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इतर पावती

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नोंदणी क्र.: 39म

Regn.: 39M

पावती क्र.: 4533 दिनांक: 04/11/2019

मावाचे नाव:

दस्तऐवजाचा अनुक्रमांक: नपह-0-2019

दस्तऐवजाचा प्रकार:

सादर करणाऱ्याचे नाव: जेष्ठ संजय कुलकर्णी

वर्गाने शोध जर्ज क्रमांक 1934/2019 गांव सायबेडा तालुका निफाड गट नंबर 423/1 सन 1979ते 2019 एकूण 40 वर्ष

SEARCHFEE

रु. 1000.00

एकूण:

रु. 1000.00

Sub Registrar Niphad

1): देवकाचा प्रकार: eChellan खर्च: रु.1000/-

डीडी/घनादेश/पे नोंदर क्रमांक: MH007938849201920E दिनांक: 04/11/2019

बैकीचे नाव व पत्ता:

दुय्यम निबंधक श्रेणी-१
निफाड-१



Shri. Sanjay Kulkarni

B.A. LL.B.

Advocate

Office – Niphad Court, Niphad, Tal – Niphad, Dist – Nashik, Mob. 99213 54376

Date – 11/11/2019

Niphad

TITLE SEARCH & VERIFICATION REPORT
TO WHOM SO EVER IT MAY CONCERN

1) Title Search and Verification Report of Property of :-

M/s. Avhad Infra Projects Ltd. through Director

Shri. Shankar Tukaram Avhad

Office – Suryoday Sankul, Near Bus Stand,

Sinnar, Tal. Sinnar, Dist. Nashik

Project Name – Atharv Complex, Saikheda to be constructed on Plot No. 7+8, out of Gat No. 423 Part situated Saikheda, Tal. Niphad, Dist. Nashik.

2) Description of Property :-

All that piece and parcel of Non Agricultural Residential Plots situated at Saikheda, Tal. Niphad, Dist. Nashik and within the limits of Saikheda Grampanchayat and also within the limits of Nashik Mahanagar Regional Development Authority. (NMRDA)

Gat No.	Plot No.	Plot Area Sqm.	Assessment Rs. Ps.
423 Part	7	153.00	15.30
423 Part	8	232.00	23.20

Boundries - As per Aproved Layout Plan.

3) Description of Documents Scrutinized : -

- 1) Xerox copy of 7/12 Extract of Gat No. 423 for the year 1998 to 2018.
- 2) Xerox copy of 7/12 Extract of Plot No. 7 & 8.
- 3) Xerox copy of M.E. No. 248, 314, 319, 712, 791, 818, 873, 980, 2795, 3529, 3873, 3881, 3886, 3920, 3936.
- 4) Xerox copy of order of Tahasildar dated 28/12/2015.
- 5) Xerox copy of N.A. Order SDO Office Niphad bearing No. Jama/NA/SR/89/2018 Niphad dated 03/09/2018.
- 6) Xerox copy of Layout Plan bearing No. NMRDA/Final Layout/Saikheda, Tal. Niphad/Gat No. 423 Part / 303 dated 04/04/2019.
- 7) Xerox copy of Development Agreement, Doc. No. 5417/2014 dated 03/09/2014.
- 8) Xerox copy of GPA, Doc. No. 5418/2014 dated 03/09/2014.
- 9) Xerox copy of Agreement to Sale Doc. No. 2540/2018 dated 04/09/2018.
- 10) Xerox copy of Sale Deed of Plot No. 8, Doc. No. 1429/2018 dated 15/10/2018.
- 11) Xerox copy of Sale Deed of Plot No. 7, Doc. No. 1265/2019 dated 15/10/2019.
- 12) Xerox copy of Building Plan Letter No. NMRDA/Saikheda, Tal. Niphad/Gat No. 423 Part / Plot No. 7+8/1048 dated 04/10/2019.

4) Trace of Title / History of Passing of Title, Details of antecetdent title deeds : -

I have taken search of record of right for last 30 years, perused the above mentioned documents and my observation are as follows.

