



Monday, 07 September 2015 12:09 PM

इतर पावती

Original/Duplicate

नोंदणी क्र.: 39म

Regn.: 39M

पावती क्र.: 18241 दिनांक: 07/09/2015

मावाचे नाव: वडाळा

दस्तऐवजाचा अनुक्रमांक: नमन1-0-2015

दस्तऐवजाचा प्रकार:

सादर करणाऱ्याचे नाव: अॅड. यु. टी. धुमाळ

वर्णन मोजे वडाळा म.न. 6/4/2 ते 6/4/9 प्लॉट न. 27 यावरील मिळकत सन 1986 ते 2015 एकूण वर्ष 30 शोध करिता.

शोध व निरीक्षणे

रु. 750.00

एकूण:

रु. 750.00

Sub Registrar-Nashik 2

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

ADV. UMESH T. DHUMAL.

B.Com. LLB.

Chamber No. 222, Building No. 2, District Court Nashik.

**TITLE AND SEARCH REPORT
TO WHOM SOEVER IT MAY CONCERN**

Subject :- Title investigation in respect of the property bearing Plot no. 27 total adm. area 308 Sq. Mtrs of S.No. 6/4/2 to 6/4/9 situated at village Wadala, Tal. & Dist. Nashik and within the limits of Nashik Municipal Corporation Nashik owned and possessed by Tabir Properties, a Partnership Firm.


**DHUMAL
ADVOCATE**

Sir,

Tabir Properties, a Partnership Firm requested me to investigate into the Title of the property mentioned in the subject and for that purpose they had placed before me the following documents

1. 7/12 extract of last 30 years.
2. Relevant Mutation Entries of last 30 years
3. Copy of layout.
4. Development agreement and Power of Attorney dated 07/01/2002.
5. Sale Deed dated 24/05/2006
6. Gift Deed dated 22/04/2015
7. Sale Deeds dated 07/05/2015
8. TDR Sale Deed dated 13/05/2015
9. Commencement certificate dated 04/07/2015.
10. Other relevant documents / letters of permission etc.

On perusal of the above mentioned documents and revenue record my observations regarding the Title of the above said property is as under,

1. Further, it appears that Jurisdiction of municipality is extended and entry in other right column and accordingly M.E. No. 821 was made and certified.
2. Further it appears that, as per the order of Deputy Collector S.No. 6 adm. area 2Acre 17 Guntha is acquired for Nashik Right Bank Canal , hence it is ordered by Hon'ble Mamlatdar that the assessment of this year i.e. 1963-64 is cancelled and accordingly M.E. No. 986 was made and certified.
3. It appears that the land S.No. 6/2 is Inam Watan B land and land owner Shri. Gangadhar Vinayak Patil deposited 26 times Nazrana and as per the order of Mamlatdar outward No. Watan - 912 dated 25/05/66 S.No. 6/2 is regranted as old tenure to Gangadhar Patil on the condition that 1) The land should be used only for the Agricultural purpose. 2) In case the land will be used for any other purpose 50 % amount at the market rate be deposited to the Government and 3) The Mamlatdar should execute the Agreement for acceptance of condition to that effect and accordingly M.E. No. 1065 was made and certified in the year 1966.
4. It appears that , Eknath Kashinath Khode had purchased S.No. 6/2 from Gangadhar Vinayak Patil in the year 1966 and accordingly M.E. No. 1067 was made and certified in the year 1966.
5. Further it appears that the land S.No. 6/1 is Inam Watan B Land and Land owner Shri. Bhalchandra Vinayak Patil deposited 26 times Nazrana and as per the order of Hon'ble Mamlatdar No. Watan -

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1841 dated 04/10/1966 S.No. 6/1 is regranted as old tenure to Bhalchandra Patil on the condition that 1) The land should be used only for the Agricultural purpose. 2) In case the land will be used for any other purpose 50 % amount at the market rate be deposited to the Government and 3) The Mamlatdar should execute the Agreement for acceptance of condition to that effect and accordingly M.E. No. 1070 was made and certified.

6. Further it appears that as per the declaration of Wadala Vividh Karyakari Seva Society, charge entered into other rights column, hence the M.E. No. 1163 duly made and certified.
7. It appears that Government of Maharashtra implemented the Weight and Measurement Act and Indian Coinage Act in State. All the measurements were changed to decimal system and Hissa Form No. 12 were changed and accordingly M.E.No. 1193 was duly made and certified.
8. Further it appears that Ekanth Kashinath Khode purchased an area 32 R out of S.No. 6/1B from Bhalchandra Vinayak Patil and accordingly S.No. 6/1B was divided as under,

S.No.	Area	Name of the Owner
6/1B/1	5H.60R	Bhalchandra Vinayak Patil
6/1B/2	0H.32R	Ekanath Kashinath Khode

And accordingly M.E. No. 1387 was made and certified.

9. It appears that Eknath Kashinath Khode had repaid crop loan of State Bank of India , Old Agra Road Branch , hence entry of charge is deleted from other right column of S.No. 6/1B/2 & 6/2, and accordingly M.E. No. 2161 was made and certified.


