TUSHAR P. PATEL
BSL. LL.B. ADVOCATE
Off : 6A, Vasant City Mall, Near Manas Hotel, Panchavati Karanja, Nashik-422003
RESI: 2, "Purushottam Villa", Pokar Colony, MERI, Dindori Road, Nasik-422004
OFF- 0253-2629144 Mobile-9420232444

Ref. No. Date : 20/05/2016

TITLE CERTIFICATE

TO WHOM SO EVER IT MAY CONCERN

Subject: Investigation into the title of property bearing **Plot Nos. 28 adm. total area 503.00 Sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik and the TDRs adm. area 200.00 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 Nos. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik and the TDRs adm. area 200.00 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. Present Owners : **Mrs. Halimabi Rashid Kadri**

III. Applicant :-

On the verbal request of **Akar Developers through its partners Mr. Arvind Karsanbhai Patel** 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/Kaksh-3/7/bi.she.pra.kra./20/2013 dtd. 13/11/2013.

d. Sale Deed executed by Shri. Narayan Satvaji Pagare in favour of Mrs. Halimabi Rashid Kadri of Plot No. 28 out of S. No. 122/3+4/1/30 on 17/09/1997 regd at Sr. No. 2013/1998 in the office of Sub-Registrar, Nasik-2.

e. Development Agreement and GPA of Plot No. 28 out of S. No. 122/3+4/1/30 executed by Mrs. Halimabi Rashid Kadri in favour of Akar Developers through its partners 1. Mr. Arvind Karsanbhai Patel and other 3 on 12/05/2015 regd. at Sr. No. 2870/2015 and 2871/2015 respectively in the office of Sub-Registrar, Nasik-3.

f. TDR transfer deed executed in favour of Akar Developers through its partners 1. Mr. Arvind Karsanbhai Patel and other 3 by Mrs. Vaishali Shivaji Sahane and other 4 of 200.00 sq.mtrs. on 13/05/2015 regd at Sr. No. 4268 in the office of Sub-Registrar, Nasik-1.

g. Building Commencement Certificate vide LND/BP/C-3/74/1073 dtd. 22/07/2015.

h. N. A. Tax paid Receipt.

i. Blueprint of plan.

Tushar Patel
B.Sc.L.,LL.B.
Vasant City Mall,
Nashik-422 003.

III. <u>Observations and Findings</u> :-

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

It appears that Plot No. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik was purchased by Mr. Madhav Ramkrishna Khandkar from Mr.

Salebhai Ismail through his GPA Taherali Salebhai. As per the said sale deed, the name of the purchasers are entered to R/R by M. E. No. 6551 on 28/07/1965. The said transaction was without the permission. Hence, the remark of Transaction against Tenancy Act was taken in the other rights column of 7/12 extract.

It appears from M. E. No. 6795 dtd. 31/12/1966 Mr. Madhav Ramkrishna Khandkar applied and informed that the said plot was purchased with the prior permission of Collector, Nashik vide order no. TNC/WS/948/65 dtd May-1965. Hence, the charge of Transaction against Tenancy Act was replaced by 'NA use within one year'.

shottam Patel
B.S.L.,LL.B.
asant City Mall,-
shik-422 003.

Further, it appears that Plot No. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik was purchased by Mr. Narayan Satvaji Pagare from Mr. Madhav Ramkrishna Khandkar. As per the said sale deed, the name of the purchasers are entered to R/R by M. E. No. 6979 on 29/06/1968.

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 25/02/70 by M. E. No. 7308.

Further, it appears that Plot No. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik was purchased by Mrs. Halimabi Rashid Kadri from Mr. Narayan Satvaji Pagare. The said document is registered at Sr. No. 2013/1998 on 17/09/1998. As per the said sale deed, the name of the purchasers are entered to R/R by M. E. No. 15718 on 14/06/1999.

The M. E. No. 17196 is irrelevant to the property in question and wrongly taken in the other rights column of the 7/12 extract.

It is seen from M. E. No. 27183 dtd. 19/10/2012 that the loan taken from The Deolali Nashik Road Vyapari Sah.Bank Ltd. was fully repaid hence, the charge of said bank from the other rights column of 7/12 of the property was deleted and the effect was taken.

The landowner converted the said property of Plot No. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik for non-agriculture use by the order of collector, Nashik vide maha/Kaksh-3/7/Bi.She.Pra.Kra./ 20/2013 dtd. 13/11/2013.

irshottam Patel
B.S.L.,LL.B.
Vasant City Mall,
lashik-422 003.

Further, it appears that Plot No. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik is given on development basis to Akar Developers from the owner, Mrs. Halimabi Rashid Kadri. The said Agreement of Development and GPA are registered at Sr. No. 2870/2015 and 2871/2015 on 12/05/2015 in the office of Sub-Registrar, Nashik-3. As per the said sale deed, the name of the Developer is entered to R/R by M. E. No. 30311 on 17/06/2015.

Further it appears that TDR was purchased by Akar Developers through its partners Mr. Jamil Pir Mohamed Janorkar and other 03 from Sau. Vaishali Shivaji Sahane and other 04 of 200.00 sq. mtrs. out of S. No. 269/2/1 of Deolali on 13/05/2015 regd at Sr. No. 4268 in the office of Sub-Registrar, Nasik-1.

The Building Plan of the Residential building to be constructed over Plot No. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik is prepared and submitted by the owners which was approved by the NMC Nasik vide LND/BP/C3/74/1073 on 22/07/2015.

IV. Opinion

Relying upon the documents, I am of the opinion that the titles of **Mr. Halimabi Rashid Kadri** with respect to **Plot Nos. 28 adm. total area 503.00 sq. mtrs. out of S. No. 122/3+4/1/30 situated at Village Deolali, Tal. & Dist. Nasik and the TDRs adm. area 200.00 mtrs.** is clear, negotiable, marketable and free from all encumbrances.

On the basis of Development Agreement, the Developer **Akar Developers** are entitled to build a building there upon and is entitled to transfer the constructed tenements to its prospective purchasaers.

Thanking you,

Yours faithfully,

20/5/2016

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

urshottam Patel
.LL.B.
Vasa Mall,
Nashik- 003.