

Pravin K. Parakh

B. Com., LL.B.

ADVOCATE

Chamber No.116,

Maruti Chambers

Dist. Court Campus

Nashik -422 002.

Date: 26/9/2013

TITLE CERTIFICATE

Sub : Title certificate in respect of Non Agricultural Plot No.1 admeasuring 1156.00 sq. mtr. out of Survey No.315/2A/1 corresponding to C.T.S. No. 6478 of Village Pathardi, Taluka and District Nashik within the limits of Nashik Municipal Corporation, Nashik owned by M/s. Om Sai Developers, Partnership Firm, Boriwali, Mumbai.

TO WHOSOEVER IT MAY CONCERN

Mrs. Kalpana Sahebrao Gaikawad, Partner of M/s.Om Sai Developers, having its office at- Shop No. 16, Dhiraj Regency, Boriwali (E), Mumbai- 400066 approached with a request to issue Title Certificate in respect of the above mentioned Non Agricultural Plot. For that purpose she produced before me following documents for my verification and perussal.

1. 7/12th Extract 1974-75 to 2013,
2. Relevant Mutation Entries,
3. N. A. order Dated 07-07-1992,
4. Layout plan sanctioning letter dated 24-08-1995,
5. Sale Deed dtd. 22-4-1993 in favour of Mrs. Kalpana Sahebrao Gaikawad and Mrs. Neha Uday Potnis,
6. Sale Deed of T.D.R. dated 8-11-2010 in favour of Mrs. Kalpana Sahebrao Gaikawad,
7. Sanction of Building Permit and Commencement Certificate dt. 9/10/2012 .
8. Sale Deed dtd. 15-3-2013 in favour of M/s. Om Sai Developers.



प्रविण के पारख

जि. नं. ११६

प्लॉट, मारुटी चेंबर, दि. न. न्यायालय

नाशिक, पिन - ४२२४३७७९

9. Sale Deed of T.D.R. dated 15-3-2013 in favour of M/s. Om Sai Developers,

On going through the above papers my observations in respect of Non Agricultural Plot No. 1 admeasuring 1156.00 sq. mtr. out of Survey No. 315/2A/1 corresponding to C.T.S. No. 6478 of Village Pathardi, Taluka and District Nashik are as under:-

1. In the years 1967 or before that land bearing Survey No.315/2A was owned by Gitabai Sahadu Shinde. On or about 12-09-1966, one Shri. Damodar Gulabrao Belani purchased the said Agricultural land from Gitabai Sahadu Shinde. In view of this fact, name of the purchaser was entered into the Record of Rights by way of certifying the Mutation Entry No. 5588 to that effect.

2. On or about 17-05-1970 due to application of provisions of Bombay weights and Measures (enforcement) Act 1958 and Indian Coinage Act, the measurement of the land under report was converted into the Metric system by way of certifying the Mutation Entry No. 2747 to that effect.

3. On or about 13-03-1975, Form No. 12 was received from District Superintendent, Land Records, by the Village Officer. As per said form No. 12 the area of the said land Survey No. 315/2A was revised to 3 Hectar 97 Are. Accordingly changes were carried out in the Revenue Records by way of certifying the Mutation Entry No. 2983 to that effect.

4. On or about 28-02-1985 order issued by the Tahsildar, Nashik under his No. RTS/WS/3372/84 Dated 28-01-1985 was received. As per said order names of family members of land owner of Survey No. 315/2A

पवित्र के तारखे

1985-86

1. लाल भूखण्ड, जिल्हा कार्यालय

नाशिक, 40 - 222843779

Shri. Damodar Gulabrao Belani along with share of each member were recorded into the Record of Rights as under :-

1. Damodar Gulabrao Belani, Area 0 Hector 80 Are
2. Hardevi Damodar Belani, Area 0 Hector 80 Are
3. Mahesh Damodar Belani, Area 0 Hector 80 Are
4. Renu Kanyalal Kharwani, Area 0 Hector 80 Are
5. Haresh Damodar Belani, Area 0 Hector 77 Are

Mutation Entry No. 3909 shows this fact.

5. From the Mutation Entry No. 5959 it reveals that the owners of the land bearing Survey No. 315/2A filed a return under the provisions of the Urban Land (Ceiling and Regulation) Act 1976 and as per the finalization of the said return an area measuring 1 Hector 57 Are was declared as excess land. Owners therefore obtained permission under section 20 of the said Act and prepared a Layout of the excess land and it was sanctioned by the Nashik Municipal Corporation, Nashik. The Collector, Nashik Granted permission to change the use of the said land into the Non Agricultural purposes. Thus the said excess land stood sub-divided into the various non agricultural plots. Accordingly Mutation Entry No. 5959 was certified to the above effect. However this entry has no concern with the land under report.

