



PRASAD DIPAK NAGARE

B.Com., D.T.L., LL.B.

ADVOCATE

Mob. 9922447202, 9403494566

Email : adv.prasad804@gmail.com

Office 1 : FB-8, Thakkar Buzzar, Nr. Sakal News Office, New CBS, Nashik - 2

Office 2 : A-2, Meghdoot Shopping Center, Near Chetna Dining Hall, Opp. CBS, Nashik - 1

Date : 14/08/2017

TITLE / SEARCH REPORT

TO WHOMSOEVER IT MAY CONCERN

- 1) **Name of the person who requested me to prepare Title Report:-** M/s. Kapil Builders & Developers through its partner Mr. Bhavesh Lalji Thakkar & Mr. Harish Vallabhji Thakkar through its GPA holder M/s Shreehari Vaikunth Co-op. Housing Society, through its Chairman Mrs. Suvarna Yogendra Pawar
- 2) **Description of the Property:-** All that Piece and Parcel of a property bearing Plot No. 26 area adm. 560.50 Sq. Mtrs., Out of S. No. 33/2+3+4A+6/33/2, Situated at Deolali, Tal. & Dist. Nashik, Corresponding to CTS No. 6886 within the limits of Nashik Municipal Corporation, Nashik & bounded as under :

On or towards

East : 7.50 Mtr wide Colony Road

West : Plot No. 27

Sourth : Plot No. 25

North : 12.00 Mtr. D.P. Road

3) Documents Verified:-

1. Photocopy of 7/12 Extracts & Mutation Entries for last 30 years.
2. Photocopy of N.A. Order dtd.19/04/2000.
3. Photocopy of N.A. Tax Receipt up to 2016-17.
4. Photocopy of Layout letter dtd. 31/01/2000.
5. Photocopy of Commencement certificate dtd.27/01/2017.
6. Photocopy of Society Registration Certificate dtd.01/03/2011.
7. Photocopy of Building Plan dtd. 27/01/2017.
8. Photocopy of Development Agreement 2811/2000 dtd.23/03/2000.
9. Photocopy of Sale Deed 8016/2010 dtd. 23/07/2010.
10. Photocopy of Development Agreement 3759/2011 dtd. 23/03/2011.
11. Photocopy of G.P.A. 3760/2011 dtd. 23/03/2011.
12. Photocopy of G.P.A. 7296/2016 dtd. 18/10/2016.
13. Photocopy of T.D.R. Sale Deed 446/2017 dtd. 27/01/2017.
14. Photocopy of T.D.R. Sale Deed 445/2017 dtd. 27/01/2017.
15. Photocopy of Partitioned Deed registered in the office of Adv.& Notary Mr. Dinakar Keruji Patil at Sr.No. 298A/2000 dtd.05/02/2000.
16. Photocopy of letter dtd. 05/06/2012 issued by Central Bank of India to Talathi, Deolali.
17. Application dtd. 03/08/2016 made by Shreehari Vaikunth Co. Op. Housing Society, to Talathi, Deolali for deletion/correction of Mutation Entry.
18. Letter dtd. 07/09/2016 issued by Talathi, Deolali to Chairman Shreehari Vaikunth Co. Op. Housing Society.
19. Application dtd. 20/10/2016 made by Shreehari Vaikunth Co. Op. Housing Society, to Tahsildar, Nashik for deletion/correction of Mutation Entry No. 24158.

(P)



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On the basis of above said documents which are available for my inspection I am submitting my title report as under-

