

Ref. No.

Date 22/08/2018

TITLE SEARCH REPORT**TO WHOM SO EVER IT MAY CONCERN**

Subject: Investigation into the title of property bearing **Plot No. 24** admeasuring area **501.87 sq. mtrs. out of S. No. 235/1B/1** situated at Village **Mhasrul**, Tal. & Dist. Nashik within the local limits of Nashik Municipal Corporation & within the limits of Sub-Registration of Dist. Nashik.

I. Description of Property :-

All that piece and parcel **Plot No. 24** admeasuring area **501.87 sq. mtrs. out of S. No. 235/1B/1** situated at Village **Mhasrul**, Tal. & Dist. Nashik within the local limits of Nashik Municipal Corporation & within the limits of Sub-Registration of Dist. Nashik which is bounded as per approved building plan.

II. Present Owners: Mr. Shivam Prakash Patel

III. Applicant :-

On the verbal request of Mr. Shivam Prakash Patel to issue Title Certificate with respect of the property and for that purpose they have produced for my perusal the following documents & relying upon the documents, I am submitting my Title Certificate. The documents are as under:

- a. 7/12 Extracts.
- b. Mutation Entries.
- c. Registered Sale Deed
- d. Other relevant documents.

IV. Observations and Findings :-

From the documents produced for my perusal, I from the following opinion as follows.

It appears from M.E. No. 1914 dtd. 06/01/1962 that the said land of S. No. 235/1A bearing P. No. 22, 23, 24, 37, 38 and 39 was owned by Shankar Ramchandra Iparkar. He sold the said Plots to Yamunabai Chimniram Dhotre on 13/12/1961. Hence, the said Survey no. was divided into 235/1A and 235/1A/1.



The lay-out plan of the above mentioned plots was sanctioned by Hon'ble Mamledar, Nashik vide no. LND-I-4060 dtd. 17/10/1961.

The above-mentioned Plots were converted into NA purpose by the order of Hon'ble Mamledar, Nashik vide no. LND-SR-I-40/61 dtd. 27/01/1962. The said remark was taken into the other rights column of 7/12 extracts under M.E. No. 2437 on 02/09/1967.

It appears that the Indian Coinage and Indian Enforcement act 1958 and Indian Weights and measures Act was applied by Special District Inspector of Land Record to the said area and the weights and measures are converted into Decimal System and the effect was taken to the records on 24/11/1969 by M. E. No. 2676.

It appears from M. E. No. 2904 dtd. 26/09/1973 that Hissa from No. 12 was applied to the said Survey Number. Hence, the said survey no. 235/1A/1 was changed to 235/1B/1.

Further, it appears from M. E. No. 4068 dtd. 24/07/1976 that owner namely, Yamunabai Chimanrao Dhotre died on 01/05/1976 leaving behind following legal heirs:

Sons : Trimbakrao, Shankar

Widower : Chimanrao

Hence, the name of all the legal heirs were entered in the record of rights column of 7/12 extracts.

It appears from M. E. No. 4098 dtd. 15/03/1977 that the said plots were not being used for non-agriculture purpose within certain period, the said plots were forfeited by government U/s. 84 C of tenancy Act. Hence, the name of Government was entered in the record of rights column instead of owner's name.

It further appears from M. E. No. 8174 dtd. 17/01/1990 that the name of original owner was re-entered instead of Government by the order dtd. 31/08/1989 of Hon'ble, High Court, Mumbai in petition no. 2539/1989 and Hon'ble Tehsildar, Nashik dtd. 10/01/1990.

Further, it appears from M. E. No. 8428 dtd. 02/04/1991 that one of owner namely, Trimbak Chimanrao Dhotre died on 06/03/1990 leaving behind following legal heirs :

Sons : Chandrkant, Ashok

Widow : Parvatibai

Hence, the name of all the legal heirs were entered in the record of rights column of 7/12 extracts.

Further, the area admeasuring 2277.00 Sq. Mtrs. out of the total land of P. No. 22 to 24 and 37 to 39 was declared as 'Excess Land' by the order of Deputy Collector and Competent Authority, ULC, Nashik vide ULC/A/2/ 2186/ 111 dtd.



09/04/1991 under ULC Act, 1976. Hence, the charge of Excess land was entered in the other rights column of 7/12 extracts and the effect was taken to the records on 11/04/1991 by M. E. No. 8430. But, the property in question i.e. Plot No. 24 was sold earlier before the enactment of ULC Act, 1976. Hence, the said property was exempted from excess land by the corrected order of Deputy Collector and Competent Authority, ULC, Nashik vide ULC/A/2/ 2186/ 111 drd. 11/05/1999 under ULC Act, 1976.

Mr. Bhavarlal Motilal Lunavat has purchased the aforesaid property of Plot No. 24 from Mr. Shankar Chimanrao Dhotre and others by sale deed dated 29/11/1994 which is duly registered at the office of Sub Registrar Nashik at Sr. No. 4287 on 29-11-1994 and as such name of the aforesaid holder is mutated in the owner column under M. E. No. 10040 on 02/12/1994.

Dr. Ujwala Chandrakant Kapse has purchased the aforesaid property of Plot No. 24 from Mr. Bhavarlal Motilal Lunavat by sale deed dated 20/08/1996 which is duly registered at the office of Sub Registrar Nashik-2 at Sr. No. 4959 on 23-08-1996 and as such name of the aforesaid holder is mutated in the owner column under M. E. No. 10370 on 01/11/1996.

