

Pravin K. Parakh

B. Com., LL.B.

ADVOCATE

Chamber No.116,

Maruti Chambers

Dist. Court Campus

Nashik -422 002.

Date: 15/4/2013

TITLE CERTIFICATE

Subject : Title Certificate in respect of Non Agricultural Plot No. 5 admeasuring 240.00 sq. mtr., Plot No. 6 admeasuring 240.00 sq. mtr. Plot No. 13 admeasuring 240.00 sq. mtr. and Plot No. 14 admeasuring 240.00 sq. mtr. out Survey No. 897/1/3 of Village Nashik, Tal. and District, Nashik, within the limits of Nashik Municipal Corporation, Nashik owned by Pal Developers Partnership Firm through its partners Shri. Dineshkumar Ravajibhai Banugariya and Sau. Pushpaben Dineshbhai Banugariya R/at- Flat No. 12, Roongtha Enclave Apartment, Shashtri Nagar, Nashik-422009.

TO WHOMSOEVER IT MAY CONCERN.

Shri. Dineshkumar Ravajibhai Banugariya partner of Pal Developers, Nashik approached me with a request to issue Title Certificate in respect of Non Agricultural Plot No. 5 admeasuring 240.00 sq. mtr., Plot No. 6 admeasuring 240.00 sq. mtr. Plot No. 13 admeasuring 240.00 sq. mtr. and Plot No. 14 admeasuring 240.00 sq. mtr. out Survey No. 897/1/3 of Village Nashik, Tal. and District, Nashik, within the limits of Nashik Municipal Corporation, Nashik owned by Pal Developers, for that purpose he produced before me Xerox copies following documents for my perusal and verification.

- * 7/12th Extract since 1974 to 2013,
- * Relevant Mutation Entries,
- * N. A. Order dtd. 29/5/1997,
- * Layout plan sanctioning letter dtd. 12/8/1999,
- * Sale Deed dtd. 22/5/2012.

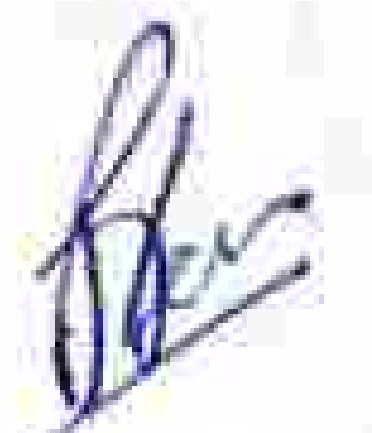


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On going through the above papers, my observations in respect of said Non Agricultural Plot No. 5,6, 13 & 14 out of Survey No. 897/1/3 of Village Nashik, Tal. and District, Nashik, within the limits of Nashik Municipal Corporation, Nashik, are as under :

1. Said Plots are piece and parcel of land bearing Survey No. 897 of Village Nashik. The said land was Agricultural one. In the year 1933 or there about said land was owned by Shri Parvat Bappaji Mahale. Said Shri. Parvat Bappaji Mahale, executed a conditional Mortgage Deed of the said land for three years for Rs. 250.00 on 30-05-1933. In view of this fact, a charge of the said amount was entered into the Record of Rights by way of certifying the Mutation Entry No. 2230 to that effect.
2. The owner of the said Survey number 897, Shri. Parvat Bappaji Mahale expired on 19-10-1951. He survived with two successors namely Ganpat Parvat Mahale and Nivruti Parvat Mahali. In view of this fact name of Ganpat Parvat Mahale was entered into the Record of Rights of the said land being the Karta of Hindu Undivided Family by way of certifying the Mutation Entry No. 6340 to that effect.
3. On or about 16-10-1956, the names of S/Shri. Sahadu Bhavani Tadakhe and Savaliram Bhavani Tadakhe were entered into the Record of Rights of the said land as Tenants as they were cultivating the said land since 1954-1955, by way of certifying the Mutation Entry No. 7007 to that effect.
4. On or about 20-10-1953, Shaikh Babamiya Shaikh Amir and Shekhchand Shaikh Amir obtained an award of Rs. 350/- against the successors of Late Shri Parvat Bappaji Mahale, i.e. Ganpat Parvat Mahale, Nivruti Parvat Mahale and Smt. Sitabai Parvat Mahale. Accordingly a charge of the said award was entered into


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the column of other right of Record of Rights by way of certifying the Mutation Entry No. 7146 to that effect.

