**ADVOCATE**
Reg. No.: 2928/99 w.e.f.-15/08/1998
**MRS. MINAL MANOJ KENGE**
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**Date – 31/07/2017**

# TITLE REPORT

## TO WHOMSOEVER IT MAY CONCERN

**I. SUBJECT –**

Title Report regarding the property described as in the clause No. IV.

**II. NAME OF THE OWNER –**

The owners of the Property, more specifically described hereunder are **Ashoka Promoters Pvt Ltd., Ashoka Premises Pvt Ltd. and Ashoka Nirmitee Pvt Ltd.,.** The authorized person of the companies asked me to investigate the title of the Property described in Clause No. IV & provided me following documents.

**III. DOCUMENTS MADE AVAILABLE FOR SEARCH -**

1. 7/12 extract from 1984 to May 2017
2. Mutation entries from the Year 1984 onwards.
3. Sale deed written on dt. 16/10/1996 and executed on dt.18/10/1996 bearing No. 2132/1996
4. Sale deed – Dated 25/10/1996 bearing No.2148/1996, 2149/1996
5. Layout order no. – 1165/2001, dt. 09/05/2001
6. N A Order No. – उपविभागीय अधिकारी निफाड भाग, निफाड यांचे कार्यालय केस जमाबंदी /वि.शे.प.क्र. /४९/२००१, निफाड दि. ०४/०६/२००१
७. Building Commencement Certificate bearing No. 39, BPA/00057/2017-18 , dated 29/07/2017.

Thus the copies of above mentioned record & documents are made available to me. After the study & perusal of the available record my report of title is as under -

**IV. DESCRIPTION OF THE PROPERTY –**

All that piece and parcel of land Situated at Village,Tal- Sinner,Dist. – Nashik, bearing Plot No. 224,225,230 &231 as per approved Final layout plan of Survey

No. 936/1/3 +936/2A + 936/3 admeasuring total area which is converted for non-agricultural purpose is 93,176.00 Sq. mtrs. Out of the total non-agricultural area the above mentioned plots are subject matter of this report.

(The said Survey Numbers are referred to as the **"said land"** and the said Plots are hereinafter referred to as the **"said plots"** for the sake of convenience. )

V. **BRIEF HISTORY -**

Survey No. 936 was previously known as Survey No. 1200 as per the available revenue record. As per the Order of Collector Nashik the Old Survey No,. 1200 was converted to new Survey No. 936. The Mutation entry No. 12127 is mutated accordingly.

- **HISTORY OF SURVEY NO. 936/1 :-**

1. The names of Rashida Hasinoddin and others were previously mutated in the other right colourmn were deleted from the record as the names were not concerned with the said land hence they were deleted and mutation entry No. 16626 was cancelled.

2. As per the revenue record though the owners of Survey No. 936/1 (1200/1) were shown as Sirojuddin Jainoddin Kazi and others the said land was in actual possession of the agricultural tenants Mr Ambadas Bala Kholambe was having possession of 01 Hector 43 Are Access at 02 Rs.37 Paise and Mr Somnath Bhagvant Gade was having possession of 02 Hector 85 Are access at 04 Rs. 74 Paise out of the total area of Survey No. 936/1 (1200/1)

3. As mentioned earlier Mr Ambadas Bala Kholambe was the agricultural tenant of the said land from the 'Tillers day' he was declared as deemed purchaser for the share he was having actual possession. The Certificate under section 32M of Bombay Agriculatural Tenants Act was issued in favour of Mr Ambadas Bala Kholambe by the order of Tahasildaar, Sinnar bearing order no.मे. तहसिलदार साो. सिन्नर कु.का./एल.एस.सी./४५६/ दि १३/०८/१९९६ for Survey No. 935/3B (Part), 935/1 (Part), **936/1 (Part)**, 936/3 (Part), 937/2B (Part) and 936/2A (Part). The said Certificate was issued after completion of procedure under section 32G of Bombay Agricultural Tenancy Act and after depositing the consideration amount as ordered



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by the Tahasildaar Office. The name of Mr Ambadas Kholambe i.e. the deemed purchaser was entered in the owners right coloumn of the Survey No. **936/1** and other lands by mutation entry no. 17171.

