

Mukund R. Odhekar

B. Com. LL.B. ADVOCATE

RESI : " Shivdurga " S. No. 575, Plot No. 3, Dr. Homi Bhabha Nagar, Nasik 422 011

OFF : Basement No. A-10, Purnam Centre Point, Near CBS, Kanhera Wadi, Nasik 422 001. Mobile 93256 68069

Dated : 28/07/2010

TITLE INVESTIGATION REPORT

TOWHOMSOEVER IT MAY CONCERN



Subject: Investigation into the title of property bearing S. No. 681/2A+2B+2D/A+681/2E/1+681/2C/1 Plot No. 5 adm. area 1671.25 sq. mtrs. i. e. Final Plot No. 422 situated at Nasik 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 S. No. 681/2A+2B+2D/A+681/2E/1+681/2C/1 Plot No. 5 adm. area 1671.25 sq. mtrs. i. e. Final Plot No. 422 situated at Nasik within the local limits of Nasik Municipal Corporation & within the limits of Sub-Registration of Dist. Nasik which is bounded as per approved layout plan

II. Present owner :- Mr. Anil Murlidhar Somwanshi.

III. Developer :- M/s. Rupayan Lifestyle partnership Firm through partners Mr. Sudhakar Ramdas Sonawane & others 6

IV. Applicant :-

On the verbal request of M/s. Rupayan Lifestyle partnership Firm through partners Mr. Sudhakar Ramdas Sonawane & others 6 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 vide MAHA/KAKSHA-3/BPK/398/2007 Dtd. 25/2/2008
- d. Layout order of Final Plan vide JA.NO./NAGARRACHANA/FINAL/A3/04 dtd. 12/6/2008.
- e. Partnership Deed of M/s. Rupayan Lifestyle dtd. 29/11/2010.



Mukund R. Odhekar
ADVOCATE
CONTINUATION SHEET NO. 2

- f. Copy of Development Agreement & Power of Attorney executed by Mr. Anil Murlidhar Sonwanshi of the **S. No. 681/2A+2B+2D/A+681/2E/1+681/2C/1 Plot No. 5 adm. area 1671.25 sq. mtrs. situated at Nasik** in favour of M/s. Rupayan Lifestyle partnership Firm through partners Mr. Sudhakar Ramdas Sonawane & others registered before the Sub-Registrar, Nasik at Sr. No. 2939/2011 & 2940/2011 on 6/4/2011.
- g. NA Tax paid receipt.
- h. Building Commencement Certificate vide LND/BP/NSK/A1/97/2706 on 3/9/2011.

III. Observations and Findings :-

From the documents produced for my perusal, I form the following opinion as follows:

M. E. dtd. 15/9/56 reveals that S. no. 681 & others were regranted in favour of Yadav Rangnath Kulkarni as per the order of SDO Nasik and the name of State Govt. was deleted and the name of Yadav Rangnath Kulkarni is entered to R/R.

M. E. dtd. 16/9/1947 reveals that Rambhau Trambak Sonwanshi shown as the protected tenant in S. No. 681 & 683.

M. E. dtd. 27/5/66 reveals that an area 930 sq. mtrs. & 1070 sq. mtrs. purchased by Rambhau Trambak Sonwanshi from Yadav Rangnath Kulkarni & Shayamrao Yadav Kulkarni on 12/1/86 and accordingly the name of the purchaser is entered to S. No. 681/1/2 area 930 sq. mtrs. & 681/1/3 area 1070 sq. mtrs. & the name of owner is entered to S. No. 681/1/1. The land sold is retention land and hence the remark excess land is entered in other rights of S. No. 681/1/1.

M. E. No. 16789 dtd. 22/1/79 reveals that possessor of S. No. 681 & others Rambhau Trambak Sonwanshi died on 18/10/1978 leaving behind legal heirs Sons : Murlidhar, Suresh Rambhau Sonwanshi & Bhalchandra since deceased through legal heirs : Daughter-in-law : Sushila, Granson : Sunil, Grand Daughter: Mira & son : and accordingly the names of all the legal heirs are entered to R/R.

M. E. No. 19881 dtd. 14/5/83 as per the order of SDO nasik said s. no. 681 was regranted in favour of Yadav Rangnath Kulkarni & Shayamrao Yadav Kulkarni subject to payment of Nazrana. and the remark old tenure is entered to other rights column.