5. One of the joint owners of the said land Shri. Ganpat Parvat Mahale expired on 31-07-1963. He had no issues. And his wife went to another family by re-marriage. Thus, he had only a successor i.e. his brother Nivruti, whose name was already there and said land was also in his possession. In view of this fact, name of Ganpat Parvat Mahale was deleted from the Record of Right by way of certifying the mutation entry No. 10761.

6. On or about 19-05-1971, due to application of Enforcement of Weight and Measures Act and Indian Coinage Act, 1958 the measurement of the said land were converted into the Metric System by way of certifying the Mutation Entry No. 12378 to that effect.

7. On or about 14-04-1973, Shri. Nivruti Parvat Mahale made application stating therein that names of S/Shri. Balamiya Amir, Chandmiya Amir, Sahadu Bhavani Tadakhe and Savaliram Bhavani Tadakhe were shallow names and they had no concern with the said land. In view of said application names of the above persons were deleted from the Record of Rights of the said land by way of certifying the Mutation Entry No. 13696 to that effect.

8. Owner of the said land Survey No. 897 Shri. Nivruti Parvat Mahale expired on 23/8/1975 leaving behind him his heirs- Gangadhar Nivruti Mahale, Sangeeta Nivruti Mahale, Vimalabai Nivruti Mahale, whose names are entered into the Record of Rights of said land by Mutation Entry No. 14987. However the said entry is in torn condition and as such not readable.

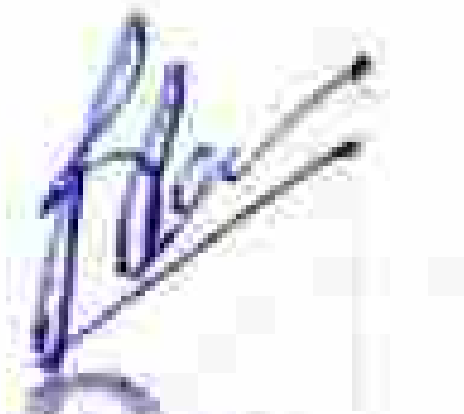
9. Mutation Entry No. 15302 has been mentioned on the Record of Rights of the said land. It is with reference to sell of the land measuring 1 Hecter 20 Are to one Shri. Mahadev Avhad. In view of this fact the land

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bearing Survey No. 897 stood sub-divided and land purchased by Shri. Avhad was allotted new Survey No. as 897/2 and land with the landlord was allotted Survey number 897/1. Accordingly mutation entry No. 15302 was certified.

10. On or about 13-06-1974, one Smt. Shantabai Haribhau Kambale made an agreement to purchase the land measuring 3.00 Acres i.e. 1 Hector 20 Are out of the total land of Survey No. 897/1. In view of that Agreement to Sell executed by Nivruti Parvat Mahale in favour of Smt. Shantabai Haribhau Kamble her name was entered into the column of other right of the Record of Rights of the said land by way of certifying the Mutation Entry No. 16909 to that effect.

11. On or about 27-10-1993, Accolade Co-operative Housing Society purchased an area measuring 0 Hector 42 Are each by way of 10 Separate Sale Deeds and an area measuring 0 Hector 41 Are by way of another sale Deed. (Total Area 4 Hector 61 Are) from Gangadhar Nivruti Mahale. In view of this fact the name of Accolade Co-operative Housing Society is entered for the said Survey number as per 11 Sale Deeds, in to the Record of Rights of the said land Survey No. 897/1 by way of certifying the Mutation Entry No. 31390 to that effect.