- a) It appears from the record that, Land bearing S. No. 33/2+3, 33/6, 33/4A was previously owned & possessed by Mr. Punja Sahadu Gaikwad before the year 1984.
- b) M.E. No. 9785 dtd. 27/03/1984 goes to show that, land owner of above mentioned land properties Mr. Punja Sahdu Gaikwad was died on 13/05/1983 leaving behind legal heirs Son namely Mr. Daggu Punja Gaikwad And Daughters namely Mrs. Hausabai Visharam Borade & Mrs. Muktabai Namdeo Nikone. The name of Son entered into owners column & names of Daughters were mutated into other rights column of property extract.
- c) Thereafter Mr. Daggu Punja Gaikwad taken a loan of Rs. 75,000/- for Tractor from Canara Bank, Nashik Road, Nashik by mortgaging land property bearing S.No. 33/2+3, 33/6, 33/4A & other. Hence the charge of said bank was mutated into other rights column vide M.E.No.11322 dtd. 11/08/1989.
- d) It appears from the records that, Special Civil Suit No. 618/96 & 51/1998 were filed in the Court of law regarding the S. No. 33/4A, 33/6 & 33/2/3. As per the compromise made between the parties to the said suits, east side area adm. H 0-20.5 R i.e. 2050.00 Sq.Mtrs., came in to the share of Mr. Sanjay Damodar Gaikwad. However the record related to those litigation is not available before me for my inspection.
- e) It is seen form the record that, Mr. Sanjay Damodar Gaikwad executed GPA in favor of Mr. Raju Wamanrao Gaikwad with respect to S.No. 33/6,33/4A. The said GPA registered in the office of Adv. & Notary Mr. Iqbal A.K. at Sr.No.2166/1998 dtd.19/01/1998.
- f) M.E. No. 14996 dtd. 08/06/1998 goes to show that, Mr. Daggu Punja Gaikwad paid the loan amount hence Mr. Daggu Gaikwad through his GPA holder Mr. Suresh Wamanrao Gaikwad applied for deletion of bunding charge. Accordingly the bunding charge was deleted from other rights colomn.
- g) Further, Mr. Daggu Punja Gaikwad had repaid the loan of Rs. 75,000/- to Canara Bank, Nashik Road Nashik. Hence the charge of said bank was deleted from other rights column vide M.E.No.14997 dtd. 08/06/1998.
- h) M.E. No. 16114 dtd. 01/01/2000 goes to show that, there was remark mutated to the other rights column pertaining to easementory right for S.No. 32/3, 32/4. However S.No. 32/3, 32/4 included into residential zone & accordingly said S.No. permitted to N.A. use & further Layout approved by NMC therefore as per approved layout the new roads are form & therefore the above mentioned remark was deleted.
- i) M.E. No. 16162 dtd. 05/02/2000 goes to show that, Mr. Daggu Punja Gaikwad prepared a layout S.No.33/2+3+33/4A+33/6 & get it finally sanctioned by Municipal Corporation Nashik vide its letter No. Nagarrchana vibhag/ Antim/ 108/1415 dtd.31/01/2000 & also obtained a permission for N.A. use of land for Residential purpose from Collector, Nashik vide its letter No. MH/ Desk-3/4/BSPK/49/99 Nashik dtd.19/04/2000. Hence the said land was divided into various plots. Accordingly Plot No. 26 area adm. 560.50 Sq.Mtrs. out of S.No. S.No.33/2+3+33/4A+33/6 was came into the share of Mr. Sanjay Damodar Gaikwad.
- j) M.E. No.16871 dtd. 11/01/2001 goes to show that, Mr. Sanjay Damodar Gaikwad through his GPA holder Mr. Raju Wamanrao Gaikwad executed Development Agreement & GPA in favour of Mr. Mehendra Digambar Shahane with respect Plot No. 25 area adm. 340.00 Sq.Mtrs., & Plot No. 26 area adm. 560.50 Sq.Mtrs. out of S.No. S.No.33/2+3+33/4A+33/6. The said Development Agreement & GPA was registered in the office of sub-registrar



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Nashik- 2 at Sr.No.2811/2000 dtd. 22/03/2000. Hence the name developer entered into other right column.