Mukund R. Odhekar
ADVOCATE
CONTINUATION SHEET NO. 3

M. E. No. 20257 dtd. 6/10/83 reveals that an area 2 H 32 R out of S. No. 681 was purchased by Murlidhar Rambhau Somwanshi & others from Yadav Rangnath Kulkarni & Shayanurao Yadav Kulkarni on 17/9/83 and accordingly the name of the purchaser is entered to S. No. 681/2 & the name of owner is entered to S. No. 681/1.

M.E. No. 23648 dtd. 13/7/1987 reveals that Murlidhar Rambhau Somwanshi & others effected partition of the S. No. 681 before the Tehsildar Nasik and as per the order of Tehsildar Nasik u/s 85 vide order No. 91/1997 dtd. 8/7/97 the said properties divided amongst the family members and the names of respective family member is entered to respective share.

M. E. No. 39698 dtd. 10/3/1999 reveals that the charge of the Nasik Right Bank Canal Vikas Society Ltd. was deleted as per the letter issued by the said society.

M. E. No. 39699 dtd. 10/3/1999 reveals that the landowners of S. No. 681/2E Murlidhar Rambhau Somwanshi & others obtained loan from Nasik People's Co-operative Bank Ltd. of Rs. 1500000/- on 9/3/1999 and the charge of the said loan was recorded to other rights column.

M. E. No. 40090 dtd. 24/5/1999 reveals that co-owner Kushabai Rambhau Somwanshi died on 15/3/1997 leaving behind legal heirs Sons : Murlidhar, Bhalchandra since deceased through legal heirs : Daughter-in-law : Sushila, Grandson : Sunil, Grand Daughter: Mira & son : Suresh Rambhau Somwanshi and accordingly the names of all the legal heirs are entered to R/R.

M. E. No. 40878 dtd. 22/10/1999 reveals that the landowners of S. No. 681/2E Murlidhar Rambhau Somwanshi & others obtained loan from Nasik People's Co-operative Bank Ltd. of Rs. 100000/- on 12/10/1999 and the charge of the said loan was recorded to other rights column.

M. E. No. 54097 dtd. 3/10/2005 reveals that the co-owner Murlidhar Rambhau Somwanshi died leaving behind legal heirs Sons : Anil, Ajay; Married Daughters : Alka Borje, Anita Pawar & Widow : Indira & accordingly the names of all the legal heirs are entered to R/R.

M. E. No. 57641 dtd. 8/3/2007 reveals that the said land S. No. 681/1/1/1part area adm.12244.50 sq. mtrs.; S. No. 681/1A part area adm. 2600.00 sq. mtrs.; S. No. 681/2C part area adm. 2690.00 sq. mtr. & S. No. 681/2D part area 4345.50 sq. mtrs. were converted for NA use by the order of Collector Nasik vide SR/37/2006/KAKSHI4/VATAN/KAVI/188/2007 dtd. 7/3/2007 by imposing 50% Nazrana of landcost i.e. Rs. 8292500/- and the effect of the same is taken to R/R.

M. E. No. 59085 dtd. 27/8/2009 reveals that the charge of Nasik People's Co-operative Bank Ltd. of Rs. 2500000/- was deleted as per the letter issued by the said bank.



Mukund R. Odhekar
ADVOCATE
CONTINUATION SHEET NO. 4

M. E. No. 60264 dtd. 7/1/2008 reveals that Alka Dilip Borje, Meera Laxman Porje, Anil Rajendra Pawar, Indira Murlidhar Somwanshi, Sunil Bhalchandra Somwanshi, Sushilabai Bhalchandra Somwanshi relinquished their rights from the joint properties S. no. 681/2E & others and accordingly their names were deleted from R/R.

M. E. No. 61386 dtd. 6/5/2008 reveals that landowner Sagar Suresh Somwanshi & others applied for layout Plan of S. No. 681/2A+2B+2D part (Retention land) is approved by Nasik Municipal Corporation vide JA.NO./NAGARRACHANA/FINAL/A1/03 on 8/5/2008, so also the NA order was obtained from Collector, Nasik vide MAHA/KAKSHA-3/BPK/108/2007 on 10/8/2008 and the said s. no. was divided into separate plots and the 7/12 extract of each plots were prepared. Though said entry is not relevant with property in question.

M. E. No. 62661 dtd. 24/9/2008 reveals that Mr. Anil Bhavarlal Jain purchased the S. no. 681/2A+2B+2D/2 part adm. area 4980.00 sq. mtrs. from Mr. Sagar Suresh Somwanshi and others through GPA Rajendra Rasiklal Shah & others on 30/4/2008 vide sale deed registered at Sr. No. 4431/2008 before the Sub Registrar, Nasik 1. Though said entry is not relevant with property in question.

