

Dattaprasad V. Nikam

B.Com., G.D.C. & A., LL.B., D.C.L.

ADVOCATE

Office : 15 / 1, Maruti Chambers, District Court, Nashik - 422001.

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TITLE CERTIFICATE

TO WHOM SO EVER IT MAY CONCERN

1. Description of properties:-

- a) All that piece and parcel of Non-Agricultural land property lying and being situated at Village **Gangapur**, Taluka and District Nashik, bearing **Survey No. 48/2A** admeasuring **5100.00 Sq. Mtrs.** within the limits of Nashik Municipal Corporation, which is bounded as follows:-

On or towards

East :- Survey No. 48 part
West :- Survey No. 48 part
South :- Survey No. 50 part
North :- Road and Nallah

- b) All that piece and parcel of Non-Agricultural land property lying and being situated at Village **Gangapur**, Taluka and District Nashik, bearing **Survey No. 50/2** admeasuring **24500.00 Sq. Mtrs.** having **CTS No. 2383/1** admeasuring **24849.00 Sq. Mtrs.** within the limits of Nashik Municipal Corporation, which is bounded as follows:-

On or towards

East :- Survey No. 49 part
West :- Survey No. 50 part
South :- Road
North :- Survey No. 48 part

(For the sake of brevity, the properties mentioned hereinabove are jointly referred hereinafter as "**Said Property**")



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2. I have been requested by **M/s. Shweta Infrastructure & Housing (India) Pvt. Ltd.** through its Director Mr. Sujoy Jayant Gupta and Mrs. Shweta Sujoy Gupta of Nashik, to investigate the title of the said property and has according placed before me copies of the following relevant documents:-

The following documents pertaining to the property mentioned in clause

- (a) herein above have been produced before me which can be summarized as under:-

- a) 7/12 extract for the last 30 years.
- b) Mutation Entries for the last 30 years.
- c) Copy of Sale Deed dated 19.12.1997.
- d) Agreement for Sale 19.12.2006.
- e) N. A. Order dated 13.03.2018
- f) Copy of Sale Deed dated 27.03.2018.
- g) Copy of Sale Deed dated 19.04.2018.
- h) Copy of Registered Mortgage Deed dated 19.04.2018.
- i) Copy of Commencement Certificate issue by Nashik Municipal Corporation dated 29.09.2020.
- j) Copy of Part Completion Certificate issued by Nashik Municipal Corporation dated 31.03.2021.
- k) Copy of Registered Mortgage Deed dated 15.03.2022 at Sr. No. 2803 of 2022.
- l) Copy of registered Deed of Declaration dated 05.05.2022 at Sr. No. 4627 of 2022.



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- m) Copy of N.A. Commercial Order issued by Ld. Tahasildar, Nashik dated 20.05.2022 vide outward No. JMA-1/42-B/S.R./125/2021.
- n) The copy of Sanad issued by Ld. Tahasildar, Nashik by invoking the provisions of Sections 42B/42C/42D of The Maharashtra Land Revenue Court, 1966 dated 30.05.2022.

In furtherance, following documents pertaining to the property mentioned in clause (b) herein above have been produced before me which can be summarized as under:-

- a) 7/12 extract for the last 30 years.
- b) Mutation Entries for the last 30 years.
- c) CTS Extract.
- d) Copy of Sale Deed dated 24.02.2006.
- e) Copy of Development Agreement dated 24.02.2006
- f) N. A. Order dated 17.08.2006.
- g) Copy of Sale Deed dated 07.09.2006.
- h) Copy of Sale Deed dated 19.04.2018.
- i) Copy of Registered Mortgage Deed date 19.04.2018.
- k) Copy of Commencement Certificate issue by Nashik Municipal Corporation dated 29.09.2020.
- j) Copy of Part Completion Certificate issued by Nashik Municipal Corporation dated 31.03.2021.
- k) Copy of Revised Commencement Certificate issued by Nashik Municipal Corporation dated 22.09.2021.