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12. On or about 05-05-1994 Shri. Haribhau Somaji Kambale and other 7 purchased an area measuring 1 Hector 20 Are from Shri. Gangadhar Nivruti mahale out said Survey number. In view of this fact name of the purchasers were entered into the Record of Rights of the said Survey No. 897/1 by way of certifying the Mutation Entry No. 32292 to that effect.

13. On or about 07-04-1995, Haribhau Somaji Kabale and other submitted a site plan along with application stating therein to separate their part from the original Survey number 897/1. In view of this fact the Area of

Accolade Co-operative Society Ltd is given Survey No. 897/1/1 and the Area purchased by Haribhau Somaji Kambale and other is given Survey No. 897/1/2. While doing so the name of Smt. Shantabai Haribhau Kambale which was appearing in the column of other right of Record of Rights of original Survey No. 897/1 is deleted from the Record of Rights by way of Certifying the Mutation Entry No. 32796 to that effect.

14. The members of the Accolade Co-operative Housing Society Ltd. prepared the Layout plan of the Land bearing Survey number 897/1/3 and submitted to the Nashik Municipal Corporation, Nashik. Same has been sanctioned by the Assistant Director, Town Planning, Nashik Municipal Corporation, Nashik under his No. LND/WS/170/1297 dtd. 23-07-1996. Subsequently they obtained permission to change use of the said land into Non Agricultural purposes from the Collector, Nashik under his No. MAH/Desk-III/N.A.P.No./250/97 dated 29-05-1997. In view of this fact the land owned by the said Society through its members stood further subdivided into 52 Non Agricultural Plots as per sanctioned Layout. As per said sanctioned Layout Plot No. 5 is measuring 240.00 sq. mtr. Plot No. 6 is measuring 240.00 sq. mtr., Plot No. 13 is measuring 240.00 sq. mtr. and Plot No. 14 is measuring 240.00 sq. mtr. (Plots under this title report) Accordingly Mutation Entry No. 36478 is certified to that effect.

15. Mutation Entry No. 36757 has been mentioned on the Record of Rights. It is with reference to the land bearing Survey Number No. 897/1/1 regarding sanction to the Lay out of the said land; which has no concern, with the plots under this Title Report. Hence it is Ignored.

16. Mutation Entry No. 38537 dtd. 11/8/1998 is with reference to the sell of the Plot No. 13,14,15 out of Survey No. 897/1/1 by the society to Mousmee Mohan

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Pijan. This transaction has no concern with the plots under this title report. Hence it is ignored.

17. On or about 12/6/1998, Accolade Co-operative Housing Society Ltd., Nashik through its members made and executed transfer documents and Confirmation Deeds of Plot No. 13. As per said Transfer documents plot No. 13 is transferred to Smt. Juhi Goyal. Accordingly the name of Smt. Juhi Goyal is entered into the Record of Rights of said plot No. 13 by way of certifying the Mutation Entry No. 39413 on 15/3/1999 to that effect.

18. On or about 12/6/1998, Accolade Co-operative Housing Society Ltd., Nashik through its members made and executed transfer documents and Confirmation Deeds of Plot No. 14, 15 & 16. As per said Transfer documents plot No. 14, 15 & 16 are transferred to Smt. Juhi Goyal. Accordingly the name of Smt. Juhi Goyal is entered into the Record of Rights of said plot No. 14, 15 & 16 by way of certifying the Mutation Entry No. 39414 on 15/3/1999 to that effect.


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19. On or about 12/6/1998, Accolade Co-operative Housing Society Ltd., Nashik through its members made and executed transfer documents and Confirmation Deeds of Plot No. 3, 4, 5 & 6. As per said Transfer documents plot No. 3, 4, 5 & 6 are transferred to Smt. Juhi Goyal. Accordingly the name of Smt. Juhi Goyal is entered into the Record of Rights of said plot No. 3, 4, 5 & 6 by way of certifying the Mutation Entry No. 39415 on 15/3/1999 to that effect.

