

Title Repost

Village Pathandi

S. No. 333

Plot No. 4 & 5

Shri. Suresh Waman Andhare &

Shri. Ashok Waman Andhare



Nivrutti Damodar Khangal

Advocate, B.Com., LL.B.

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Cell: 9860005051

Nashik, Date:- 07/02/2019

**TITLE REPORT**

**TO WHOMSOEVER IT MAY CONCERN**

**Subject:-** Title Report of property mentioned herein below:-

**(I) DESCRIPTION OF THE PROPERTY:-**

ALL THAT piece and parcel of non-agricultural plot of lands bearing **Plot No. 04** admeasuring **543.43 Sq.Mtrs.** + area handed over to Nashik Municipal Corporation for road widening admeasuring **18.38 Sq.Mtrs.**, totally admeasuring **561.81 Square Meters**, N.A. assessed @ Rs. 337.09 Paise, from & out of **Survey No. 333/4**, AND **Plot No. 05** admeasuring **612.50 Sq.Mtrs.** + area handed over to Nashik Municipal Corporation for road widening admeasuring **18.75 Sq.Mtrs.**, totally admeasuring **631.25 Square Meters**, N.A. assessed @ Rs. 378.75 Paise, from & out of **Survey No. 333/5**, both situated, lying and being at **Village Pathardi**, Taluka & District Nashik, within the limits of Nashik Municipal Corporation and also within Registration District and Sub-Registration Taluka Nashik, and the said plots collectively bounded as under:-

|                     |   |                                |
|---------------------|---|--------------------------------|
| On or towards East  | : | By 30.00 Mtrs. D.P. road       |
| On or towards West  | : | By adjoining S.No. 328         |
| On or towards South | : | By 7.50 Mtrs. wide Colony road |
| On or towards North | : | By Open Space                  |

Together with right to use open space, colony roads, and appurtenant lands thereto, etc.

**(II) NAME OF THE OWNERS:-**

(1) Shri. Suresh Waman Andhare and (2) Shri. Ashok Waman Andhare, both residing at 15, Utkarsha, Kala Nagar, Gangapur Road, Nashik.

Dear Sir/s,



The said plot owners approached me & requested to issue Title Report of the subject plot property. For that purpose they have submitted following documents for my perusal:-

**(III) DOCUMENTS SCRUTINIZED:-**

- 1) 7/12 extracts from 1962-63 to 2018-19.
- 2) Certified copies of relevant 6-D Mutation entries.

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- 3) Xerox copy of ULC Order u/Sec. 8(4) Dt. 09/09/1985.
- 4) Xerox copy of ULC Order u/Sec. 20(1)(a) Dt. 03/10/1996.
- 5) Copy of N. A. Oder Dt. 11/11/1986.
- 6) Copy of Layout Sanction Letter Dt. 21/08/1997.
- 7) Xerox copy of Layout Plan.
- 8) Copy of order u/Sec. 26(1) Dt. 23/10/1997.
- 9) Xerox copy of Sale Deed Dt. 11/11/1997 executed by Shri. Ramesh Managbhai Talajiya & others 2 with the consent of M/s. Dharmanath Developers through its Partner Shri. Mahesh Nanakram Chawala in favour of Shri. Suresh Waman Andhare & Shri. Ashok Waman Andhare in respect of Plot No. 04 admeasuring 561.81 Sq.Mtrs. out of S.No. 333 of Village Pathardi, which is duly registered in the office of Joint Sub-Registrar of Assurances, Nashik-2 under Serial No. 7676/1997 on 20/11/1999.
- 10) Xerox copy of Sale Deed Dt. 11/11/1997 executed by Shri. Ramesh Managbhai Talajiya & others 2 with the consent of M/s. Dharmanath Developers through its Partner Shri. Mahesh Nanakram Chawala in favour of Shri. Suresh Waman Andhare & Shri. Ashok Waman Andhare in respect of Plot No. 05 admeasuring 631.25 Sq.Mtrs. out of S.No. 333 of Village Pathardi, which is duly registered in the office of Joint Sub-Registrar of Assurances, Nashik-2 under Serial No. 7677/1997 on 20/11/1999.