4. As mentioned earlier Mr Somnath Bhagavant Gade was the agricultural tenant of the said land from the 'Tillers day' he was declared as deemed purchaser for the share he was having actual possession. The Certificate under section 32M of Bombay Agricultural Tenants Act was issued in favour of Mr Somnath Bhagavant Gade by the order of Tahasildaar, Sinnar bearing order no. सं. तहसिल्दार सो. सिन्नर यांचे कडील आदेश क्र. कु.का./बशी/एल.एस.पी./४५७/ दि. १२/०८/१९९६ for Survey No. 936/1(Part), 936/3 (Part), 935/3B (Part), 935/1 (Part). The said Certificate was issued after completion of procedure under section 32G of Bombay Agricultural Tenancy Act and after depositing the consideration amount as ordered by the Tahasildaar Office. The name of Mr Somnath Bhagavant Gade i.e. the deemed purchaser was entered in the owners right coloumn of the Survey No. **936/1 (Part)** and other lands by mutation entry no. 17172.

5. Thus the above mentioned agricultural tenants of the Survey No. 936/1 became the Legal owner of the said land by virtue of the Certificate under section 32M of Bombay Agricultural Tenancy Act and their names were entered in the owners right column of the 7/12 Extracts of the said land and the remark of permission under Section-43 was mutated in the 7/12 Extract.

6. M/s Ashoka Promoters Pvt Ltd., M/s Ashoka Premises Pvt Ltd. and M/s Ashoka Nirmitee Pvt Ltd., purchased admeasuring area of 01 Hector 43 Are alongwith PotKharaba 00 Hector 72 Are admeasuring total area 02 Hector 15 Are from the Southern side of Survey No. 936/1 from its owner Mr Ambadas Bala Kholambe by virtue of Sale Deed dated 25/10/1996 which is registered in the Office of Sub-registrar Sinner at Sr No. 2148 / 1996. It is mentioned in the Sale Deed that the Vendor i.e. Mr Ambadas Bala Kholambe has obtained the permission U/s 43 of Bombay Agricultural Tenancy Act prior to execution of Sale Deed.

7. M/s Ashoka Promoters Pvt Ltd., M/s Ashoka Premises Pvt Ltd. and M/s Ashoka Nirmitee Pvt Ltd., purchased admeasuring area of 02 Hector 85 Are along with

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PotKharaba 01 Hector 44 Are admeasuring total area 04 Hec 29 ARE out of Survey No. 936/1 from its owner Mr Somnath Bhagvant Gade by virtue of Sale Deed dated 25/10/1996 which is registered in the Office of Sub-registrar Sinner at Sr No.2149/ 1996. It is mentioned in the Sale Deed that the Vendor i.e. Mr Somnath Bhagvant Gade has obtained the permission U/s 43 of Bombay Agricultural Tenancy Act prior to execution of Sale Deed,

8. Thus as per the above mentioned Sale Deeds the three Companies M/s Ashoka Promoters Pvt Ltd., M/s Ashoka Premises Pvt Ltd. and M/s Ashoka Nirmitee Pvt Ltd., became the owner of the Area purchased out of Survey No. 936/1 hence their names are entered in the 7/12 extract of Survey No. 936/1 by mutation entry No. 17299,

- **HISTORY OF SURVEY NO. 936 (1200)2A :-**

9. The names of Rashida Hasinoddin and others were previously mutated in the other right coloumn were deleted from the record as the names were not concerned with the said land hence they were deleted and mutation entry No. 16626 was cancelled.

10. As per the revenue record though the owners of previous Survey No. 1200/2A new Survey No. 936/2A were shown as Sirojuddin Jainoddin Kazi and others the said land was in actual possession of the agricultural tenants Mr Sayaji Tabaji Ugale and Ambadas Bala Kholambe. The total area of Survey No. 936/2A was 02 Hector 61 Are out of the total area Mr Sayaji Ugale was having actual possession of 01 Hector 99 Are and Mr Ambadas Kholambe 00 Hector 65 Are as Agricultural Tenants of the Said Land.