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ADVOCATE

10. Further it appears that M.E. No. 2162 dated 25/05/1985 is related to S.No. 23/1 + 2/1 , 26/2 , 27/2 and it is not related to S.No. 6/4/5 under subject, It seems that said M.E. is wrongly mutated in S.No. 6/4/5.
11. It appears that land owner have mortgaged S.No. 6/2 and 6/1B with the United Western Bank Ltd. hence entry of charged was entered into other right column and accordingly M.E. No. 2190 was made and certified.
12. Further it appears that Jijabai Chagan Wagh , Chagan Punja Wagh Mangala Sonu Khode, Sheelabai Gangadhar Kathe, Tulsabai Dattu Kathe , Yadav Dattu Kathe , Bharat Dattu Kathe and Balu Dattu Kathe had purchased S.No. 6/2/1 , 6/2/2,6/2/3 , 6/2/4 , 6/2/5, 6/2/6, 6/2/7 and 6/2/8 from Eknath Kashinath Khode by way of Sale Deed and accordingly name of Purchasers entered into record of right and accordingly M.E. No. 2365 was made and certified.
13. It appears that Krishna Eknath Khode had repaid loan of United Western Bank Ltd. , hence entry of charge deleted from other right column and accordingly M.E. No. 3532 was made and certified in the year 1993.
14. Further it appears that Eknath Kashinath Khode had repaid the loan of Wadala Vividh karyakari Seva Society Ltd. Wadala , hence entry of charge is deleted from other right column of S.No 6/2/1 and accordingly M.E. No. 3552 was made and certified.
15. It appears that Eknath Khode made an application that S.No. 6/1B is on his own name but his son Shrikrishna have common share in that land so his name be recorded to record of rights as Co-



possessor and accordingly M.E. No. 3683 was made and certified in the year 1994.

16. Further it appears that Eknath Kashinath Khode died on 03/01/95 living behind legal heirs, Shrikrishna , Gokul , Ambadas , Ashok and Rajendra - Sons, Mandabai Dattu Kathe - Daughter , Chandrabhagabai – wife and accordingly Sons and wife were brought on possessors column and name of his married daughter Mandabai recorded into other rights column and M.E. No. 4386 was made and certified in the year 1997.

17. It appears that as per application and Hissa Form No. 12 old S.No.were recorded as new S.No. as under,


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ADVOCATE

Old S.No.	New S.No.
6/1B /2	6/3/14
6/2/1	6/4/1
6/2/2	6/4/2
6/2/3	6/4/3
6/2/4	6/4/4
6/2/5	6/4/5
6/2/6	6/4/6
6/2/7	6/4/7
6/2/8	6/4/8

Accordingly as per Hissa Form No. 12 M.E. No. 4392 was made and certified in the year 1997.

18. Further it appears that as per application by 1) Shrikrishna, 2)Gokul 3)Ambadas, 4) Ashok , 5) Rajendra , 6) Chandrabhagabai Khode, 7) Mandabai Dattu Kathe , land S.No. 6/3/14 which converted into S.No. 6/4/9 is given in the share of 6 & 7 as per following manner

Area	Name of the Holder
1650Sq. Mtrs	Chandrabhagabai Eknath Khode
1550Sq.Mtrs	Mandabai Dattu Kathe

As above partition and order of Additional Collector and Competent Authority ULC dated 21/01/99 the correction to 7/12 extract is given effect and accordingly M.E. No. 4725 was made and certified in the year 1999.

19. It appears that Mr. Ganpat Krishna Mhatre and others purchased S.No. 6/4/3 , 6/4/4 , 6/4/5 , 6/4/6,6/4/7 , 6/4/8 from Mangala Sonu Khode and others by way of Sale Deed, at the time of registration of Sale Deed ULC permission u/s 26 was obtained from ULC office and accordingly name of purchaser entered into record of rights and accordingly M.E. No. 5360 was made and certified in the year 2001.
20. It appears that as per the letter of Wadala Vividh Karyakari Seva Society declaration charge is deleted from S.No. 6/2/1 , 6/2/2,6/2/3, 6/2/4,6/2/5,6/2/6,6/2,7,6/2/8 and accordingly M.E. No. 5547 was made and certified in the year 2001.
21. Further it appears that S.No. 6/4/1 to 6/4/9 was the land of Patil Inam 6B and as per the application and order passed by Collector bearing SR No. 106/2001 – No. Kaksha – 4 Watan Kavi / 245 /2001 NSK dated 30/03/2001 and SR No. 107/2001- No. Kaksha – 4 Watan Kavi / 104/2001 dated 30/03/2001 , 50% Nazrana was deposited in the Government Treasury by Jijabai Chagan Wagh and others 9 and Tulsabai Dattu Kathe through their GPA holder Shri. Ganpat Krishna Mhatre for the residential purpose only on the following conditions.




- a) Before starting the N.A. use of land the permission u/s 44 of MLRC code 1966 from Collector and building plan should be get approved from the Competent Authority.
- b) From the date of the permission order the N.A. use of land be started within 1 year.
- c) If there will be any breach of any condition the property will be deposited with the Government and no compensation will be given

And accordingly M.E. No. 5594 was made and certified in the year 2001.


