ADVOCATE

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Date : 11 /9/2018

TITLE/SEARCH OPINION REPORT

TO WHOM SO EVER IT MAY CONCERN

I) **Description of Property :-**

ALL THAT piece and parcel of land bearing **N. A. Plot No. 2**, total area admeasuring 1194.00 sq. mtrs., from and out of sanctioned layout plan of **S. No. 442/1/B/1,** situated at **Village-Pimpalgaon Baswant**, within the limits of Div. Dist. Nashik, Sub-Div. Taluka Niphad, Zilha Parishad, Nashik, Nagar Parishad Niphad and within the limits of Village Panchayat Pimpalgaon Baswant, and which is bounded as per approved lay-out plan of said S. No. 442/1/B/1 of Village-Pimpalgaon Baswant, Tal.- Niphad, Dist.- Nashik.

II) **Name of the Owner/Holder of said property :-**

M/s. Sumangal Developers, a Partnership Firm
Through Partners,
1) Mr. Anand Parasmal Sisodiya
2) Mangala Suresh Chhajed
Both R/o.- Pimpalgaon Baswant,
Tal. Niphad, Dist. Nashik.

III) **Observations & findings :-**

As per the request of M/s. Sumangal Developers, a Partnership Firm through Partners, 1) Mr. Anand Parasmal Sisodiya and 1 other, both r/o.- Pimpalgaon Baswant, Tal. Niphad, Dist. Nashik, I have investigated the title of abovesaid N. A. plot property. For that purpose, I have perused all the concern available Revenue Records and other related documents, records for last 30 years and my observations and findings are as under;

M. E. No. 2823, dt. 23/2/1955 shows that, as Mr. Khaderao Mahadeo Deshmane was cultivating land S. No. 442/1 of Village Pimpalgaon Baswant since year 1948-49, and hence his name was entered into Other Rights column as Tenant of said land.

M. E. No. 4891, dt. 30/10/1970 shows that, the Govt. of Maharashtra have implemented the Enforcement Act, 1958 and Indian Coinage Act, in the State and all measurements were change to Decimal System and Hissa Form No. 12 were changed accordingly.

M. E. No. 5570, dt. 27/10/1977 shows that, as per the inquiry and Order No. ALT/24/67, dt. 20/3/1967 of Tahasildar, Niphad, the name of Mr. Khanderao Mahadeo Deshmane was deleted from Other Rights column of R/R. as

a Tenant, of S. No. 442/1, which was owned by Mr. Muralidhar Vishnu Tarte.

M. E. No. 6571, dt. 12/2/1983 shows that, as per Order No. Bunding/Vashi/781/82, dt. 15/12/1982 of Tahasildar Niphad, the Bunding charge of Rs. 10936.76 Ps. was entered into Other Rights column of R/R. of S. No. 442/1, owned by Mr. Muralidhar Vishnu Tarte.

M. E. No. 8028, dt. 19/4/1991 shows that, Mr. Ajit, Rajendra and Sanjay Muralidhar Tarte have filed a R.C.S. No. 1046/1986 against his father Mur lidhar Vishnu Tarte and as per the Judgment dt. 14/8/1989 of the said Suit, a Decree was issued and as per the same, the Plaintiff, as mentioned in above and Defendant Mur lidhar Vishnu Tarte and Shakuntalabai Mur lidhar Tarte have acquired their 1/5 share in the said property, as per the Court Order and their names were entered in Record of Right of S. No. 442/1 and 1 other land to their extent.

M. E. No. 10582, dt. 17/8/2000 shows that, as per the application given by Smt. Sumanbai Baburao Vidhate and others and copy of Spl. C. S. No. 2084 and as per the Order/Judgment No. RTS/Appeal/255/2000, dt. 25/8/2000 of Sub-Divisional Officer, Niphad, they have made a registered Sale Deed in favour of Mrs. Muralidhar Vishnu

Tarte and others and said S. No. 442 was divided into 2 parts as under –

S. No.	Area	Possessor
442/1A	3-12 + 0-02 P.K.	Muralidhar Vishnu Tarte & others (Purchasers)
442/1B	1/60	Mrs. Sumanbai Baurao Vidhate

And hence the names of said purchasers were entered into Owner's column of R/R. of said land to their extent.

M. E. No. 10584, dt. 17/9/2000 shows that, Mr. Muralidhar Vishnu Tarte and 4 others have sold an area admeasuring 1-H. 38-R of S. No. 442/1A of Village Pimpalgaon Baswant to Mr. Badrinath Muralidhar Walekar and 4 others by registered Sale Deed on 14/9/2000 and hence the said land is divided into 2 parts i.e.

S. No.	Area	Owner
442/1A	1/84 + 0-02 P.K.	Muralidhar Vishnu Tarte & others (Orig. Owner)
442/1B	1/38	Badrinath M. Walekar & 4 others.

And hence the names of said purchasers were entered into Owner's column of R/R. of said land to their extent.

M. E. No. 11290, dt. 24/3/2002 shows that, Smt. Jayashri Govind Khale and others have prepared a layout plan of S. No. 442/1B, area 13800.00 sq. mtrs. and after its

submission, the same was approved by Asst. Director, Town Planning, Nashik by his Letter No. SSN/562, dt. 26/2/2001. Also the Sub-Divisional Officer, Niphad Division, Niphad have converted the said land into N. A. use for residential purpose by his Order No. Jamabandi/N.A.P. No./32/2001, Niphad, dt. 26/4/2001. By virtue of those permissions, the said land was led into total 50 plots and those are shown in the name of abovesaid land owners.

