

TUSHAR P. PATEL

BSL. LL.B. ADVOCATE

OFF: 6-A, Vasant City Mall, Beside Manas Hotel, Panchavati Karanja, Nashik 422 003
Ph. No. 0253-2621944

Mobile 94202 32444

Ref. No.

Date : 13/06/2017

TITLE CERTIFICATE

TOWHOMSOEVER IT MAY CONCERN

Subject: Investigation into the title of property bearing **Plot No. 04** admeasuring total area **755.00 sq. mtr. + F.S.I. (Road Widening)** area adm. **148.50 sq.mtr.** out of **S. No. 9A/1B+2/2/2/1A+4/9A/1B/2/2/2** situated at **Nashik** and **TDR adm. area 199.20 sq. mtrs.** within the local limits of Nasik Municipal Corporation & within the limits of Sub-Registration of Dist. Nasik.

I. Description of Property :-

All that piece and parcel **Plot No. 04** admeasuring Total area **755.00 sq. mtr. + F.S.I. (Road Widening)** area adm. **148.50 sq.mtr.** out of **S. No. 9A/1B+2/2/2/1A+ 4 / 9A / 1B/ 2/2/2** situated at **Nashik** and **TDR adm. area 199.20 sq.mtrs.** within the local limits of Nasik Municipal Corporation & within the limits of Sub-Registration of Dist. Nasik which is bounded as per approved building plan.

II. Name of the Owners: M/s. Bhagya Developer

III. Applicant :-

On the verbal request of **M/s. Bhagya Developer, Partnership Firm** through its Partner **Mr. Sureshbhai Mavjibhai Ramani** to issue Title Certificate with respect of the property and for that purpose they have produced for my perusal

the following documents & relying upon the documents, I am submitting my Title Certificate. The documents are as under:

- a. 7/12 Extracts.
- b. Mutation Entries.
- c. NA order dtd. 26/11/1969 and 27/02/1996.
- d. Copy of Layout sanctioned vide Ja.No./Land/ Final/204/-- dtd. 02/11/1994.
- e. Sale Deed executed by Smt. Tanhubai Vitthal Gaikwad and ther 05 in favor of M/s. Bhagya Developer, Partnership Firm through its Partner Mr. Sureshbhai Mavjibhai Ramani of Plot No. 04 out of S. No 9A/1B+2/2/2/1A+4/9A/1B/2/2/2 situated at Nashik at Sr. No. 8429 dtd. 20/10/2016.
- f. TDR Sale Deed executed by Shri. Kanhaiyalal Chetandas Manwani and other 03 in favor of M/s. Bhagya Developer, Partnership Firm through its Partner Mr. Sureshbhai Mavjibhai Ramani out of S. No 295/1A situated at Deolali at Sr. 155 dtd. 10/01/2017.
- g. Building Commencement Certificate vide LND/BP/C-1/712/5976 dtd. 25/01/2017.
- h. N. A. Tax paid Receipt.

IV. Observations and Findings :-

From the documents produced for my perusal, I from the following opinion as follows.

It appears from the record that western part the said land of Survey No. 9A/1B+2 was purchased by Mr. Vitthal Bhihkaji Gaikwad from the owner Mr. Mohammed and Hasham Raffique wali katchchi on 08/08/1960 and the said land was divided into following Hissas :



Survey No.	Possessor of Land
9A/1B+2/1	original owner
9A/1B+2/2	Vitthal Bhikaji Gaikwad

Hence, the name of the purchaser was previously entered in other rights column as a Tenant was deleted and his name was entered in the record of rights column of 7/12 extracts.

It appears that the Indian Coinage and Indian Enforcement act 1958 and Indian Weights and measures Act was applied to the said area and the weights and measures are converted into Decimal System and the effect was taken to the records on 19/05/1971 by M. E. No.12378.

The M.E. No. 16659 was in torn condition.