After going through those documents, my observations & findings are as under:-

**(IV) HISTORY OF THE PROPERTY:-**

- 1) Originally the land bearing S.No. 333 admeasuring 2 Acre 10 Gunthe + P.K. 0 Acre 16 Gunthe totally admeasuring 2 Acre 26 Gunthe was owned & possessed by Shri. Vishwanath Laxman Ware on or before 1939.
- 2) M. E. No. 830 Dt. 27/05/1940 shows that Shri. Vishwanath Laxman Ware died on 04/11/1939 leaving behind only wife namely Sonubai Vishwanath Ware. Accordingly the name of Smt. Sonubai Vishwanath Ware has been mutated to the record of rights of S.No. 333.
- 3) M. E. No. 1007 Dt. 24/02/1945 shows that Shri. Waman Ganesh Kulkarni has been purchased the land bearing S.No. 333 from Smt. Sonubai Vishwanath Ware under a Sale Deed Dt. 18/01/1945 for total consideration of Rs. 50/-. Accordingly the name of Shri. Waman Ganesh Kulkarni has been mutated to the record of rights of S.No. 333.
- 4) M. E. No. 1018 Dt. 13/06/1945 shows that Shri. Maganbhai Bapubhai Talajiya has purchased the land bearing S.No. 333 of Village Pathardi from Shri. Waman Ganesh Kulkarni under a Sale Deed Dt. 01/05/1945 for total consideration of Rs. 150/-. Accordingly the name of Shri. Maganbhai



Bapubhai Talajiya has been mutated to the record of rights of said S.No. 333.

- 5) M. E. No. 2747 Dt. 17/05/1970 shows that the effect of Enforcement Act & Indian Coinage Act has been given to the entire lands of Village Pathardi and adopted decimal system for record of rights. Accordingly the area of S.No. 333 has been recorded in Hectare-Are i.e. 0 H. 91 R + P.K. 0 H. 16 R totally admeasuring 1 H. 07 R instead of Acre-Gunthe.
- 6) Further it appears from ULC record that Shri. Maganbhai Bapubhai Talajiya filed a statement u/Sec. 6(1) of Urban Land (Ceiling and Regulation) Act, 1976 on 30/12/1983 before the Deputy Collector and Competent Authority, ULC, Nashik in respect of the land owned by him in Nashik Agglomeration area. In the said statement, the Deputy Collector and Competent Authority, ULC, Nashik vide Order No. ULC/A-3/5345/84 Dt. 09/09/1985, declared 8352.00 Sq.Mtrs. as a Retention Land and 992.96 Sq.Mtrs. as an Excess Land out of total area of S.No. 333.
- 7) Further it appears from record that Shri. Maganbhai Bapubhai Talajiya has applied for exemption u/Sec. 20 of ULC Act in respect of excess land and accordingly the Deputy Collector and Competent Authority, ULC, Nashik vide Order No. ULC/C-1/Sect. 20(1)(a)/T & D/441/96 Dt. 03/10/1996, sanctioned a Talegaon Dabhade Scheme in respect of excess area 992.96 Sq.Mtrs. by preparing a layout plan.
- 8) M. E. No. 4449 Dt. 23/03/1988 shows that Shri. Maganbhai Bapubhai Talajiya has get prepared a layout plan on retention area admeasuring 7359.04 Sq.Mtrs. out of S.No. 333 totally admeasuring 10700.00 Sq.Mtrs., which is tentatively approved by the Assistant Director of Town Planning, Nashik Municipal Corporation vide letter No. LND/WS/Tent/53/460 Dt. 09/06/1986. And area admeasuring 7359.04 Sq.Mtrs. out of S.No. 333 is also converted for non-agricultural use for residential purpose by the Collector of Nashik vide Order No. Maha/Kaksha-3/Bhi.She.Pa.Kra./373/86 Dt. 11/11/1986. As per said tentative layout sanction letter & N.A. permission, the said land is sub-divided into Plot NO. 1 to 13 by giving them same Pot Hissa Number 1 to 13 of S.No. 333, and Colony Road, Open Space area & Excess Land numbered as S.No. 333 Pot Hissa No. 14, and separate 7/12 extracts of each plots were created & shown in the name of Shri. Maganbhai Babubhai Talajiya.
- 9) M. E. No. 4750 Dt. 29/08/1989 shows that Shri. Maganbhai Babubhai Talajiya has applied to Tahasildar of Nashik for recording the names of his sons namely Ramesh, Subhash & Bipin Maganbhai Talajiya, and as per letter of Tahasildar of Nashik vide No. Ashthapana/Vashi/1910/89 Dt. 05/08/1989, the said mutation entry has been made for mutation of the



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names of sons, but later on the said mutation entry has been cancelled due to the owner does not submitted Settlement Deed & Ceiling order.