20. Mutation Entry No. 51477 dtd. 9/8/2004 has been mentioned on the Record of Rights of the land under report. On going through it, it has been observed that the Assistant Director, Town Planning, Nashik Municipal Corporation, Nashik has given final approval to the Lay

out of the land bearing Survey No. 897/1/3, plot Nos. 1 to 52 under his No. Town Planning/Final/218/2863 dated 12-08-1999. There are no any changes into the measurement of above five Non Agricultural Plots under this report.

21. On or about 22/5/2012, Smt. Juhi Goyal sold the Plot No. 5, 6, 13 & 14 out of Survey No. 897/1/3 owned by her to Pal Developers a Partnership Firm by way of Registered Sale Deed. In view of this fact name of the said Partnership Firm through its partner 1] Shri. Dineshkumar Ravjibhai Bangaria and 2) Sau. Pushpaben Dineshbhai Banugaria are entered into the Record of Rights of the said four Non Agricultural plots by way of certifying the Mutation Entry No. 82979 to that effect.

22. Mutation Entry No. 82430 dtd. 23/4/2012 shows that as per letter bearing No. outward. V-1/Accolade Co-operative Housing Society/Plot free hold/PR/12 dtd. 21/2/2012 given by joint Registrar, Co. op. Society, Nashik, Tal. Nashik. and as per letter given by Chairman of Accolade Co-operative Housing Society Ltd. Plot Nos. 3 to 6 and 13 to 16, 9, 10, 19 to 23, 49, 21, 22, 52, 42 to 45, 13 to 15, 37, 38, 1, 2, 17, 48, 12, 20, 28, 29, 53 and 54 are deleted from the record of Accolade Co-operative Housing Society and name of said society is also deleted from the Record of Rights of above plots.

23. A Public Notice was published on 4/12/2011 in daily Deshdoot and in daily Divya Marathi news papers for verification of Title and inviting objections if any in respect of the said plots under report, No any objection to the said notices has been received during the period stipulated in the said notices.

24. I have also carried out the search of the available records pertaining to the Plot No. 5, 6, 13 & 14 under report vide please Receipt No.4080809 dt.3/1/2013 in the office of the Sub-Registrar, Nashik-1. During my

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search, nothing adverse to the title of the present owner over the said plots under report has been noticed by me.

25. In view of the above observations, I am of the opinion that Pal Developers, Partnership Firm holds a good and marketable title over the Non Agricultural Plot No. 5 admeasuring 240.00 sq. mtr., Plot No. 6 admeasuring 240.00 sq. mtr. Plot No. 13 admeasuring 240.00 sq. mtr. and Plot No. 14 admeasuring 240.00 sq. mtr. out Survey No. 897/1/3 of Village Nashik, Taluka and District Nashik, within the limits of Nashik Municipal Corporation, Nashik which are free from encumbrances what so ever in the nature.

26. This Title Certificate is issued only on the basis of documents produced before me by Shri. Dineshkumar Ravajibhai Banugariya partner of Pal Developers.

Hence this Title Certificate to the owner.

Place: Nashik.



Pravin K. Parakh
Advocate

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शासनास केल्या प्रदानाची पावती कोथ १६३ नं १२ (३० वी)
RECEIPT FOR PAYMENT TO GOVERNMENT

ठिकाण/Place..... दिनांक/Date ३/१/२०१३

Received from..... यांच्याकडून/

रु./Rs..... (रुपये/Rupies) ५५०/-

on account of..... याकरिता मिळाले.

रोखपाल वा ल.पाल
Cashier or Accountant.

(सही/Signature)
सह. मुख्य निधी अधिकारी-२
नाशिक-१.

मै.क्र.पु.५०,००० पु. (२०० पानांनी)-१-२०१२-१५ पीएच४-(एच) ३०४