MUKUND R. ODHEKAR
B.COM. LLB, ADVOCATE
SHIVDURGA S.NO. 575, PLOT NO. 3, DR. HOMI
BHABHA NAGAR, NASHIK 422004
M.NO. 9325658069

Date :-23/09/2015

TITLE CLEARANCE REPORT

To

NATH BUILDCON BHAGIDHARI SANSTHA
THROUGH ITS PARTNERS
1.MR. AJIT CHHAGANBHAI KANSAGARA
2.MR. MANISH LAXMIDAS KANSAGARA
Both R/at: Nashik

I) **Description of property -**

ALL THAT piece and parcel of Non-Agricultural plots of land, bearing Plot No 22 admeasuring area 526.50 sq.mtrs. & Plot No. 23 admeasuring area 526.50 sq.mtrs out of sanctioned layout plan of Survey No. 908/3/22 & 908/3/23 situated at Village Nashik , within the limits of Municipal Corporation, Urban Agglomeration, Registration & Sub Regn. Tal. & Dist. Nashik, and which are bounded as under : -

Plot No. 22

On or towards East- Plot No. 23
On or towards West- 7.5 Mtrs Wide Colony Road
On or towards South- 18 mtrs. wide D.P. Road
On or towards North- Plot No. 21

Plot No. 23

On or towards East- 7.5 Mtrs Wide Colony Road
On or towards West- Plot No. 22
On or towards South- 18 mtrs. wide D.P. Road
On or towards North- Plot No. 24

II) Observations & findings:

As per the request of **NATH BUILDCON BHAGIDHARI SANSTHA THROUGH ITS PARTNERS 1.MR. AJIT CHHAGANBHAI KANSAGARA 2.MR. MANISH LAXMIDAS KANSAGARA Both** R/o: Nashik,

I had investigated into the title of abovesaid plot-properties. For that purpose, I had perused the concerned Revenue records and other related papers/permissions etc. and my observations & findings are as under:

M.E. No. 3175, dt.30 /8/1939 goes to show that, Ganpat Manaji Teli has made a Gift Deed in favour of Smt. Paravatabai w/o. Manaji Teli for land S.No. 908 with 5 other lands and hence her name was entered into record of rights.

M.E. No. 7009 certified on 31/7/1957 goes to show that, land S.No. 908 owned & possessed by Smt. Parvatabai W/o. Manaji Teli. Since Mr. Pandit Hari Ghuge, and Murlidhar, Kashinath and others were cultivating those lands in the year 1955-56, hence their names were entered into Other Right coloumn of record of rights as a Tenants U/s. 2-A of Tenancy Act and names of Mr. Rama Fakira and Trimbak Arjun Sonawane, tenants of S.No. 908, do not have possession over those lands since two years, hence their names were deleted from Other Rights coloumn of record of rights of those lands.

M.E. No. 7261 goes to show that, as per the written application dt. 10/12/1957 given by Smt. Parwatibai W/O. Manaji Teli, thereby informing that, she had given said land S.No. 908 with 5 other lands to Shriram Mandir, Aaditwar Peth along with property of house No. 660 Nashik, and hence the name of said Shriram Mandir was entered into holders coloumn of record of rights & her name was entered into cultivation coloumn of record of rights.

M.E. No. 7435 Certified on 27/04/1959 goes to show that, as the Easementor of said land S.No. 908 with 5 others lands Smt. Parvatibai Manaji Teli was died on 25/2/59, and hence Smt. Vithabai W/o Gopal Teli was appointed as an Easementor of said lands and her name is entered into R/R as per Resolution.

M.E. No. 10956 dt. 30/4/1968 goes to show that, the Upper Tahsildar & Agril Land Tribunal Nashik has completed the enquiry U/s. 32-G of Tenancy Act for land S.Nos. 908 and it was decided that as those lands are trust-properties the provisiones of Tenancy Act are not made applicable to it. Hence the names of tenants Mr. Pandit Hari Ghuge, Kashinath Murlidhar & Kashinath Rama remains in the other rights column of the record of rights of the said lands.

M.E. No. 11877 dt. 9/5/70 goes to show that as per the application given by Mr. Ganpat Manaji Karpe, Managing Trustee of Ram Mandir Sansthan, the names of 1) Kallumal M. Agrawal 2) Vishwanth Sitaram Pawar 3) Ramdas Bhauseth - (All deceased trustees) were deleted and the names of New Trustees i.e. 1) Mr. Shankar Dada Kardile 2) Raghunath Ramchandra Divte 3) Baburao S. Kedar were entered into Owners coloumn of record of rights of said land S.No. 908 and 5 other lands.