M. E. No. 67758 dtd. 26/5/2010 reveals that Sagar Suresh Somwanshi & others are the owners and holders of area 300.00 sq. mtrs. Excess area outof S. No. 681/2A+2B+2D part; area 4000.00 sq. mtrs. Retention area & area 345.00 sq. mtrs. Excess area outof S. No. 681/2E part; area 2690.00 sq. mtrs. area outof S. No. 681/2C part totally adm. area 6690.00 sq. mtrs. + 645.00 sq. mtrs. Excess land = 7335.50 sq. mtrs. The layout of the said 7335.50 sq. mtrs. area is approved by Nasik Municipal Corporation vide JA.NO./NAGARRACHANA/FINAL/A1/04 on 12/6/2008, so also the NA order was obtained from Collector, Nasik vide MAHA/KAKSHA-3/BPK/398/2007 on 25/2/2008 and the said s. no. was divided into separate plots and the 7/12 extract of each plots were prepared. The prior permission with respect of Excess land u/s 20 of ULC Act was obtained. The relevant plot No. 5 is having adm area 1671.25 sq. mtrs.

M. E. no. 68822 dtd. 9/9/2010 reveals that as per the Memorandum of understanding and as per the NA order entry was effected. Anil Murlidhar Somwanshi & others applied for layout Plan of S. No. 681/2C+2E+2A part Plot Nos. 1 to 7 is approved by Nasik Municipal Corporation vide JA.NO./NAGARRACHANA/FINAL/A1/04 on 12/6/2008, so also the NA order was obtained from Collector, Nasik vide MAHA/KAKSHA-3/BPK/398/2007 on 25/2/2008 and accordingly the M. E. No. 67758 was effected on 26/5/2010 and the 7/12 extracts were separated earlier. But taking into consideration of the area occupied by Common amenities and which is appropriated in the plot area there is a Memorandum of Understanding amongst the landowners and as per the same the plots were distributed amongst the landowners, some plots were distributed independently whereas some were retained in joint. The relevant Plot No. 5 area adm. 1671.25 sq. mtrs. came to the share of Anil Murlidhar Somwanshi.



Mukund R. Odhekar
ADVOCATE
CONTINUATION SHEET NO. 5

Further the Plot owner Anil Murlidhar Somwanshi entrusted the said S. No. 681/2A+2B+2D/A+681/2E/1+681/2C/1 Plot No. 5 adm. area 1671.25 sq. mtrs. situated at Nasik for development by executing the Development agreement & Power of Attorney in favour of the in favour of M/s. Rupayan Lifestyle partnership Firm through partners Mr. Sudhakar Ramdas Sonawane & others 6 vide registered Development Agreement & POWER OF ATTORNEY and the said document is registered before the Sub-Registrar, Nasik at Sr. No. 2939/2011 & 2940/2011 on 6/4/2011.

Prior to this M/s. Rupayan Lifestyle partnership Firm was formed by its partners and the Partnership Deed was executed and notarised on 29/11/2010.

Further Developer/Owner, M/s. Rupayan Lifestyle partnership Firm through partners Mr. Sudhakar Ramdas Sonawane & others 6 applied and got sanctioned the building plan of the Project known as RUTUGANDH vide Building Commencement Certificate vide LND/BP/NSK/A1/97/2706 on 3/9/2011 and is started the construction of the residential building.

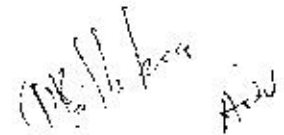
VI. Opinion

Relying upon the documents, I am of the opinion that the titles of Mr. Anil Murlidhar Somwanshi with respect to S. No. 681/2A+2B+2D/A+681/2E/1+681/2C/1 Plot No. 5 adm. area 1671.25 sq. mtrs. i. e. Final Plot No. 422 situated at Nasik is in order.

Further the Developer, M/s. Rupayan Lifestyle partnership Firm through partners Mr. Sudhakar Ramdas Sonawane & others 6 with respect to S. No. 681/2A+2B+2D/A+681/2E/1+681/2C/1 Plot No. 5 adm. area 1671.25 sq. mtrs. i. e. Final Plot No. 422 situated at Nasik is clear, marketable and free from all encumbrances & doubts and the developer can develop the said property and is entitled to construct and develop the said plot and sell the constructed tenements to the prospective purchasers.

Thanking you,

Yours faithfully


Advocate



Adv. Mukund Ramchandra Odhekar
B.A., LL.B.
Shivdurg Road, S. No. 1/30,
Plot No. 3, Dr. Bhabha Nagar, Nasik
Mobile :- 93256 68069