The correction deed from the owner Mr. Mohammed Rashid wali Memon and Hasham Raffique wali Memon for purchase of well in the said land of S. No. 9A/1B+2/2/1 was executed on 11/05/1981 by Vitthal Bhikaji Gaikwad. Hence, the said mutation no. 18424 was effected on 06/07/1981 and taken in the other rights column of 7/12 extract.

The charge of 'Excess land' by the order of Hon'ble upper collector and Competent Authority, ULC, Nashik was entered in the other rights column of 7/12 extract and some matter in the said mutation is in torn condition. The said M. E. No. 29154 was effected on 27/04/1992.

It appears from M. E. No. 32342 dtd. 29/11/1994 that the owner Vitthal Bhikaji Gaikwad had repaid the loan of Rs. 5,000/- taken from Central Bank of India. Hence, the charge of Central Bank of India has been deleted from the other rights column.

M. E. No. 32343 dtd. 29/11/1994 reveals that landowner Vitthal Bhikaji Gaikwad wanted to use the said land of S. No. 9A/1B/2/2/1 for non-agriculture purpose. Hence, the charge of Ku.Ka.ka. 43 was



deleted from the other rights column of 7/12 extract by the order of sub-divisional officer, Nashik.

M. E. No. 32344 dtd. 29/11/1994 reveals that the charge of banding Tagai was deleted from the other rights column of 7/12 extract of S. No. 9A/1B/2/2/1.

M. E. No. 32345 dtd. 29/11/1994 reveals that the charge of Excess land of area 2354.75 sq.mtr. was corrected with area of 1522.23 sq.mtr. by the order of ULC u/s. 9(4) in the other rights column of 7/12 extract of S. No. 9A/1B/2/2/1.

Further, it appears by M. E. No. 36681 dtd. 16/09/1997 reveals that landowner Vitthal Bhikaji Gaikwad applied and got sanctioned the layout plan for the said S. No. 9A/1B+2/2/1 adm. area 3395.25 sq.mtrs. and S. No. 9A/1B+2/2/2 adm. area 1103.65 sq.mtrs. adm. total area 4498.90 sq.mtrs. by Nasik Municipal Corporation vide Ja.No./Land/ Final/204/-- dtd. 02/11/1994. and said s. no. was converted for NA purpose by the order of Collector Nasik vide LNA/SR/246/69 dtd. 26/11/1969 and Maha/Kaksh-3/Bi.She.Pra.Kra/610/1995 dtd. 27/02/1996. and said S. No. was divided into plots no. 1 to 4.

M. E. No. 37422 dtd. 27/01/1998 reveals that the remark of 'not to take any mutation entry until the final order' in other rights column of P. No. 01 to 05 of S. No. 9A/1B+2/1/1A+9A/1B/2/2/2 was entered by the order of Hon'ble Upper Collector and Competent Authority, ULC Nashik vide ULC/A/2/771/78 Nashik dtd. 10/02/1998.

M. E. No. 47590 dtd. 13/12/2002 reveals that remark of not to take any mutation entry in other rights column which was taken by M.E. No. 37422 was deleted by the order of Hon'ble Upper Collector and Competent Authority, ULC Nashik vide ULC/C-1/699/2002 Nashik dtd. 13/12/2002.



It appears from M. E. No. 49768 dtd. 28/11/2003 that Vitthal Bhikaji Gaikwad died on 05/06/2003 leaving following legal heirs:

Widow : Tanhubai
Daughter-in-law : Indubai
Grandsons : Avdhoot, Devdhoot, Rajdhoot
Granddaughter : Savita, Kavita

Grandson Devdhoot and Rajdhoot were minors hence her mother's name Indubai is entered as legal guardian. The names of all the legal heirs were entered in the ownership rights column.

It appears from M. E. No. A2365 dtd. 02/08/2016 that Indubai Madhukar Gaikwad died on 23/12/2007 leaving following legal heirs:

Sons : Avdhoot, Devendra, Rajendra
Daughter : Savita, Kavita

The names of all the legal heirs were entered in the ownership rights column. The changed name of sons namely Devdhoot and Rajdhoot were entered as Devendra and Rajendra by verification of Gazette copy.

