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J.B.GHUMARE, Advocate
Ch. No. 502, Bldg. No. 03,
District Court Compound, Nashik
Dt. 27/12/2017

TITLE REPORT

(TO WHOMSOEVER IT MAY CONCERN)

A] Description of the property:- All that piece & parcel of the landed properties bearing Plot No. 13, 14 & 15 out of S.No.316/3 (old S.No.316/1+2/2/4/2/1+2/2/5+6+7+8+9/13 to 15, admeasuring 241.90 Sq.Mts. 236.50 Sq.Mts. & 243.00 Sq.Mts (respectively), situated, being & lying at Pathardi, Tal & Dist.Nashik. (Hereinafter referred to as the "said plots")

B]Name of Owner:- Metaliya Developers through Partners 1)Mr. Bhupendra Bhikabhai Metaliya & 2)Mr.Jagdish Gobarbhai Metaliya

C] Documents perused & record inspected:-

- 1)All the relevant 7/12 extracts & mutation entries for the last 30 yrs.
- 2)Other relevant record for the last 30 years
- 3)N.A. order Dt. 29/12/1971
- 4)Lay-Out sanction Dt. 1/3/2004
- 5)Sale Deeds Dt.3/1/2007, 11/5/2007 & 22/12/2017

D] Brief History & Findings:- After the perusal of all the abovelisted documents & after the inspection of all abovementioned record, I found that:-

1) The lands bearing S.No.316/1+2/3/B/1A & 316/1+2/1/4 were owned by Kisnabai Punja Kombade , who died on 21/2/1990, hence the names of her legal heirs viz. Vishram Punja Kombade & others were mutated on record of rights of the said lands vide M.E.No.4859.

2) One of the owners of the said lands Anaji Kalu Nawale died on 1/8/1989 hence the names of his legal heirs viz.Karbhari Kalu Nawale & others were mutated vide M.E.No.4987.

3) Some of the area out of S.No.316/1+2/7 & 316/1+2/1/2 was declared as retention land as per the order of Dy.Collector & Comp. Authority of ULC, Nashik bearing No. ULC/A-2/1943/58+1942/43+1943/56+2156/42+1944/57+1942 Dt.30/3/1991. This change was mutated vide M.E.No.5118.

4) Sau.Kamalbai Murlidhar Nisal & others released their rights on the land bearing S.No.316/1+2/3B/1A & 316/1+2/1 & accordingly their names were deleted from record of rights of the said lands vide M.E.No.5145.

5) Both the lands were partitioned into parts as per the retention land & excess land vide order of Comp.Authority,ULC,Nashik bearing

No.ULC/A-2/1943/58+1942/43+1943/56+2156/42+1944/57+1942 Dt. 30/3/1991. The said parts were bearing S.No.316/1+2/2, 316/1+2/1/4, 316/1+2/1/5, 316/1+2/1/6, 316/1+2/1/7, 316/1+2/1/8 & 316/1+2/1/9 owned by different members of the said family. This change was mutated vide M.E.No.5158.

6) One of the owners of the said lands, Karbhari Kalu Nawale died on 15/4/1993 hence the names of his legal heirs viz. Gitabal Karbhari Nawale & others were mutated vide M.E.No.5717.

7) Thereafter, Valmik Vithoba Nawale purchased 2288.00 Sq.Mts. area out of S.No. 316/1+2/1/4/2 from Malti Kondaji Nawale by a sale deed Dt.4/2/1997. This change was mutated vide M.E.No.6700.

8) Sushilabai Virji Thakkar purchased 2000.00 Sq.Mts area out of S.No.316/1+2/1/5 from Malti Kondaji Nawale by a sale deed Dt. 4/2/1997. This change was mutated vide M.E.No.6701.

9) Jamuna Virji Thakkar purchased 2000.00 Sq.Mts area out of S.No.316/1+2/1/6 from Yamuna Gangadhar Nawale, by a sale deed Dt.4/2/1997. This change was mutated vide M.E.No.6702.

10) Rajesh Chandrakant Patel purchased 2000.00 Sq.Mts area out of S.No.316/1+2/1/7 from Vishnu Karbhari Nawale by a sale deed Dt.4/2/1997. This change was mutated vide M.E.No.6703.

11) Kumar Shashikant Thakkar purchased 2000.00 Sq.Mts. area out of S.No.316/1+2/1/8 from Chintaman Karbhari Nawale by a sale deed Dt.4/2/1997. This change was mutated vide M.E.No.6704.

12) Vallabhdas Virji Thakkar purchased 2000.00 Sq.Mts area out of S.No.316/1+2/1/9 from Chintam Kondaji Nawale by a sale deed Dt.4/2/1997. This change was mutated vide M.E.No.6705.