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l) Copy of registered Deed of Re-conveyance dated 05.04.2023 at Sr. No. 4001/2023.

m) Copy of Deed of Mortgaged dated 18.04.2023 at Sr. No. 4496 of 2023.

I have scrutinized and studied the aforesaid record and copies documents and my opinion about the title of the said property is as follows:-

Opinion for the property mentioned in clause (a) hereinabove:

- i. It appear from the revenue records, Sale Deeds that at present the said properties are owned and possessed by **M/s. Shweta Infrastructure & Housing (India) Pvt. Ltd.** through its Director Mr. Sujoy Jayant Gupta and Mrs. Shweta Sujoy Gupta. I have keenly scrutinized the documents pertaining to title of land Survey No. 48/2A and Survey No. 50/2 having following details on the basis of record and documents place before me as listed above:-

Area in Sq. Mtrs.	Present Survey No.	Present Owner
5100	48/2A	M/s. Shweta Infrastructure & Housing (India) Pvt. Ltd.

- ii. It appears from the record that since 1960 the said property bearing Survey No. 48/2A admeasuring 00 H. 51 R is owned and possessed by the Balwant Savaliram Katad and Yashwant Savaliram Katad.
- iii. Further it appears from the records that Mr. Yashwant Savaliram Katad and Mr. Balwant Savliram Katad had



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partitioned their ancestral properties among themselves as follows:-

Survey No.	Area	Name of the Owner
48/2A	00 H. 51 R	Yashwant Savaliram Katad
48/2B	00 H. 58 R	Balwant Savaliram Katad

Accordingly, Name of the Owners were recorded in ownership column of the said properties. Mutation Entry No. 1842 is made and certified by the Revenue Record Officer.

iv. Further it appears from the record that, (1) Mrs. Lata Vitthal Nipunge, (2) Smt. Nandabai Bhalchandra Thole, (3) Mrs. Savita Narayan Devgavkar, (4) Mrs. Minakshi Tulshiram Aher had purchased the said Property Survey No. 48/2A admeasuring 00 H. 51 R From Yashwant Savaliram Katad and Madhu Yashwant Katad by absolute Sale Deed which is registered before the Sub-Registrar Nashik at Sr. No. 8542 dated 19.12.1997. Accordingly, the name of said purchaser is recorded in ownership column of the said property vide mutation entry No. 6719 is made and certified by the Revenue Officer.

v. Further is appears from the record that, M/s. Mahindra Gesco Developers Pvt. Ltd. entered into Agreement for Sale with (1) Mrs. Lata Vitthal Nipunge, (2) Smt. Nandabai Bhalchandra Thole, (3) Mrs. Savita Narayan Devgavkar, (4) Mrs. Minakshi Tulshiram Aher which is registered before the Sub-Registrar,



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Nashik at Sr. No. 8152 dated 19.12.2006 mutation entry no. 9888 was made and certified by the Revenue Officer on 17.03.2007.

vi. Further it appears from the record that, the name of Mahindra Gasco Developers Ltd. is changed the Mahindra life space developers ltd. and certificate of incorporation is duly issued by Deputy Registrar of Companies, Mumbai on 25.10.2007. On account of Name change Revenue Records are updated. Mutation Entry No. 15621 is made and certified by the Revenue Officer on 04.07.2014.

vii. Further it appears from the record that, M/s. Mahindra Gesco Developers Pvt. Ltd. through its authorized signatory Mr. V. Sundaresan had purchased Survey No. 48/2A area admeasuring 00 H. 51 R from (1) Mrs. Lata Vitthal Nipunge, (2) Smt. Nandabai Bhalchandra Thole, (3) Mrs. Savita Narayan Devgavkar, (4) Mrs. Minakshi Tulshiram Aher through G.P.A. holder Ulhas Anant Bhosale by Registered Sale Deed which is registered before the Sub Registrar, Nashik at Sr. No. 1684 on 27.03.2018. Accordingly the name of said purchaser is recorded in ownership column of the said property mutation entry no. 17869 is made and certified by the Revenue Officer on 16.05.2018.

viii. Further it appears from the record that Shweta Infrastructure and Housing (India) Pvt. Ltd. had purchased Survey No. 49/1 area admeasuring 00 H. 76.5 R (7650.00 Sq. Mtrs.) Survey No.



