raise objection within 15 days of publication of notice.

ii) The said notice was signed by the owner. No person has objected that notice in time of notice period or today .

8) Search Report :-

Adv. Subhash M. Bodke had taken the search of Index II register In the office of Sub Registrar Nashik for the period of 15 years. No adverse entries found . The search fee receipt No. 26231 dtd. 26.12.2014 .

9)

OPINION

From the perusal of the aforesaid documents

i) Mr. Gangadhar Premraj Kabra and Mrs. Seema Gangadhar Kabra has purchased the aforesaid plot property from Prakash Namdeo Davange and others 9 vide Sale deed dtd. 14. 5.2003 Sr.No. 4326/2003. Therefore Mr. Gangadhar Premraj Kabra and Mrs. Seema Gangadhar Kabra is holding and possessed the property bearing S.No. 774+ 775/ 2 / 8 , Plot No. 8 adm. area 391.5 Sq.Mtrs. N.A. Asst Rs. 258.00 paise situated at Nashik within the local limits of Nashik Municipal Corporation and within the limits of Taluka & District Nashik and said property is free from all encumbrances .

ii) Thereafter Mr.Gangadhar Premraj Kabra and Mrs. Seema Gangadhar Kabra has executed Development Agreement and General Power of Attorney on 9.12.2014 in favour of **Mr. Manoj Madhukar Toshniwal** . The said documents were registered at Sr.No. 9441/ 2014 and 9442/ 2014 . On the basis of said Power of Attorney and Development Agreement and terms and conditions mentioned therein , Mr. Manoj Madhukar Toshniwal is entitled to transfer the constructed units mentioned in the Development Agreement.

Nashik
Date : 8/1/2015

Subhash M. Bodke
Subhash M. Bodke
Advocate

Adv. Subhash M. Bodke
B.S.L., L.L.B. Advocate
Regd. No. MAH/2443/2011
Chambers,
Court Compound Nashik.