- 10) M. E. No. 6868 Dt. 13/08/1997 shows that Shri. Maganbhai Babubhai Talajiya died leaving behind three sons namely Ramesh, Subhash & Bipinchandra Maganbhai Talajiya, six daughters namely Indira, Ranjan, Gunwanti, Asha & others two. But as per Will Deed executed by Shri. Maganbhai Babubhai Talajiya in his lifetime & registered in the office of Sub-Registrar of Assurances, Nashik under Serial No. 3-2405/3-8 Dt. 15/06/1983, only the name of sons namely Ramesh, Subhash & Bipinchandra Maganbhai Talajiya has been mutated to the record of rights of Plot No. 1 to 13 of S.No. 333.

- 11) M. E. No. 6869 Dt. 13/08/1997 shows that Shri. Ramesh Maganbhai Talajiya & others 2 through their GPA holder Shri. Vijay Fakirchand Sabadra & other 1 prepared a revised layout plan which is approved by the Assistant Director of Town Planning, Nashik Municipal Corporation vide letter Outward No. IND/WS-440/4736 Dt. 12/02/1997. As per said revised layout plan, the plot numbers reduced & their area increased as under:-

| S. No. | Hissa No. | Plot No. | Area as per revised layout plan | Assessment | Name of owners          |
|--------|-----------|----------|---------------------------------|------------|-------------------------|
| 333    | -         | 1        | 412.00                          | 0-02       | Ramesh, Subhash & Bipin |
| 333    |           | 2        | 357.50                          | 0-02       | Ramesh, Subhash & Bipin |
| 333    |           | 3        | 650.00                          | 0-02       | Ramesh, Subhash & Bipin |
| 333    |           | 4        | 562.50                          | 0-02       | Ramesh, Subhash & Bipin |
| 333    |           | 5        | 631.25                          | 0-02       | Ramesh, Subhash & Bipin |
| 333    |           | 6        | 870.75                          | 0-03       | Ramesh, Subhash & Bipin |
| 333    |           | 7        | 782.25                          | 0-02       | Ramesh, Subhash & Bipin |
| 333    |           | 8        | 881.125                         | 0-03       | Ramesh, Subhash & Bipin |
| 333    |           | 9        | 992.96                          | 0-03       | Ramesh, Subhash & Bipin |
| 333    |           | 10       | 1000.00                         | 0-03       | Ramesh, Subhash & Bipin |
|        |           | Total    | 7140.335                        |            |                         |

Accordingly the said effect brought on record and necessary corrections made in 7/12 extract of Plot No. 1 to 10.



- 12) M. E. No. 7042 Dt. 13/01/1998 shows that Shri. Suresh Waman Andhare & Shri. Ashok Waman Andhare purchased the Plot No. 04 admeasuring 561.81 Sq.Mtrs. and Plot No. 05 admeasuring 631.25 Sq.Mtrs. out of S.No. 333 from Shri. Ramesh Maganbhai Talajiya, Shri. Subhash Maganbhai Talajiya & Shri. Bipinchandra Maganbhai Talajiya with the consent of M/s. Dharmnath Developers through its Partner Shri. Mahesh Nanakram Chawla, under two separate Sale Deeds Dt. 11/11/1997 which

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are registered in the office of Sub-Registrar of Assurances, Nashik-2 under Serial No. 7676/1997 & 7677/1997 on 20/11/1997 respectively. Accordingly the name of Shri. Suresh Waman Andhare & Shri. Ashok Waman Andhare are mutated to the record of rights of Plot No. 4 & 5.

- 13) M. E. No. 7079 Dt. 16/02/1998 shows that Shri. Ramesh Maganbhai Talajiya & others 2 through their GPA holder Shri. Mahesh Nanakram Chawala applied to Talathi for necessary corrections as per final layout plan, which is approved by the Assistant Director of Town Planning, Nashik Municipal Corporation vide letter Outward No./Town Planning Department/Final/215/2595 Dt. 21/08/1997. Accordingly necessary corrections made in area of plots, as under:-

| S. No. | Hissa No. | Plot No. | Area as per final layout plan |
|--------|-----------|----------|-------------------------------|
| 333    | 1         | 1        | 344.87                        |
| 333    | 2         | 2        | 373.75                        |
| 333    | 3         | 3        | 662.50                        |
| 333    | 4         | 4        | 561.81                        |
| 333    | 5         | 5        | 631.25                        |
| 333    | 6         | 6        | 868.06                        |
| 333    | 7         | 7        | 777.00                        |
| 333    | 8         | 8        | 877.81                        |
| 333    | 9         | 9        | 992.96                        |
| 333    | 10        | 10       | 1000.00                       |
|        |           | Total    | 7090.01                       |

Out of said plots, Plot No. 09 admeasuring 992.96 Sq.Mtrs. is of excess land, and remaining Plot No. 1 to 8 & 10 of retention land. Accordingly area of above said plots were corrected as per final layout plan.