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49/2 area admeasuring 00 H. 76.5 R (7650.00 Sq. Mtrs.), Survey No. 50/2 area admeasuring 02 H. 45 R (24500.00 Sq. Mtrs.) Survey No. 48/2A area admeasuring 5100 Sq. Mtrs. from Mahindra Life Space Developers Ltd. through registered Sale Deed which is registered before the Sub-Registrar Nashik at Sr. No. 2072 on 19.04.2018. Accordingly, the name of said purchaser is recorded in the ownership column of the said property mutation entry no. 17910 is made and certified by the Revenue Officer.

- ix. Further, it appears from the record that the present owners M/s. Shweta Infrastructure and housing (India) Pvt. Ltd. had mortgage said property to Tata Capital Housing Faineance Ltd. through Mortgage Deed which is registered before the Sub Registrar, Nashik at Sr. No. 2075 on 19.04.2018. Accordingly, the charge of said finance company is mutated in other rights column of said property. Mutation entry no. 17987 is made and certified by the Revenue Officer.

x. CONVERSATION IN TO NON-AGRICULTURE USE

Survey No. 48/2A is converted into Non Agricultural land by Collector of Nashik vide its order No. Masha/Kaksha-3/7-2/S.R/98/2018 dated 13.03.2018. Also the necessary N.A. tax in respect of the subject property is paid in the Government Treasury Office.

Opinion for the property mentioned in clause (b) hereinabove:

- i. It appear from the revenue records, Sale Deed that at present



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the said property is owned and possessed by **M/s. Shweta Infrastructure & Housing (India) Pvt. Ltd.** through its Director Mr. Sujoy Jayant Gupta and Mrs. Shweta Sujoy Gupta. I have verified the title of land Survey No. 50/2 having following details on the basis of record and documents place before me as listed above:-

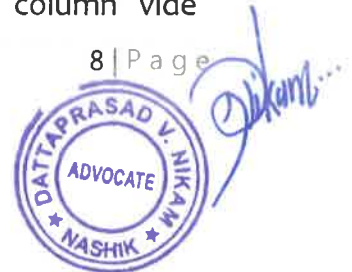
Area in Sq. Mtrs.	Present Survey No.	Present Owner
24500	50/2	M/s. Shweta Infrastructure & Housing (India) Pvt. Ltd.

It appears from the revenue record that since 1965 the said property bearing Survey No. 50 is owned and possessed by the Bappu Sakharam Bhawar.

iii. Further it appears from the records that the said owner Bapu Sakharam Bhawar was expired on 02/05/1977 leaving behind him the following legal heirs:-

- | | |
|--------------------------------------|----------|
| 1. Rajaram Bapu Bahwar - | Son |
| 2. Shankar Bapu Bhawar- | Son |
| 3. Dattatray Bapu Bhawar- | Son |
| 4. Panduranga Bapu Bhawar- | Son |
| 5. Mrs. Shilabai Shivaji Shinde- | Daughter |
| 6. Mrs. Vithabai Balu Chavhan- | Daughter |
| 7. Mrs. Shantabai Vasantrao Nagpure- | Daughter |

Accordingly, name of the deceased is deleted and name of his legal heir is recorded in ownership column vide



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mutation entry No. 2317 which is certified by the Revenue Officer.