M.E. No. 12378, dt. 19/5/1971 goes to show that, the Govt. of Maharashtra implemented the Weights & Measurements Act (Enforcement Act) & Indian Coinage Act in the State and all measurements were changed to Decimal System.

M.E. No. 24850 dt. 13/8/88 goes to show that, Pandit Hari Ghuge died on 13/1/87 leaving behind him following legal heirs-1. Shri. Ambadas Pandit Ghuge, 2. Shri. Dattu Pandit Ghuge, 3. Shri. Damu Pandit Ghuge, 4. Shri. Vishnu Pandit Ghuge, 5. Shri. Bhaguji Pandit Ghuge, 6. Shri. Ramnath Pandit Ghuge, 7. Smt. Manubai Manohar Lokhande, 8. Smt. Janabai Eknath Gite. The names of above heirs are recorded in to other rights

coloumn of record of rights of the land S.No. 908 as tenants .

M.E. No. 29154, certified on 27/5/1992 goes to show that, as per the Order of Dy. Collector & Comp. Authority, U.L.C. Nashik, an area of 22958 sq.mtrs. of land S.No. 908 (Part) was declared as "Excess land" & S.No.908[Part]was declared 24606.00 sq.mtrs. Part 1648 Sq.mtrs. Retainstion vide Order No. ULC/A-2/4800/199/231/96 dt. 17/6/2005 .

M.E. No. 33431, certified on 15/09/1995 goes to show that, as per the Order No. Tenancy/ Kavi/ 582/95 dtd. 14/9/95 of Tahsildar Nashik and 32-M Certificate issued as per Tenancy Act, the names of Tenants namely 1) Mr. Ambadas 2) Dattu 3) Damu 4) Vishnu 5) Bhaguji 6) Ramnath S/o Pandit Ghuge 7) Manubai Manohar Lokhande 8) Janabai Eknath Gite, were entered into holders coloumn of record of rights of said land S.Nos. 908 and the names of original owners were deleted from the record of rights.

However, as per Order No. 18/95 of S.D.O. Nashik and Order No. Tenancy/Kavi/537A/96 Nashik dt. 24/6/96 of Tahsildar Nashik, the said M.E. No. 33431 is cancelled.

M.E. No. 34673 is not made available for records.

M.E. No. 35688 is not made available for records.

M.E.No. 35690 dt. 28/02/1997 goes to show that the said land S.No. 908/3 Tulsabai Murlidhar Gamane & Others to has sold Proposed Ved Co.Op. Housing Society Dastgir Mustafa Jeen by Regd. Sale Deed dt. 26/02/1997.

M.E. No. 37927 dt.20/4/98 goes to show that, the abovesaid Proposed Ved Co.op. Housing Society Nashik, has obtained necessary U.L.C. permission for implementation of "Talegaon Dabhade Scheme" in the said land vide Order No. ULC/1096/ CR-82/ ULC-4 dt. 10/9/96 from Dept. of Housing & Special Assistence, Mantralaya, Mumbai. The Collector of Nashik has granted

necessary "N.A. use permission" vide its Order No. MAH/DESK-III/N.A.P. No. 151/97 dt. 2/1/98. The Nashik Municipal Corporation has also finally approved & sanctioned the layout plan of said land S.No. 908/3 vide its letter No. Town Planning Dept./ Final /13/293 dt. 6/4/98, and thus the said land is divided into various plots (Total 69 Plots) including abovesaid Plot No. 22 & 23 the remark of "Talegaon Dabhade Scheme" is mentioned in the Other Rights coloumn of record of rights of said land.

M.E.No. 39246 dt. 4/1/1999 goes to show that Fair Lay Out Plan The Nashik Municipal Corporation has also finally approved & sanctioned the layout plan of said land S.No. 908/3/1 to 71 vide its letter No. Town Planning Dept./ Final /13/293 dt. 6/4/98 ,i.e. Town Planning Dept./ Final /374/5391 dt. 2/1/99 Fair Anitm Lay out plan Sanction.

