

Dattaprasad Nikam
ADVOCATE

TITLE CLEARANCE

Name of the Title Holder:

Bhanuj Developers, Proprietary Firm,
Through Proprietor
Mr. Lalit Bhanubhai Kamani (Patel)
R/At: Nashik.

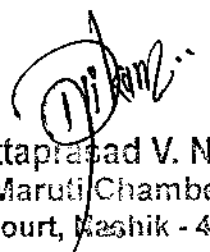
1. Description of Property:

All the piece and parcel of that residential Sv.No. 311/E/1 out of that Plot No. 1 area adm. 987.19 sq.mtrs, situated at "Ambad Khurd" Tal and Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik, and within the Registration and Sub Registration District Nashik with T.D.R. of area adm. 395.00 sq.mtrs out of Gat. No. 227A/2/2B situated at "Mauje Ambad Khurd" Tal and Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik boundaries of Plot as follows :

East	: Plot No. 45
West	: 9 mtr road
South	: 18 mtr D.P. road
North	: Plot 13 to 15

2. Particulars of the title deeds, documents and papers submitted to me:

- 1) Xerox copy of 7/12 extract and 6D Mutation entries for last 30 years i.e. 1986-1987 to 2015-2016.
- 2) Copy of General Power of Attorney dated 14.06.2004.
- 3) Copy Of Sale Deed dated 18.02.2008.
- 4) Copy of T.D.R. Sale Deed dated 04.03.2014.


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Plot No. 1 to 4 , 8 to 17 out of Sv.No.311. The said document registered before Sub Registrar Nashik 4 vide sr.no.3850/2004.

- 2) Further it appears from Copy of **Sale Deed** dated 18.02.2008 that Dilip Girdhar Shah and Yogesh Dilip Shah purchased Plot No. 1 area adm. 987.19 sq.mtrs out of Sv.No. 311/E/1 from Nawaj Murtuja Husain and others through their G.P.A holder and consenting party M/S. Vishal Venchers, Partnership Firm through partner Kiran Sitaram Chavan and other 1. The said document registered before Sub Registrar Nashik 4 vide sr.no.01467/2008.
- 3) Further it appears from Copy of **T.D.R Sale Deed** dated 04.03.2014 that Dilip Girdhar Shah and Yogesh Dilip Shah purchased D zone T.D.R area adm. 395.00 sq.mtrs out of certificate No. 673 dated 03.02.2014. The said document registered before Sub Registrar Nashik 5 vide sr.no.2190/2014.
- 4) Further it appears from copy of **Commencement Certificate** dated 16.09.2014 issued to Dilip Girdhar Shah and Yogesh Dilip Shah by Executive Engineer, Town Planning, Nashik Municipal Corporation, Nashik vide letter no. LND/BP/B4/207/2089/14.
- 5) Further it appears from Copy of **Development Agreement** dated 03.02.2016 that Dilip Girdhar Shah and Yogesh Dilip Shah made and executed registered Development Agreement in favour of Bhanuj Developers, Proprietary Firm, Through Proprietor Mr. Lalit Bhanubhai Kamani (Patel) relating to Plot No. 1 area adm. 987.19 sq.mtrs out of Sv.No. 311/E/1. The said document registered before Sub Registrar Nashik 3 vide sr.no.1114/2016.
- 6) Further it appears from Copy of **General Power of Attorney** dated 03.02.2016 that Dilip Girdhar Shah and Yogesh Dilip Shah made and executed registered General Power of Attorney in favour of Bhanuj Developers, Proprietary Firm, Through Proprietor Mr. Lalit Bhanubhai Kamani (Patel) to do on legal acts relating to Plot No. 1 area adm. 987.19 sq.mtrs out of Sv.No. 311/E/1. The said document registered before Sub Registrar Nashik 3 vide sr.no.1115/2016.


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- e. Further it appears from **M.E.No.3893** dated 21.06.2004 that Nawaj Murtuja Husain Kokani and Shakhera Murtuja Kokani prepared layout plan for Sv.No. 311/E which sanctioned by Assistant Director, Town Planning, Nashik Municipal Corporation Nashik vide their Letter No. Town Planning/final/B4/127 dated 12.03.2004 and also got NA permission from Collector, Nashik vide No. Maha/Kasha 3/NAPN/4/66/03 dated 04.03.2004. Accordingly said land divided into plot No. 1 to 22 and plot No. 1 got an area adm. 987.19 sq. Mtrs. Accordingly entry was made.
- f. Further it appears from **M.E.No.5098** dated 19.04.2008 that Dilip Girdhar Shah and Yogesh Dilip Shah purchased Plot No. 1 area adm. 987.19 sq.mtrs out of Sv.No. 311/E/1 from Nawaj Murtuja Husain and others through their G.P.A holder and consenting party M/S. Vishal Venchers, Partnership Firm through partner Kiran Sitaram Chavan and other 1 by registered Sale Deed on 18.04.2008. Hence the name of purchaser recorded in record of right of said property. Accordingly entry was made.
- g. Further it appears from **M.E.No.11061** that Dilip Girdhar Shah and Yogesh Dilip Shah made and executed registered Development Agreement and General Power Attorney in favour of Bhanuj Developers, Proprietary Firm, Through Proprietor Mr. Lalit Bhanubhai Kamani (Patel) relating to Plot No. 1 area adm. 987.19 sq.mtrs out of Sv.No. 311/E/1. Accordingly name of Developer recoded in other right Coloum of said property. Accordingly entry was made.