11. As mentioned earlier Mr Ambadas Bala Kholambe was the agricultural tenant of the said land from the 'Tillers day' he was declared as deemed purchaser for the share he was having actual possession. The Certificate under section 32M of Bombay Agriculatural Tenants Act was issued in favour of Mr Ambadas Bala Kholambe by the order of Tahasildaar, Sinnar bearing order no. ई. तहसिलदार सो. सिन्नर कु.का./एल.एस.पी./४५६/ दि. १३/०८/१९९६ for Survey No. 935/3B (Part), 935/1 (Part), 936/1 (Part), 936/3 (Part), 937/2B (Part) and **936/2A (Part)**. The said Certificate was issued after completion of procedure under section 32G of Bombay



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Agricultural Tenancy Act and after depositing the consideration amount as ordered by the Tahasildaar Office. The name of Mr Ambadas Kholambe i.e. the deemed purchaser was entered in the owners right coloumn of the Survey No. 936/2A and other lands by mutation entry no. 17171.

12. As mentioned earlier Mr Sayaji Tabaji Ugale was the agricultural tenant of the said land from the 'Tillers day' he was declared as deemed purchaser for the share he was having actual possession. The Certificate under section 32M of Bombay Agriculatural Tenants Act was issued in favour of Mr Sayaji Tabaji Ugale by the order of Tahasildaar, Sinnar bearing order no. मे. तहसिलदार साो. सिन्नर यांचे कडील आदेश क्र. कुल-का. / एल.एस-पी./४५८, दि. १२/०८/१९९६ for Survey No. 935/3B (Part), 935/1 (Part), 936/1 (Part), 937/1 (Part), 937/2B (Part) and **936/2A (Part).** The said Certificate was issued after completion of procedure under section 32G of Bombay Agricultural Tenancy Act and after depositing the consideration amount as ordered by the Tahasildaar Office. The name of Mr Sayaji Tabaji Ugale i.e. the deemed purchaser was entered in the owners right coloumn of the Survey No. 936/2A and other lands by mutation entry no. 17173.

13. Thus the above mentioned agricultural tenants of the Survey No. 936/2A became the Legal owners of the said land by virtue of the Certificate under section 32M of Bombay Agricultural Tenancy Act and their names were entered in the owners right coloumn of the 7/12 Extracts of the said land and the remark of permission under Section-43 was mutated in the 7/12 Extract.

14. M/s Ashoka Promoters Pvt Ltd,. Ashoka Nirmitee Pvt Ltd. and M/s Ashoka Premises Pvt Ltd., purchased the area admeasuring 01 Hector 99 Are from Mr Sayaji Tabaji Ugale by registered Sale Deed dated 16/10/1996 which is registered in the Office of Sub-registrar Sinnar on dt. 18/10/1996 at Sr No. 2122/1996. It is mentioned in the Sale Deed that the Vendor i.e. Mr Sayaji Tabaji Ugale has obtained the permission U/s – 43 of Bombay Agricultural Tenancy Act prior to execution of Sale Deed.

Thus the above mentioned 3 companies became the Jt Owners and Possessors of the said Survey No. 936/2A. The said purchasers names are mutated

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in the owners right coloumn of the said land by mutation entry no. 17299. Thus by virtue of the Sale Deed the 3 Companies are legal and absolute owners of the said land.

15. M/s Ashoka Promoters Pvt Ltd., Ashoka Nirmitee Pvt Ltd. and M/s Ashoka Premises Pvt Ltd., purchased the area admeasuring 00 Hector 65 Are from Mr Ambadas Bala Kholambe by registered Sale Deed dated 25/10/1996 which is registered in the Office of Sub-registrar Sinner at Sr. No. 2148/1996. It is mentioned in the Sale Deed that the Vendor i.e. Mr Ambadas Kholambe has obtained the permission U/s – 43 of Bombay Agricultural Tenancy Act prior to execution of Sale Deed.