M.E. No. 67030 dt.15/3/2010 goes to show that, the abovesaid Proposed Ved Co.op. Housing Society Nashik, has obtained necessary U.L.C. permission for implementation of "Talegaon Dabhade Scheme" in the said land vide Order No. ULC/1096/ CR-82/ ULC-4 dt. 28/6/205 from Dy. Collector & Comp. Authority, U.L.C. Nashik Correction Plot No. 15,22,23 & 34 Retainsion Land & as per the Order No.ULC/A-2/4800/399/231/96 dt. 15/10/2008 Plot No. 22 & 23 Talegaon Dabhade Yojana Shara Kami Karyanayat Yawa the Order Dy. Collector & Comp. Authority, U.L.C. Nashik Proposed Ved Co.op. Housing Society Nashik,through Chife Promoter Gulam Dastgir Jeen Application Talegaon Dabhade Yojana Shara Kami Karun Retainstion Land.

M.E. NO. 78382 dt. 22/2/2012 goes to show that Proposed Ved Co.Op. Hsg. Society through Dastagir Mustafa Jeen through G.P.A. Holder Chandrashekhar Babulal Shah has sold the said plot No. **23** admeasuring **526.50** sq.mtrs. out of S.No. **908/3/23** to 1. Vasant

Serial No. **1743/2012** dt. 13/02/2012. By this sale instance names above Purchaser is entered into the record of rights as owner of the said plot .

M.E. NO. 78383 dt. 22/2/2012 goes to show that Proposed Ved Co.Op. Hsg. Society through Dastagir Mustafa Jeen through G.P.A. Holder Chandrashekhar Babulal Shah has sold the said plot No. **22** admeasuring **526.50** sq.mtrs. out of S.No. **908/3/22** to 1. Ujendra Baburao Ahire 2. Mrs. Nanda Dilip Wagh through G.P.A. Holder **Dilip Budhaji Wagh** by Regd. Sale Deed Sub Registrar Nashik-2 Doc. Serial No. **1744/2012** dt. 13/02/2012. By this sale instance names above Purchaser is entered into the record of rights as owner of the said plot .

1. Ujendra Baburao Ahire 2. Mrs. Nanda Dilip Wagh has sold the said plot No. **22** admeasuring **526.50** sq.mtrs. out of S.No. **908/3/22** to **Nath Buildcon through Partners Ajit Chhaganbhai** Kansagara & **Manish Laxmidas Kansagara** by Regd. Sale Deed Joint Sub Registrar Class Ii Nashik-4 Doc. Serial No. **13300/2013** dt. 03/12/2013. By this sale instance names above Purchaser is entered into the record of rights as owner of the said plot .

1. Vasant Budhaji Wagh 2. Lalit Chandrakant Wagh has sold the said plot No. **23** admeasuring **526.50** sq.mtrs. out of S.No. **908/3/23** to **Nath Buildcon through Partners Ajit Chhaganbhai Kansagara & Manish Laxmidas Kansagara** by Regd. Sale Deed Joint Sub Registrar Class Ii Nashik-4 Doc. Serial No. **13301/2013** dt. **03/12/2013.** By this sale instance names above Purchaser is entered into the record of rights as owner of the said plot .

It further appears that **Nath Buildcon through Partners Ajit Chhaganbhai Kansagara** had Purchased **C Zone** T.D.R. 418.00 sq.mtrs. From TDR Certificate No. 704 from Vishali Shivaji Sahane and others & Shaikh Ismail Mujahid on 12/5/2015

The said sale deed was registered at Sr.No. **3424** at Joint Sub Registrar Class II Nashik-5. & Correction Deed was registered at Sr.No. **3715** on **25/5/2015** at Joint Sub Registrar Class II Nashik-5.

By virtue of Sale deed dated **03/12/2013**, the said Owner has prepared a Building plan for carrying out building construction work over said plots and after its submission, the same is approved & sanctioned **Residential cum Commercial** building is approved by the Executive Engineer, Town Planning, Nashik Municipal Corporation and has issued necessary Building permit & Commencement Certificate vide its letter No. LND/BP/B-5/128/1451 dt. 14 / 09 /2015 and the said construction work is in progress.

After perusing all the abovesaid Revenue records and other related papers, I am of the opining that **Nath Buildcon through Partners Ajit Chhaganbhai Kansagara & Manish Laxmidas Kansagara** are having a clear, legal and marketable title over abovesaid N.A. Plot bearing No. **22** admeasuring area **526.50** sq.mtrs. & Plot No. **23** admeasuring area **526.50** sq.mtrs out of sanctioned layout plan of Survey No. **908/3/22** & **908/3/23** situated at Village **Nashik** & which is free from all encumbrances/ charges of whatsoever nature.

Adv

Mukund R. Odhekar

Advocate

Adv.Mukund Ramchandra Odhekar
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