M. E. No. 14761 dtd. 14/02/2009 reveals that Prashant Moreshwar Jagtap and Mangesh Moreshwar Jagtap filed Spl. C. S. No. 608/2008 against Ujwala Chandrakant kapse and also executed and registered the Lis Pendense Notice at Sr. No. 605/2008 on 23/01/2008 before the Sub-Registrar, Nasik 1 and applied to enter the effect in other rights column. Hence, the charge of lis pendense was entered in the other rights column of 7/12 extract.

M. E. No. 15954 dtd. 03/02/2011 reveals that Mr. Prashant Moreshwar Jagtap and Mr. Mangesh Moreshwar Jagtap filed Spl. C. S. No. 608/2008 against Ujwala Chandrakant kapse and also executed and registered the Lis Pendense Notice at Sr. No. 1376/2011 on 01/02/2011 before the Sub-Registrar, Nasik and applied to enter the effect in other rights column. Hence, the charge of lis pendense was entered in the other rights column of 7/12 extract. The said suit was dismissed by the order dtd. 27/11/2012 of Hon'ble Civil Judge, Nashik. Hence, Lis Pendense remark of Spl. C. S. No. 608/2008 was deleted from the record of rights of 7/12 extracts and the effect was taken to the records on 12/02/2013 by M. E. No. 17928.

It appears from M. E. No. 18020 dtd. 15/04/2013 that Mr. Prashant Moreshwar Jagtap has filed first appeal no. 192/2013 in the Hon'ble High Court, Mumbai against Ujwala Chandrakant Kapse to the order passed by Hon'ble Civil Judge Sr. division, Nashik bearing C.S. No. 608/2008 and also executed and registered the Lis Pendense Notice at Sr. No. 3157/2013 on 24/03/2013 before the Sub-Registrar, Nasik and applied to enter the effect in other rights column. Hence, Lis Pendense remark of Hon'ble High Court, Mumbai First Appeal No. 192/2013 was entered in the other rights column.



The said Appeal No. 192/2013 was compromised between both the parties and Appellants agreed to withdraw the suit against the respondent. Therefore, Hon'ble High Court, Mumbai have passed the order on 27/08/2015 to dismiss the suit. Hence, the charge of Lis Pendense remark of Hon'ble High Court, Mumbai First Appeal No. 192/2013 was deleted from the other right column by the order of Hon'ble High Court, Mumbai and the effect was taken to the records on 03/09/2015 by M. E. No. 19284.

Mr. Shivam Prakash Patel has purchased the aforesaid property of Plot No. 24 from Dr. Ujwala Chandrakant Kapse by sale deed dated 08/09/2015 which is duly registered at the office of Sub Registrar Nashik-3 at Sr. No. 5327 on 08/09/2015 and as such name of the aforesaid holder is mutated in the owner column under M. E. No. 19335 on 19/10/2015.

Further, it appears that TDRs transfer deed was executed in favor of Mr. Shivam Prakash Patel by Mohanlal Kantilal Bagmar of 376.67 sq. mtrs. out of G. No. 2012 of village Adgaon on 03/05/2018 regd at Sr. No. 3416 in the office of Sub-Registrar, Nasik-5.

Mr. Shivam Prakash Patel have applied and get sanctioned the Building over the said plot No. 24 out of S. No. 235/1B/1 and obtained Building Commencement Certificate vide LND/BP/Mhasrul/DCR/0118/2018 dtd. 18/05/2018.

IV. Search of Index II Records

I have taken search of online Index II Register of last 30 years the registers from 1989 to 2018. Some entries were not available for search. Hence I have taken search of Index II entries which were available for search at that time. No adverse entry has been found during the search. Receipt issued is attached herewith.

V. Opinion

Relying upon the documents and orders from Competent Authorities and hon'ble Courts, I am of the opinion that by virtue of registered Sale Deed, the title of Mr. Shivam Prakash Patel with respect of **Plot No. 24 admeasuring total area 501.87 sq. mtrs. out of S. No. 235/1B/1** situated at Village **Mhasrul**, Tal. & Dist. Nasik is negotiable, marketable & free from all encumbrances.

Thanking you.

Yours faithfully,


TUSHAR P. PATEL
ADVOCATE





CHALLAN
MTR Form Number-6



GRN	MH005307208201819E	BARCODE			Date	22/08/2018-15:54:43	Form ID
Department Inspector General Of Registration				Payer Details			
Search Fee				TAX ID (If Any)			
Type of Payment Other Items				PAN No.(If Applicable)			
Office Name NSK3_NASHIK 3 JOINT SUB REGISTRAR				Full Name		Adv Tushar Patel	
Location NASHIK							
Year 2018-2019 One Time				Flat/Block No.			
Account Head Details			Amount In Rs.		Premises/Building		
0030072201 SEARCH FEE			750.00		Road/Street		
					Area/Locality		
					Town/City/District		
					PIN		
					Remarks (If Any)		
					Survey No 235/1B/1 Plot No 24 at Mhasrul Tal Dist Nasik Last 30 Years		
					Search		
					Amount In		Seven Hundred Fifty Rupees Only
			750.00		Words		
Payment Details DENA BANK				FOR USE IN RECEIVING BANK			
Cheque-DD Details				Bank CIN	Ref. No.	02502982018082212863	12570388
Cheque/DD No.		Bank Date	RBI Date	22/08/2018-15:56:26	Not Verified with RBI		
Name of Bank		Bank-Branch		DENA BANK			
Name of Branch		Scroll No. , Date		Not Verified with Scroll			

Department ID :

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document

सदर चलान "द्विप ऑफ पेमेंट" मध्ये नमूद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करता याच्या दस्तासाठी लागू नाही

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