Thus the above mentioned 3 companies became the Joint Owners and Possessors of the said Survey No. 936/2A. The said purchaser's names are mutated in the owners right coloumn of the said land by mutation entry no. 17299. Thus by virtue of the Sale Deed the 3 Companies are legal and absolute owners of the said land.

- **HISTORY OF SURVEY NO. 936/3 :-**

16. The names of Rashida Hasinoddin and others were previously mutated in the other right coloumn were deleted from the record as the names were not concerned with the said land hence they were deleted and mutation entry No. 16626 was cancelled.

17. Though the owners of Survey No. 936/3 i.e. Old Survey No. 1200/3 were shown as Sirajuddin Jainuddin Kazi and others the land was in actual possession of the agricultural tenants Mr Ambadas Bala Kholambe and Mr Somnath Bhagavant Gade. The total area of the Said Survey No. 936 (1200) 3 was 01 Hector 73 Are, out of which 00 Hector 44 Are was in actual possession of Mr Ambadas Bala Kholambe and 01 Hec. 29 ARE area was in actual possession of Mr Somnath Bhagavant Gade.

18. As mentioned earlier Mr Ambadas Bala Kholambe was the agricultural tenant of the said land from the 'Tillers day' he was declared as deemed purchaser for the share he was having actual possession. The Certificate under section 32M of Bombay Agriculatural Tenants Act was issued in favour of Mr Ambadas Bala



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Kholambe by the order of Tahasildaar, Sinnar bearing order no. मे. तहसिलदार सो. सिन्नर कु.का./एल.एस.सी./४५६/ दि. १२/०८/१९९६ for Survey No. 935/3b (Part), 935/1 (PArt), 936/1 (Part), 936/3 (Part), 937/2b (Part) and 936/2a (Part). The said Certificate was issued after completion of procedure under section 32G of Bombay Agricultural Tenancy Act and after depositing the consideration amount as ordered by the Tahasildaar Office. The name of Mr Ambadas Kholambe i.e. the deemed purchaser was entered in the owners right colounm of the Survey No. 936/3 and other lands by mutation entry no. 17171.

19. As mentioned earlier Mr Somnath Bhagavant Gade was the agricultural tenant of the said land from the 'Tillers day' he was declared as deemed purchaser for the share he was having actual possession. The Certificate under section 32M of Bombay Agriculatural Tenants Act was issued in favour of Mr Somnath Bhagavant Gade by the order of Tahasildaar, Sinnar bearing order no. मे. तहसिलदार सो. सिन्नर यांचे कडील आदेश क्र. कु.का./वशी/एल.एस.पी./४५७/ दि. १२/०८/१९९६ for Survey No. 936/1(Part), 936/3 (Part), 935/3B (Part), 935/1 (Part). The said Certificate was issued after completion of procedure under section 32G of Bombay Agricultural Tenancy Act and after depositing the consideration amount as ordered by the Tahasildaar Office. The name of Mr Somnath Bhagavant Gade i.e. the deemed purchaser was entered in the owners right colounm of the Survey No. 936/3 (Par.) and other lands by mutation entry no. 17172.

20. Thus the above mentioned agricultural tenants of the Survey No. 936/3 became the Legal owner of the said land by virtue of the Certificate under section 32M of Bombay Agricultural Tenancy Act and their names were entered in the owners right colounm of the 7/12 Extracts of the said land and the remark of permission under Section-43 was mutated in the 7/12 Extract.

21. M/s Ashoka Promoters Pvt Ltd., Ashoka Nirmitee Pvt Ltd. and M/s Ashoka Premises Pvt Ltd., purchased the area admeasuring 00 Hector 44 Are from Mr Ambadas Bala Kholambe by registered Sale Deed dated 25/10/1996 which is registered in the Office of Sub-registrar Sinnar at Sr.No. 2148/1996. It is mentioned in the Sale Deed that the Vendor i.e. Mr Ambadas Kholambe has obtained the

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permission U/s 43 of Bombay Agricultural Tenancy Act prior to execution of Sale Deed.