6. Mutation Entry No. 5903 has been mentioned on the Record of Rights. It is pertaining to the entered the name of Nashik Municipal Corporation, Nashik to the Open space, Colony Road and D.P. Road out of the sanctioned Layout plan. This Mutation Entry has no concern with the land under report.

प्रविण के पासव

अधिकारी

११६, मालती रोड, जिल्हा न्यायालय
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7. The owners of the land Survey No. 315/2A prepared the layout plan of Retention land declared by the Asstt. Collector and Competent Authority, U.L.C., Nashik. Said Layout plan has been sanctioned by the Assistant Director, Town Planning, Nashik Municipal Corporation, Nashik under his No. IND/WS-9/166 dated 09-04-1992. Further the Collector Nashik, under his No. REV/Desk-III/NA Case No.162/92 dated 07-07-1992 granted permission to change the use of the said retention land into Non Agricultural purposes i.e. Residential use. In view of the above facts, said retention land stood sub-divided into the various Non Agricultural Plots as per the sanctioned Layout plan. Out of the said sanctioned Layout plan, Plot No.1 is measuring 1156.00 sq. mtr. which is shown in the names of 1] Damodar Gulabrao Belani, 2] Hardevi Damodar Belani, 3] Mahesh Damodar Belani, 4] Renu Kanyalal Kharwani, 5] Haresh Damodar Belani. By way of certifying the Mutation Entry No. 5973.

8. On or about 06-07-1994, Mrs. Kalpana Sahebrao Gaikawad and Mrs. Neha Uday Potnis jointly purchased the Plot No. 1 measuring 1156.00 sq. mtr. out of land bearing Survey No. 315/2A/1, after obtaining permission under Section 26(1) of U.L.C. Act, by way of Registered Sale Deed. In view of this fact, names of the purchasers are entered into the Record of Rights of said plot by way of certifying the Mutation Entry No. 6062 to that effect.

9. On or about 8-11-2010 Mrs. Kalpana Sahebrao Gaikawad purchased T.D.R. measuring 1394.00 sq.mtr. of D Zone from Shri. Sukhaji Khandu Shinde and Shri. Vitthal Khandu Shinde by way of Registered Sale Deed.

प्रविण के पास

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10. Mrs. Kalpana Sahebrao Gaikawad and Mrs. Neha Uday Potnis submitted a building plan of the building to be constructed on the said Plot No.1 to the Nashik Municipal Corporation, Nashik. Said plan of the proposed building has been sanctioned by the Executive Engineer [Town Planning], Nashik Municipal Corporation, Nashik under No.LND/BP/CD/B-5/ 413/3588 dated 9/10/2012 and issued Sanction of Building Permit and Commencement Certificate.

11. On or about 15-03-2013, present owner M/s. Om Sai Developers a partnership firm, purchased plot No. 1 measuring 1156 sq. mtr. out of Survey No. 315/2A/1, of Village Pathardi from its previous owners Mrs. Kalpana Sahebrao Gaikawad and Mrs. Neha Uday Potnis by way of Registered Sale Deed. In view of this fact name of the purchaser firm M/s. Om Sai Developers has been entered into the Record of Rights of said plot by way of certifying the Mutation Entry No. 21355 to that effect.

12. On or about 15-3-2013 M/s. Om Sai Developers purchased T.D.R. measuring 464.00 sq.mtr. of D Zone from Mrs. Kalpana Sahebrao Gaikawad by way of Registered Sale Deed.

13. In view of the above discussions, I am of the opinion that M/s. Om Sai Developers, Partnership Firm holds a good and marketable title over the Non Agricultural Plot bearing No. 01 measuring 1156.00 sq. mtr. out of Survey No. 315/2A/1, of Village Pathardi Taluka and District Nashik, which is free from encumbrances whatsoever in the nature and said firm has right to construct the building on the said plot as per the sanctioned building plan.

प्रतिपक्ष के पक्ष

ऑफिसियल

११६, पार्लो रोड, जिल्हा न्यायालय
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14. This Title Certificate is issued only upon the strength of the documents/papers produced before me by Mrs. Kalpana Sahebrao Gaikawad, partner of M/s. Om Sai Developers.

Hence Title clearance certificate to the owners.



Pravin K. Parakh

Advocate

प्रविण के पारख

अवैकीट

११६, मालती चेंबर, जिल्हा न्यायालय
राजिक मो. - ९८२२८४३७७९