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ADVOCATE

- 22. It appears that as per the application and consent letter of Mandabai Dattatraya Kathe , her sons name Pravin & Deepak Dattatrya Kathe mutated in record of right column as Co-Sharer and accordingly M.E. No. 5837 was made and certified in the year 2001
- 23. Further, it appears that as per application and consent letter Name of Co-Sharer Pravin & Deepak Dattatrya Kathe was deleted from the record of right and accordingly M.E.No. 5882 was made and certified in the year 2002.
- 24. Further it appears that Chagan Punja Wagh entered into Development Agreement with Ganpat Krishna Mhatre and others for the development of S.No. 6/4/2 adm. an area 21R and S.No. 6/4/9 adm.an area of 32R on 20/04/2001 and name of Developer mutated in other right column and accordingly M.E. No. 5890 was made and certified.
- 25. It appears that Chagan Punja Wagh and others prepared layout plan and same has been approved by Nashik Municipal Corporation Nashik as per letter No. Javak No. / Nagarrachana Vibhag/ Antim /

Nashik dated 06/08/2002 and also N.A. permission has been granted by Collector Nashik vide letter No. Maha / Kaksha - 3 / N.A.P.K. - 4 / 238 / 2001 dated 24/01/2002 and as such the S.Nos. has been laid into various plots out of which plot No. 27 has been shown in the name of land owners and accordingly M.E.No. 6219 was made and certified in the year 2002.

26. Further it appears that, Mr. Ganpat Krishna Mhatre and others entered into Development Agreement and Power of Attorney with respect to plot No. 22 to 43 with Rajani Prakash Bhoge and others. The said Development Agreement and Power of attorney is registered in the office of Sub Registrar Nashik at Sr. No. 88 & 89 respectively dated 07/01/2002 and accordingly M.E. No. 6458 was made and certified in the year 2003.
27. Further it appears that Afsana Dayyan Khan and Taksirul Kudus Khan had purchased area adm. 141 Sq. Mtrs. and 167 Sq. Mtrs. respectively out of Plot No. 27 from Chagan Punja Wagh and others through GPA holder Rajani Prakash Bhoge and others by way of Sale Deed dated 24/05/2006 which is registered at Sr. No. 3054 on 25/05/2006 before Joint Sub Registrar Nashik 4. The said sale deed is consented by Rajani Prakash Bhoge and others, at the time of registration of Sale Deed ULC permission u/s 26 was obtained from ULC office vide its letter No. ULC -A-2-2 /SR -26 / 765 / 2006 dated 23/05/2006 and accordingly name of the purchaser entered into record of right and accordingly M.E. No. 7810 was made and certified in the year 2006.
28. Further, it appears that Taksirul Kudus Khan made Gift Deed in favour of her son Shoyeb Kudus Khan which is registered at Sr.


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No.2512 before Joint Sub Registrar Nashik 3 dated 22/04/2015 , and accordingly name of Shoyeb Kudus Khan entered into record of rights and accordingly M.E. No. 13881 was made and certified in the year 2015.

29. It appears that Tabir Properties, a partnership firm had purchased an area adm. 141 Sq. Mtrs. out of Plot No. 27 from Afsana Dayyan Khan by way of Sale Deed dated 20/04/2015 which is registered before Joint Sub Registrar Nashik 3 at Sr. No. 2771 on 07/05/2015 and also remaining area adm. 167 Sq. mtrs. out of Plot no. 27 had purchased by Tabir Properties, a partnership firm , from Shoyeb Kudus Khan by way of Sale Deed dated 07/05/2015 which is registered before Joint Sub Registrar Nashik 3 at Sr. No. 2762 and accordingly as per sale deed dated 20/04/2015 & 07/05/2015 name of Purchaser entered into record of right and accordingly M.E. No. 13919 was made and certified in the year 2015.
30. Further Tabir Properties, a partnership firm has purchased C Zone TDR of 123 Sq. Mtrs from Vaishali Shivaji Sahane and others by way of TDR Sale Deed dated 13/05/2015 which is registered at Sr.No. 4271 before Joint Sub Registrar Nashik 1.
31. Thereafter Tabir Properties, a partnership firm prepared a building plan for plot No. 27 and commencement certificate has been given by NMC vide letter No. LND / BP / A-4 / 80 /899 dated 04/07/2015.

No adverse entry affecting the title of the said property has been found from the revenue records and also after search taken for last 30


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years in the Sub Registrar Nashik in respect of said property , No adverse entry was found under search.

OPINION :-

On perusal of the documents referred to me & on the strength of the same. I am of the opinion that Tabir Properties, a partnership firm is absolute and exclusive owner of the property under subject i.e. Plot No. 27 total adm. 308 Sq.Mtrs out of S.No. 6/4/2 to 6/4/9 and the construction thereon situated at village Wadala Tal & Dist Nashik within the limits of Nashik Municipal Corporation bears a clear and marketable title and free from all encumbrances of whatsoever in nature.

Nashik, Date :- 16/09/2015.


ADVOCATE
UMESH T. DHUMAL
ADVOCATE