22. M/s Ashoka Promoters Pvt Ltd., Ashoka Nirmitee Pvt Ltd. and M/s Ashoka Premises Pvt Ltd., purchased the area admeasuring 01 Hector 29 Are from Mr Somnath Bhagvant Gade by registered Sale Deed dated 25/10/1996 which is registered in the Office of Sub-registrar Sinner at Sr No. 2149/1996. It is mentioned in the Sale Deed that the Vendor i.e. Mr Somnath Bhagvant Gade has obtained the permission U/s – 43 of Bombay Agricultural Tenancy Act prior to execution of Sale Deed.

Thus the above mentioned 3 companies became the Joint Owners and Possessors of the said Survey No. 936/3. The said purchaser's names are mutated in the owner's right colourmn of the said land by mutation entry no. 17299. Thus by virtue of the Sale Deed the 3 Companies are legal and absolute owners of the said land.

23. As per mutation entry No. 19982 the above mentioned three Companies i.e. M/s Ashoka Promoters Pvt Ltd., Ashoka Nirmitee Pvt Ltd. and M/s Ashoka Premises Pvt Ltd., converted the above mentioned purchased area into Non-agricultural purposes by permission No. मा.उपविभागीय अधिकारी निफाड भाग निफाड यांचे कडील आदेश क्र. जमाबंदी / वि.शे.प्र.क्र. ४१/२००१, ०४/०६/२००१ the said Companies got sanctioned of layout plan upon the said land and accordingly the 7/12 extracts of plots are separated. It seems from ME No. 19982 that the Survey No. 936/1 is divided in 3 Sub-Divisions namely 936/1/1, 936/1/2 and 936/1/3. Survey No. 936/1/3 is the subject matter of this report. The layout plan is prepared by amalgamation of Survey No. 936/1/3 + 936/2A + 936/3. As per the sanctioned layout plan total Plot No. 1 to 257 are created and the 7/12 Extracts are separated accordingly.

24. I have verified a copy of Non-Agricultural permission issued by Sub-Divisional Officer - Niphad, Division- Niphad bearing No. मा. उपविभागीय अधिकारी निफाड भाग निफाड यांचे कडील आदेश क्र. जमाबंदी / वि.शे.प्र.क्र.४१/२००१, दि. ०४/०६/२००१. The said permission is granted for non-agricultural residential use of Plot No. 1 to 247



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admeasuring area of 93176.00 Sq. mtrs. I have also verified the layout order bearing No. 1165/2001. dated 09/05/2001 in respect of the said layout.

25. As per the permission issued by Sinner Municipal Council bearing No. 39 , BPA/00057/2017-18, dated 29/07/2017 issued in respect of Plot No224,225,230&231, the building plan prepared for proposed residential building is sanctioned. Thus the owner companies have prepared a building plan proposed to be constructed upon Plot No. 224,225,230&231.

26. The owners of the Said Plot i.e. Ashoka Promoters Pvt Ltd., Ashoka Premises Pvt Ltd., and Ashoka Nirmitee Pvt Ltd., have formed an association under the name and style as 'M/s Ashoka Township'. A copy of Deed of Association dated 12/09/1996 is provided for my verification.

27. Some entries of litigation such as scs no. 261/1998 other litigations in respect of the said layout are found but I do not found any adverse order passed against the present owners.

**OPINION**

After the scrutiny of document provided by the owners as mentioned earlier, I do not found any adverse entry or defect in the title / ownership of the said Plot No. 224,225,230&231 out of Survey No. 936/1/3 + 936/2 A + 936/3 situated at Village and Taluka Sinner, Dist Nashik. As per my opinion. The said Property is having marketable title.

Hence this Title Report.

**Nashik**

**Date: 31/07/2017**

**Mrs. Minal Manoj Kenge**
**Advocate**

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(15/09/1998)