- k) Further, M/s. Kapil Builders & Developers through its partner Mr. Bhavesh Lalji Thakkar & Mr. Harish Vallabhji Thakkar purchased the Plot No. 25 area adm. 340.00 sq.Mtrs., & Plot No. 26 area adm. 560.50 Sq. Mtrs. out of S. No.33/2+3+33/4A+33/6 corresponding to CTS No. 6886 from Mr. Sanjay Damodar Gaikwad through his GPA holder Mr. Raju Wamanrao Gaikwad through his GPA holder Mr. Mahendra Digamber Shahane by way of Sale Deed which was registered in the office of Sub registrar Nashik-2 at Sr. No. 8016/2010 dtd. 23/07/2010. Hence the name of purchaser was mutated into revenue record vide M.E.No. 23191 dtd. 23/07/2010.
- l) It is seen from the records that, The Shreehari Vaikunth Co.op. Housing Society Ltd. Anand Nagar Nashikroad, Tal. Dist. Nashik was registered under M.C.S. Act 1966 vide its letter No. NSK/(NSK)/HSG/(T.C.)/5292/2011 dtd. 01/03/2011.
- m) M.E. 23792 dtd. 27/04/2011 goes to show that, M/s. Kapil Builders & Developers through its partner Mr. Bhavesh Lalji Thakkar & Mr. Harish Vallabhji Thakkar executed Development Agreement & GPA in favour of Shreehari Vaikunth Co.Op. Housing Society Ltd. Anand Nagar Nashikroad, Tal. Dist. Nashik through Chairman Mr. Hasmukh Ramji Patel with respect Plot No. 26 area adm. 560.50 Sq. Mtrs. out of S.No. S.No.33/2+3+33/4A+33/6. The said Development Agreement & GPA registered in the office of sub-registrar Nashik-2 at Sr.No. 3759/2011 & 3760/2011 respectively dtd. 23/03/2011. Hence the name developer entered into other right column.
- n) It is seen from the record that, M/s. Kapil Builders & Developers through its partner Mr. Bhavesh Lalji Thakkar & Mr. Harish Vallabhji Thakkar executed GPA in favor of Shreehari Vaikunth Co.Op. Housing Society Ltd. Anand Nagar Nashikroad, through its chairman Mrs. Suvarna Yogendra Pawar with the consent of Shreehari Vaikunth Co.Op. Housing Society Ltd. through its Ex-chairman Mr. Hasmukh Ramji Patel with respect to Plot No. 26 area adm. 560.50 Sq. Mtrs. out of S.No. S.No.33/2+3+33/4A+33/6. The said GPA registered in the office registered in the office of sub-registrar Nashik-2 at Sr.No.7296/2016 dtd.18/10/2016.
- o) Further, Shreehari Vaikunth Co.Op. Housing Society Ltd. Anand Nagar Nashikroad, through its chairman Mrs. Suvarna Yogendra Pawar purchased the "C" zone T.D.R. area adm. 97.00 Sq. Mtrs. out of area adm. 202.00 Sq. Mtrs. out of S. No. 211/1 situated at Nashik vide at Certificate No. LND/WS/Punchawati/C-1/118 dtd.30/01/2002 from Siddhesh Residency Co.Op. Housing Society Ltd. Nashik through chairman Smt. Sujata Dipak Nikumbh by way of T.D.R. Sale Deed. The said T.D.R. Sale Deed was registered in the office of Sub-registrar Nashik-5 at Sr. No. 445/2017 dtd. 27/01/2017.
- p) Thereafter, Shreehari Vaikunth Co.Op. Housing Society Ltd., through its chairman Mrs. Suvarna Yogendra Pawar purchased the "C" zone T.D.R. area adm. 213.00 Sq. Mtrs. out of S. No. 211/1 situated at Nashik vide at Certificate No. LND/WS/Punchawati/C-1/118 dtd.30/01/2002 from Siddhesh Park Co. Op. Housing Society Ltd. Nashik through secretary Mr. Anand Patangrao Deshmukh by way of T.D.R. Sale Deed. The said T.D.R. Sale Deed was registered in the office of Sub-registrar Nashik-5 at Sr. No. 446/2017 dtd. 27/01/2017
- q) It appears that, Shreehari Vaikunth Co.Op. Housing Society Ltd. Nashikroad, through its chairman Mr. Hasmukh R. Patel prepared a building plan & obtained a Commencement certificate from Municipal Corporation Nasik vide its letter Sr. No. LND/BP/C3/6066/189 dtd. 27/01/2017.



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- r) M.E.No.24158 though appeared on revenue record is not related to the subject property. The said Mutation Entry is for creation of charge of Central Bank of India with respect to the Flat No. 2 out of Laxmiganga Apartment. But the said after perusal of the record produced before me it appears that, the said Mutation Entry was wrongly mutated to the other rights column of subject plot property. However procedure for the cancellation of the same is still pending before the revenue authority.
- s) Subject Plot No. 26 is outcome of the excess land of S.No. 33/2+3/4A+6 hence the remark of excess land & section 20 ULC Act Talegaon Dabhade Scheme was mutated to the other rights column of 7/12 extract vide M.E. No. 23623.

After perusing the related documents of the above said Plot No. 26, Out of S. No. 33/2+3+33/4A+33/6, I have Opined that, the said plot property is owned by M/s. Kapil Builders & Developers through its partner Mr. Bhavesh Lalji Thakkar & Mr. Harish Vallabhji Thakkar & M/s. Shreehari Vaikunth Co. Op. Housing Society Ltd. has/have created development rights over the subject plot property as well as the said plot property is free from any encumbrances subject to the deletion/ cancellation of M. E. No. 24158 in the revenue record.

Hence this Title Report.

Place: Nashik

Date: 14/08/2017

PRASAD D. NAGARE

Advocate

Search fees for the period 1988 to 2017 paid vide Receipt No. GRN MH004504229201718E
dtd. 14/08/2017.