4. Besides above Mutation Entries following Documents are also shown to me:

- 1) It appears from Copy of **General Power of Attorney** dated 14.06.2004 that Nawaj Mutuja Kokani and others with consent of M/S. Vishal Venchers, Partnership Firm through partner Kiran Sitaram Chavan and other 1 made and executed General Power Of Attorney in favour of Rajesh Sadashiv Kulkarni and Namita Krushnadeo Patil relating to

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- 5) Copy of Commencement Certificate dated 16.09.2014.
- 6) Copy of Development Agreement dated 05.02.2016.
- 7) Copy of General Power of Attorney dated 05.02.2016
- 8) Copy of NA order.
- 9) Copy of NA Tax Receipt.
- 10) Copy of Final Layout order.

3. **Tracing of Title:**

- a. At the outset it is stated that the property under investigation i.e. **SV.No. 311/E/1** out of that **Plot No. 1 area adm. 987.19 sq.mtrs**, situated at "**Ambad Khurd**" Tal and Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik, and within the Registration and Sub Registration District Nashik with T.D.R. of area adm. 395.00 sq.mtrs out of Gat. No. 227A/2/2B situated at "**Mauje Ambad Khurd**" Tal and Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik, and within the Registration and Sub Registration District Nashik
- b. It appears from **M.E.No.812** dated 13.01.1964 that as per the partition between Haider Husain Kokani and others on 19.09.1963, Sv.No. 311 goes to share of Murtuja Husain Kokani. Accordingly name of Murtuja Husain Kokani was recorded in the record of right of said property and others deleted. Accordingly entry was made.
- c. Further it appears from **M.E.No.972** dated 07.11.1969 The Govt. Of Maharashtra has implemented the Weights & Measurements Act (Inforcement Act) & Indian Coinage Act in the State and all measurements were changed to Decimal System and Hissa Form No. 12 were changed accordingly.
- d. Further it appears from **M.E.No.1282** dated 24.08.1982 that owner of Sv.No.311 Murtuja Husain Kokani expired on 17.01.1982 leaving behind legal heirs 2 sons namely Nawaj, Dastgir, wife Shakhera. Accordingly name of legal heirs recorded in record of right of said property. Accordingly entry was made.


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- 7) **NA order:** It appears from Xerox NA order issued by Collector Vide Letter No. Maha/Kasina 3/NAPN/4/66/03 dated 04.03.2004
- 8) **NA Tax Receipt:** It appears from Xerox copy of NA Tax paid for year 2015-2016 on 07.10.2015.
- 9) **Final Layout order:** It appears from Xerox copy of final layout order issued by Assistant Director, Town Planning, Nashik Municipal Corporation, Nashik vide Letter No. Town Planning/final/B4/127 dated 12.03.2004.
5. **Present position of said property on 7/12 extract:**

It appears from 7/12 extract dated 04.07.2016 of Sv.No. 311/E/1 out of that Plot No. 1 area adm. 987.19 sq.mtrs stands in the name of Dilip Girdhar Shah and Yogesh Dilip Shah and name of Developer and Power of Attorney Holder of Land Owner Bhanuj Developers, Proprietary Firm, Through Proprietor Mr. Lalit Bhanubhai Kamani (Patel) seen in other right column of said property.

After pursuing all the above relevant documents, papers, title deeds for last 30 years i.e. from 1986-2016, I am of the opinion that the title of Sv.No. 311/E/1 out of that Plot No. 1 area adm. 987.19 sq.mtrs, situated at "Ambad Khurd" Tal and Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik, and within the Registration and Sub Registration District Nashik with T.D.R. of area adm. 395.00 sq.mtrs out of Gat. No. 227A/2/2B situated at "Mauje Ambad Khurd" Tal and Dist. Nashik, within the limits of Nashik Municipal Corporation, Nashik is entitled to acquire clear, marketable and unencumbered title.

Nashik.

Date: 20.07.2016.


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