Further, it appears from Mutation Entry No. A3051 dtd. 09/11/2016 that Smt. Tanhubai Vitthal Gaikwad and other 05 have sold Plot No. 04 on 20/10/2016 registered at Sr. No. 8429/2016 at Nashik-1 to M/s. Bhagya Developer through its partner Mr. Sureshbhai Mavjibhai Ramani. Hence the name of Purchaser has been mutated in the record of rights.

Further, M/s. Bhagya Developer through its partner Mr. Sureshbhai Mavjibhai Ramani have purchased TDR adm. area. 199.20 sq. mtrs. vide TDR Certificate No. 727 dtd. 04/10/2016 from Shri. Kanhaiyalal Chetandas Manwani and other 02. The said document is registered at Sr. No. 155/2017 on 10/01/2017 in the office of Sub-Registrar, Nasik-5.

The Building Plan of the Residential and Commercial building to be constructed over Plot No. 04 adm. total area 755.00 sq. mtrs. +

Adv. Tushar P. Patel
Adv. First Floor, Vasant City Hall,
Panchsheel, Nashik-5

F.S.I. (Road Widening) area adm. 148.50 sq.mtr. out of S. No. 9A/1B+2/2/2/1A+4/9A/1B/2/2/2 situated at Nashik and TDR adm. area 199.20 sq. mtrs. is prepared and submitted by M/s. Bhagya Developer which was approved by the NMC Nasik vide LND/BP/C-1/712/5976 dtd. 25/01/2017.

V. Search of Index II Records

I have taken search of Index II Register of last 30 years the registers from 1988 to 2017 in the office of Sub-Registrar, Nashik. Some of the Index II Registers were in torn conditions. Some are not available for search. Hence, I have taken search of Index II Registers which were available for search at that time. No adverse entry has been found during the search. Receipt issued by the Sub-Registrar, Nashik is attached herewith.



VI. Opinion

Relying upon the documents, I am of the opinion that the titles of **M/s. Bhagya Developer through its partner Mr. Sureshbhai Mavjibhai Ramani** with respect of **Plot No. 04** admeasuring total area **755.00 sq. mtr. + F.S.I. (Road Widening) area adm. 148.50 sq.mtr. out of S. No. 9A/1B+2/2/2/1A+4/9A/ 1B/2/2/2** situated at **Nashik and TDR adm. area 199.20 sq. mtrs.** is negotiable, marketable & free from all encumbrances.

M/s. Bhagya Developer through its partner Mr. Sureshbhai Mavjibhai Ramani is entitled to build a building there upon and is entitled to transfer the constructed tenements to its prospective purchasers.

Thanking you,


Yours faithfully,

Adv. Tushar Pureshottam Patel
B.S.L., LL.B.
9A, First Floor, Vasant City Mall,
Panchavati, Nashik-422 003.

340/0

इतर पावती

Original/Duplicate

Tuesday, 13 June 2017 12:10 PM

नोंदणी क्र.: 39म

Regn.: 39M

मार्क - ७२६३०९६

पावती क्र.: 4839 दिनांक: 13/06/2017

गावाचे नाव: नाशिक शहर

दस्तावेजाचा अनुक्रमांक: नसन3-0-2017

दस्तावेजाचा प्रकार:

सादर करणाऱ्याचे नाव: अँड तुषार पटेल

वर्णन मोजे-नाशिक सर्व्हे नं.9अ/1ब+2/2/1अ+9अ/1ब/2/2/2/4 प्लॉट नं.04 (30 वर्षे)

शोध व निरीक्षण

रु. 750.00

एकूण:

रु. 750.00

Joint Sub Registrar Nashik3

ज. दुय्यम निदेशक क्र. २

नाशिक- 3.

1); देवकाचा प्रकार: By Cash रकम: रु 750/-

ADV.
No.
640
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MK

Adv. Tushar Purshottam Patel
B.S.L., LL.B.
6A, First Floor, Vasant City Mall,
Panchavati, Nashik-422 003.