M. E. No. 19219, dt. 29/11/2007 shows that, as per the Remark No. RTS/Kavi/2068/2007, dt. 23/11/2007 of Tahasildar, Niphad, the land owner Mr. Rajendra Muralidhar Tarte have filed a Writ Petition No. 7343/2002 in the Hon. High Court at Mumbai and the said Petition was dismissed by the Hon. Court, the names of Muralidhar Vishnu Tarte, Shakuntalabai Murlidhar Tarte, Ajit Mur lidhar Tarte, Sanjay Mur lidhar Tarte, Rajendra Muralidhar Tarte having 1/5 share each in the said land, were deleted and the name of Mrs. Sumanbai Baburao Vidhate was entered into Owner's column of R/R. of said land and except the Income Tax and Bunding Charge, all other charges were deleted from Other Rights column of R/R. of S. No. 442/1B, area 1-H. 60-R only.

M. E. No. 19741, dt. 16/7/2008 shows that, as Mrs. Sumanbai Baburao Vidhate have taken a Crop Loan of Rs.5,00,000/- on 16/7/2008 from Pimpalgaon Baswant

V.K.S. Society Ltd. and hence the charge of said Society was entered into Other Rights column of R/R. of said S. No. 442/1B.

M. E. No. 23204, dt. 4/10/2011 shows that, the A/c. holder of S. No. 442/1A of Village Pimpalgaon Baswant, Mr. Ajit Muralidhar Tarte and 1 other have prepared a layout plan of said land, area admeasuring 14700.00 sq. mtrs. and after its submission, the same was approved by Asst. Director, Town Planning, Nashik vide its Order No. Vishesh/Final Rekhankan/Mouje Pimpalgaon Baswant, Tal. Niphad G.No./S.No. 442/1A/SSN/3094/11, dt. 6/9/2011. Also the Sub-Divisional Officer, Niphad Division, Niphad have converted the land to N. A. use for residential purpose vide its Order No. LNA/SR/118/2011, Niphad, dt. 3/10/2011, u/s. 44 of M.L.R. C., 1966. By virtue of those permissions, the said land was led into total 34 plots and those are shown in the name of abovesaid land owners.

M. E. No. 29030, dt. 9/2/2018 shows that, Smt. Suman Baburao Vidhate and 2 others have prepared a layout plan of S. No. 442/1/B, area 2200 sq. mtrs. of Village Pimpalgaon Baswant and after its submission, the same is approved by Asst. Director, Town Planning, Nashik as per their Order No. 1831, dt. 11/7/2017. Also the Hon. Sub-Divisional Officer, Niphad Division, Nashik have given necessary N. A. permission for Residential use, as per his Order No.

Jama/N.A./SR/117/ 2017, dt. 4/10/2017. Also the Nashik Metropolitan Region Development Authority, Nashik have finally approved the said layout, as per their Letter No. 133, dt. 2/1/2017 and accordingly the N. A. area was reduced from the total area of the property and the name of Government of Maharashtra is entered in internal roads and open space (i.e. Plot No. 3, area 506.00 sq. mtrs. and open space 250.00 sq. mtrs.) and remaining area is shown in the name of abovesaid land owners.

M. E. No. 29100, dt. 22/3/2058 shows that, that Baburao Kashinath Vidhate and Mrs. Sumanbai Baburao Vidhate through their Spl. Power of Attorney Holder Mr. Ketan Sanjay More have sold an area admeasuring 1194.00 sq. mtrs. of N. A. Plot No. 2 of S. No. 442/1/B/1 and N. A. Plot No. 1 (Amenity Plot), area 250.00 sq. mtrs. of S. No. 442/1/B/1, of Village Pimpalgaon Baswant, Tal. Niphad, Dist. Nashik to M/s. Sumangal Developers, Pimpalgaon Baswant, a Partnership Firm through Partners, 1) Mr. Anand Parasmal Sisodiya and 2) Smt. Mangala Suresh Chhajed by registered Sale Deed (Doc. No. 535) on 13/3/2018. By virtue of said registered Sale Deed, the name of said Purchaser is entered into Owner's column of R/R. of said plot properties and thus, they have acquire right, title and interest over the same.

Record further shows that, Mr. Anand Parasmal Shisodiya and 1 other, Partners of M/s. Sumangal Developers have submitted a Building Plan of their 1 to 4 floors, residential building to Town Planner, Nashik Metropolitan Region Development Authority, Nashik and after its submission, the same is approved by said authority and issued Development Permission and Commencement Certificate No. Nampravipra/Ban.P./Mou.Pimpalgaon(B.), Tal. Niphad/G.No. 442/1/B/1/Bhu.Kra.2/754, dt. 4/7/2018, subject to the terms and conditions mentioned in the said letter.

Apart from above observations, I have taken Search in the Index-II Registers kept at the office of Sub Registrar, Niphad for last 30 years i.e. from the year 1989 to 2018 (vide Receipt No. 3383 , dt. 7/9/2018) and I have not found any adverse entry affecting the title of, M/s. Sumangal Developers, a Partnership Firm through Partners, 1) Mr. Anand Parasmal Sisodiya and 2) Smt. Mangal Suresh Chhajed, over abovesaid **N. A. Plot No. 2**, total area admeasuring 1194.00 sq. mtrs., from and out of sanctioned layout plan of **S. No. 442/1/B/1,** situated at **Village-Pimpalgaon Baswant,** Tal. Niphad, Dist. Nashik, subject to the observation and findings, as mentioned above.

After perusing all the abovesaid available Revenue records other related documents, permissions, together with