- iv. Further it appears from the records that (1) Dattatray Bapu Bhawar (2) Panduranga Bapu Bhawar, (3) Mrs. Shilabai Shivaji Shinde (4) Mrs. Vithabai Balu Chavhan (5) Mrs. Shantabai Vasantrao Nagpure had released their rights in the said property. Therefore, their names were deleted from Revenue Record of the said property. Mutation Entry No. 3390 is made and certified by the Revenue Officer.
- v. Further it appears from the records that the owner of Survey No. 50 Rajaram Bapu Bhawar & Shankar Bapu Bhawar had partitioned the said property and the said Survey numbers is divided as follows:-

Sr. No.	Area	Name of the Owner
50/1	2 H. 88 R.	Mr. Bhaskar Rajaram Bhawar Mr. Ratnakar Rajaram Bhawar Mr. Dashrath Rajaram Bhawar Mr. Balu Rajaram Bhawar
50/2	2 H. 88 R.	Mr. Prakash Shankar Bhawar Mr. Gulab Shankar Bhawar

Accordingly 7/12 extracts were separated and the name of saidowners were recorded in ownership column of the said properties. Mutation entry no. 4401 is made and certified by the Revenue Officer on 31.12.1992.

- vi. Further it appears form the record that Mr. Anil Ramdas Pai had purchased land area admeasuring 01 H. 22.5 R. out of

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Survey No. 50/1 from (1) Mr. Ratnakar Rajaram Bhawar (2) Mr. Darshan Rajaram Bhawar, (3) Mr. Balu Rajaram Bhawar, (4) Smt. Vatsalabai Bhaskar Bhawar, (5) Mr. Pramod Bhaskar Bhawar, (6) Mr. Gautam Bhaskar Bhawar, (7) Mr. Nilesh Bhaskar Bhawar by registered Sale Deed which is registered before the Sub-Registrar Nashik at Sr. No. 950 on 23/02/2006. Accordingly the name of the said purchaser is recorded in ownership column to the extent of area admeasuring 01 H. 22.5 R. mutation entry no. 9467 is made and certified by the Revenue Officer.

vii. Further it appears from the record that Mr. Ramdas Pai had purchased Land area admeasuring 01 H. 22.5 R out of Survey No. 50/2 From (1) Mr. Prakash Shankar Bhawar (2) Mr. Gulab Shankar Bhawar by Registered Sale Deed which is registered before the Sub-Registrar Nashik at Sr. No. 955 on 24.02.2006. Accordingly, the name of said purchaser is recorded in ownership column to the extent of area admeasuring 01 H. 22.5 R. Mutation Entry No. 9468 is made and certified by the Revenue Officer.

viii. Further it appears from the record that M/s. Mahindra Gesco Developers Ltd. Entered in to Development Agreement and General Power of Attorney with Mr. Anil Ramdas Pai in respect of Survey No. 50/1 area admeasuring 01 H. 22.5 R and Survey No. 50/2 area admeasuring 01 H. 22.05 R. which is registered before the Sub- Registrar, Nashik at Sr. No. 974 and



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975 respectively on 24.02.2006. Accordingly the name of said developer is recorded in other rights column of the said property. Mutation Entry No. 9480 is made and certified by the Revenue Officer on 13.04.2006.

- ix. Further it appears from the record that as per Order No. Bhumapan/ Pot Hissa Number 424/6 and 425/06 dated 12.05.2006 of TLR and as per order No. R.P.S./Kavi/934/2006 dated 12.05.2006 of Tahasildar Nashik following sub division is made as per hissa from No. 12.

Sr. No.	Hissa No.	Area	Name of the Owner
50	1	1 H. 65.5 R	Mr. Prakash S. Bhawar & Others.
50	2	2 H. 45 R.	Mr. Anil Ramdas Pai
50	3	1 H. 65.5 R	Mr. Ratnakar R. Bhawar & Others.

Accordingly 7/12 extracts were separated and for the Survey No. 50/2 area admeasuring 02 H. 45 R the name of Mr. Anil Ramdas Pai is recorded as a owner. Mutation entry no. 9544 is made and certified by the Revenue officer on 23.06.2006.