- 14) Further it appears from M. E. No. 24584 that for tally the hand written & computerized revenue record (Village Form No. 7/12) by using Edit Module under E-mutation projects, the Tahasildar of Nashik vide Order Dt. 11/01/2017 in pursuance to the Govt. Notification No. Ra.Bhu.A./Pra.Kra./180/L-1 Dt. 07/05/2016, some necessary corrections made in 7/12 extract of S.No. 333/4 Plot No. 4, S.No. 333/5 Plot No. 5, alongwith other plots.
- 15) Further it appears from M. E. No. 25605 that for tally the hand written & computerized revenue record (Village Form No. 7/12) by using Edit Module under E-mutation projects, the Tahasildar of Nashik vide Order Dt. 19/05/2018 in pursuance to the Govt. Notification No. Ra.Bhu.A./Pra.Kra./180/L-1 Dt. 07/05/2016, some necessary corrections made in 7/12 extract of S.No. 333/4 Plot No. 4, S.No. 333/5 Plot No. 5, alongwith other plots.
- 16) Further it appears from M. E. No. 26424 Dt. 08/12/2018 that as per order of Commissioner of Nashik Municipal Corporation bearing No. 515 Dt.



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27/07/2018 for widening of 6.00 & 7.50 Mtrs. colony roads into 9.00 Mtrs., as per Agreement made between Assistant Director of Town Planning, Nashik Municipal Corporation and Shri. Suresh Waman Andhare & Ashok Waman Andhare, an application, layout plan & affidavit, area measuring 18.375 Sq.Mtrs. out of total area of Plot No. 04 is handed over for road widening in favour of Nashik Municipal Corporation and the road widening area shown in the name of Nashik Municipal corporation & also recorded in other rights column, by reducing total area of said plot which is shown in the name of plot owners Shri. Suresh Waman Andhare & Ashok Waman Andhare. But there is technical difficulty in online software made by NIC, Pune which does not accept three digits, so the actual road widening area 18.375 Sq.Mtrs. shown as 18.38 Sq.Mtrs. on 7/12 extracts.

- 17) Further it appears from M. E. No. 26425 Dt. 08/12/2018 that as per order of Commissioner of Nashik Municipal Corporation bearing No. 515 Dt. 27/07/2018 for widening of 6.00 & 7.50 Mtrs. colony roads into 9.00 Mtrs., as per Agreement made between Assistant Director of Town Planning, Nashik Municipal Corporation and Shri. Suresh Waman Andhare & Ashok Waman Andhare, an application, layout plan & affidavit, area measuring 18.75 Sq.Mtrs. out of total area of Plot No. 05 is handed over for road widening in favour of Nashik Municipal Corporation and the road widening area shown in the name of Nashik Municipal corporation & also recorded in other rights column, by reducing total area of said plot which is shown in the name of plot owners Shri. Suresh Waman Andhare & Ashok Waman Andhare.
- 18) Thus, the present owners Shri. Suresh Waman Andhare & Ashok Waman Andhare has acquired a right, title and interest in the subject plot properties by way of Sale Deeds and they are entitled to construct a building on the said plots by obtaining prior permission from Town Planning Department of Nashik Municipal Corporation, and also entitled to sell the said plot property or/and alongwith constructed premise to be constructed thereon to the prospective purchaser.

**(V) ENCUMBRANCES OVER THE PROPERTY:-**

Nil, as per available documents, latest 7/12 extracts & information furnished by the present owners.



**(VI) FINAL CERTIFICATE AND LEGAL OPINION:-**

This is to certify that the present owners Shri. Suresh Waman Andhare & Ashok Waman Andhare has acquired right, title and interest in the subject plot properties on the basis of Sale Deeds, and their title to the subject

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plot properties are clean, clear, saleable, transferable, marketable and free from all encumbrances. The said owners are entitled to amalgamate both the plots, or construct a building on the said plots by obtaining prior permission from Town Planning Department of Nashik Municipal Corporation, and also entitled to sell the said plot property or/and alongwith constructed premise to be constructed thereon to the prospective purchaser.

This report is issued on the basis of documents produced before me. The said documents are returned to them alongwith this report. This Title Report contains 07 (Seven) pages.

Place: Nashik.

Date: 07/02/2019



A handwritten signature in blue ink, appearing to read "Nivru" followed by a flourish.

**[Nivrutti Damodar Khangal]**

**Advocate, Nashik.**