13) The lands bearing S.No.316/1+2/1/1, 316/1+2/2/2, 316/1+2/2/3, 316/1+2/2/4, 316/1+2/2/5, 316/1+2/2/6, 316/1+2/2/7, 316/1+2/2/8 & 316/1+2/2/9, owned by Valmik Vitthal Nawale & others were converted to non-agricultural use as per the N.A. Order of Collector of Nashik bearing No. NA/SR/32/1971 Dt.29/12/1971. The land S.No. 316/1+2/1 was towards west side & S.No.316/1+2/1 east side. However a mistake was committed about the location of both the said lands & it was mistaken as S.No.316/1+2/2 Instead of S.No.316/1+2/1. Hence they were further wrongly partitioned as S.No.316/1+2/1 to 9. This mistake was rectified & it was given corrected S.No.316/1+2/2 to 9. This change was mutated vide M.E.No.8417.

14) All the owners of the said lands bearing S.No. 316/1+2/2 to 9 i.e. Valmik Vithoba Ahire & others got sanctioned a joint lay-out plan on all the said lands from Nashik Municipal Corporation vide letter No.Nagar Rachana Vibhag/Final/b-4/121 Dt.1/3/2004. As a result of the said lay-out, the total area of the said lands was divided into various plots.

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out of which Plot No. 15, 14 & 15 bearing S.No.S.No.316/1+2/2/4/2/1+2/2/5+6+7+8+9/13 to 15 admeasured 241.90 Sq.Mts, 236.50 Sq.Mts & 243.00 Sq.Mts.(respectively). (hereinafter referred to as 'the said plots'). This change was mutated vide M.E.No.9427.

15)Thereafter, 1)Shila Tukaram Jaras & 2)Kamal Samadhan Godse purchased all the said three plots from Valmik Vithoba Ahire & others through G.P.A. Chandrashekar Babulal Shah, by a sale deed registered with Joint Sub-Registrar, Class-II, Nashik-4 at Sr.No.0030 Dt. 3/1/2007. This change in the ownership of the said plots was mutated vide M.E.No.11233.

16)Thereafter, Shila Vinod Mehta purchased all the said three plots from 1)Shila Tukaram Jaras & 2)Kamal Samadhan Godse by a sale deed registered with the Joint Sub-Registrar, Class-II, Nashik-5, at Sr.No.4011 Dt. 11/5/2007. This change was mutated vide M.E.No. 12155.

17) Thereafter, the survey number of the said plots was corrected as S.No.316/3, as per the order of The Tahsildar, Nashik bearing No.Kuka/Kavi/216/2016 Dt.2/3/2016. Thus, now the Survey Numbaer of the said plots is S.No. 316/3. This change was mutated vide M.E.No.24220.

18) Thereafter, the area of all the said plots was tallied & written correctly as per the order of Tahsildar, Nashik & it was mutated vide M.E.No.24751.

19) Thereafter, Metaliya Developers, a partnership firm through Partners 1)Mr.Bhupendra Bhikabhai Metaliya & 2)Mr.Jagdish Gobarbhai Metaliya purchased all the said three plots from Shila Vinod Mehta, by a sale deed registered with the Joint Sub-Registrar, Class-II, Nashik-1 at Sr.No.9125 Dt.22/12/2007. Thus, at present, Metaliya Developers, a partnership firm through Partners 1)Mr. Bhupendra Bhikabhai Metaliya & 2)Mr.Jagdish Gobarbhai Metaliya are the absolute owners of the said three plots. However, the name of Metaliya Developers, a partnership firm through Partners 1)Mr. Bhupendra Bhikabhai Metaliya & 2)Mr.Jagdish Gobarbhai Metaliya is yet to be mutated on the 7/12 extract & other record of rights of the said plots.

E) Opinion:- After the perusal of all the abovelisted documents & after the inspection of the relevant record & after the discussion above, I am of the opinion that Metaliya Developers, a partnership firm

through Partners 1)Mr. Bhupendra Bhikabhai Metaliya & 2)Mr.Jagdish Gobarbhai Metaliya are the absolute owners of Plot No. 13, 14 & 15 bearing S.No. 316/3, admeasuring 241.90 Sq.Mts, 236.50 Sq.Mts & 243.00 Sq.Mts.(respectively), situated at Pathardi, Tal. & Dist. Nashik. and that the said owner is having a clear & good marketable title to the said plots, free from all types of encumbrances, whatsoever
Nashik

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J.B.GHUMARE

(ADVOCATE)

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