- x. Further it appears from the record that M/s. Mahindra Gesco Developers Ltd. through its General Manager Mr. Ulhas Anant Bhosale had purchased Survey No. 49/1 area admeasuring 00 H. 76.5 R, Survey No. 49/2 area admeasuring 00 H. 76.5 R and Survey No. 50/2 area admeasuring 02 H. 45 R. from Mr. Anil Ramdas Pai through registered Sale Deed which is registered before the Sub-Registrar Nashik at Sr. No. 5246 on

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07.09.2006. Accordingly, the name of said purchaser is recorded in ownership column of the said property. Mutation entry no.9925 is made and certified by the Revenue Officer on 23.03.2007.

xi. Further it appears from the record that name of Mahindra Gasco Developers Ltd. is changed to Mahindra Lifespace Developers Ltd. and certificate of incorporation is duly issued by Deputy Registrar of companies, Mumbai on 25.10.2007. On account of name change revenue records are updated. Mutation entry no. 15621 is made and certified by the Revenue officer on 04.07.2014.

xii. Further it appears from the record that Shweta Infrastructure & Housing India Pvt. Ltd. had purchased Survey No. 49/1 area admeasuring 00 H. 76.5 R. (7650 Sq. Mtrs.), Survey No. 49/2 area admeasuring 00 H. 76.5 (7650 Sq. Mtrs.) and Survey No. 50/2 area admeasuring 02 H. 45 R. (24500 Sq. Mtrs.) from Mahindra Lifespace Developers Ltd. through registered Sale Deed which is registered before the Sub-Registrar, Nashik at Sr. No. 2072 on 19.04.2018. Accordingly, the name of said purchaser is recorded in ownership column of the said purchaser is recorded in ownership column of the said property. Mutation entry No. 17870 is made and certified by the Revenue Officer on 16.05.2018.

xiii. Further it appears from the record that the present owners M/s. Shweta Infrastructure & Housing India Pvt. Ltd.



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had mortgage the said property to Tata Capital Housing Finance Limited through Mortgage Deed which is registered before the Sub-Registrar Nashik at Sr. No. 2075 on 19.04.2018. Accordingly, charge of said finance company is mutated in other rights column of the said property. Mutation entry no. 17987 is made and certified by the Revenue Officer.

xiv. Further, it appears from the record that the present owners M/s. Shweta Infrastructure & Housing India Pvt. Ltd. had again mortgaged the said property with Tata Capital Housing Finance Limited through Mortgage Deed which is registered before the Sub-Registrar Nashik at Sr. No. 2803 of 2022 dated 15.03.2022. Accordingly, charge of said finance company is mutated in other rights column of the said property. Mutation entry no. 21481 is made and certified by the Revenue Officer.

xv. It is observed from the records produced before me that, pursuant to the Commencement Certificates produced before and as contemplated herein below the owners of the said property i.e. M/s. Shweta Infrastructure & Housing (I) Pvt. Ltd. erected the residential and commercial construction over the said property as per the approved building plans and accordingly executed the Deed of Declaration of the construction with name as "Samraat Apna Ghar Project-Phase-2" and accordingly said Deed of Declaration is duly registered in the office of Sub Registrar, Nashik - 7 at Sr. No. 4627 of 2022 dated 05.05.2022.

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xvi. CONVERSATION IN TO NON-AGRICULTURE USE:

- a. Survey No. 50/2 is converted into Non Agricultural land by Collector of Nashik vide its order No. Maha/Kaksha-3/4/NASR/124/06. As per this order an area admeasuring 22064.41 Sq. Mtrs. is for Residential purpose and area admeasuring 1162.00 is for commercial purpose. Also the necessary NA tax in respect of the subject property is paid in the Government Treasury Office.
 - b. The present owner M/s. Shweta Infrastructure & Housing (India) Pvt. Ltd. have prepared building plan which is approved by the Nashik Municipal Corporation bearing its Letter No. **LND/ BP / GANGAPUR / DCR/0598/2018 dated 04.11.2018** for the property mentioned herein above in clause (b) herein above.
3. It is seen from the record produced before me that, the owners of the properties as mentioned herein above again prepared building plan for both the properties as mentioned herein above which is duly approved by Nashik Municipal Corporation bearing Sanction Letter No. **LND/BP/B1/BP/61 dated 29.09.2020** thereby permitted the owners of the said properties which are mentioned hereinabove in Clause (a)& (b) and permitted to the owners of the said properties to erect the construction over both of the survey numbers for **RESIDENTIAL AND COMMERCIAL** purpose.



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4. Thereafter, it is observed from the record produced before me that, as per the sanction building plan, the owners of the said property commenced the construction over the said property as per the sanctioned building plan more particularly mentioned hereinabove dated 29.09.2020 and thereafter, Nashik Municipal Corporation issued Part Completion Certificate being No. **OW. NO./NNIWI/B1/27540/2021 dated 31.03.2021** for Building F-Wing F1 & F2.
5. Further, it is also seem from the record that, the present owner namely M/s. Shweta Infrastructure and Housing (I) Pvt. Ltd. have again prepared Building Plan which is reapproved by Nashik Municipal Corporation bearing its **letter No. LND/BP/B1/BP/231/2021 dated 22.09.2021**.
6. Thereafter, it is observed from the record produced before me that, the owners of the said property (both the properties of this title) i.e. M/s. Shweta Infrastructure Housing (I) Ltd. obtained non agricultural order for commercial purpose from Tahasildar, Nashik for the area admeasuring 406.96 Sq. Mtrs. Accordingly, the Ld. Tahasildar, Nashik issued the order on 20.05.2022 vide order No. JAMA-1/42-B/S.R./125/2021 and granted permission to conversion of use of land to the extent of 406.96 Sq. Mtrs. for commercial purpose. Accordingly, the Ld. Tahasildar, Nashik also issued Sanad in favour of the land owners namely M/s. Shweta Infrastructure & Housing (I) Pvt. Ltd. vide Sanad No. JAMA-1/42-B/S.R./125/2021 dated 30.05.2022.



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7. Further, it appears from the record that, the present owner of the said property i.e. M/s. Shweta Infrastructure and Housing (I) Pvt. Ltd. entirely paid the loan obtained from Tata Capital Housing Finance Ltd. and accordingly the Deed of Re-conveyance is duly registered in the office of Sub-Registrar, Nashik at Nashik- 7 at Sr. No. 4001 of 2023 and the charge of Tata Capital Housing Finance Ltd. is over.
8. Further, it appears from the record that the present owners M/s. Shweta Infrastructure & Housing India Pvt. Ltd. had again mortgaged the said property with ICICI Bank Ltd. through Mortgage Deed which is registered before the Sub-Registrar Nashik at Sr. No. 4496 of 2023 dated 18.04.2023.
9. **OPINION OF THE TITLE FOR THE PROPERTIES MENTIONED HEREIN ABOVE**
 - 9.1. The said properties are having Non-Agricultural land tenure and are fit for causing a residential and commercial construction thereon.
 - 9.2. It is seen from the record produced before me that, the Owners of the Properties have started erection the residential as well as commercial construction as per the sanction building plans and commencement certificates dated 29.09.2020 and obtained part completion Certificate from Nashik Municipal Corporation dated 31.03.2021 and again Revised sanction of building permission dated 22.09.2021.
 - 9.3. No adverse entries affecting title or possession of



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properties are observed in search of Govt. records except the charge of ICICI Bank Limited.

9.4. Therefore, as per my opinion, the title of the said properties are therefore, clear, marketable and free from any encumbrances except the charge of ICICI Bank Limited.

This Title Certificate

Nashik

Date: 10.11.2023



Dattaprasad V. Nikam

Advocate