- 1) Mutation entries prior to 1979 made available to me for tracing the title of subject property therefore I have referred M.E. No. 873, 980, 98.
- 2) **M.E. No. 873** dated 22/10/1958 shows that there was partition between Ganpatrao Narayanrao Vinchurkar and his mother Laxmibai Narayanrao Vinchurkar as per partition Survey No. 208 was shown in the name of Ganpatrao Narayanrao Vinchurkar alongwith other properties.
- 3) **M.E. No. 980** dated 02/11/1962 shows that Shri. Tukaram Vithoba Nagare purchased Survey No. 208 from Ganpatrao Narayanrao Vinchurkar as per

the provisions of The Bombay Tenancy and Agricultural Lands Act 1947 for consideration of Rs. 569.60 Ps. which is payable in one installments on or before dated 31/03/1963. By this mutation the name of tenant was shown in the holder column of record of right and the name of landlord alongwith charge of Rs. 569.60 Ps. was recorded in other right column of record of right. Furthe Restricted Tenure remark (U/s. 43 of B.T.A.L. Act) was also recorded in other right column by order of Tahasildar.

- 4) After effect of Consolidation Scheme Survey No. 208 was converted to Gat No. 423.
- 5) **M.E. No. 248** dated 17/03/1980 shows that the lands of Tukaram Vithoba Nagare was permitted the partition amongs Tukaram and his son. Further this mutation shows that Gat No. 423 went to the share of Deoram Tukaram Nagare and Manjulabai Tukaram Nagare, each having $\frac{1}{2}$ share.
- 6) **M.E. No. 314** dated 20/05/1983 shows that Shri. Tukaram Vithoba Nagare repaid the loan of Maharashtra State Co-operative Land Development Bank Ltd. Mumbai Branch Nashik, Sub-Branch Niphad's loan with interest, therefore charge of Maharashtra State Co-operative Land Development Bank Ltd. Mumbai Branch Nashik, Sub-Branch Niphad's was deleted record of right the subject property alongwith other property and the name of Tukaram Vithoba Nagare was recorded in holder column of record of right.
- 7) **M.E. No. 319** dated 05/07/1983 shows that Shri. Deoram Tukaram Nagare and Majulabai Tukaram Nagare availed loan of Rs. 11000/- from Maharashtra State Co-operative Land Development Bank Ltd. Mumbai Branch Nashik, Sub-Branch Niphad's by mortgaging Gat No. 423. Therefore charge was recorded in record of right and name of Bank was recorded in holder column of record of right.
- 8) **M.E. No. 712** dated 15/05/1992 shows that Shri. Tukaram Vithoba Nagare and Manjulabai Tukaram Nagare repaid the loan of Maharashtra State Co-operative Land Development Bank Ltd. Mumbai Branch Nashik, Sub-Branch Niphad's loan with interest, therefore charge of Maharashtra State Co-operative Land Development Bank Ltd. Mumbai Branch Nashik, Sub-Branch Niphad's was deleted record of right the subject property alongwith other property and the name of Tukaram Vithoba Nagare and Manjulabai Tukaram Nagare was recorded in holder column of record of right.

9) M.E. No. 791 dated 08/04/1994 shows that there was partition between Tukaram Vithoba Nagare and his brother and his sons. As per this partition Gat No. 423 Part area 0 H. 40 R. was shown in the name of Manjulabai Tukaram Nagare and Gat No. 423 Part (Eastern Side) area 1 H. 52 R. + P.K. 0 H. 07 R. was shown in the name of Vishnu Tukaram Nagare. By this partition the name of Vishnu Tukaram Nagare was recorded in record of right.

10) M.E. No. 2795 dated 24/07/2007 shows that Vishnu Tukaram Nagare and Pramila Vishnu Nagare partition Gat No. 423 as follows.

Gat No.	Area H.R.	Assessed Rs.Ps.	Holder by Partition
423 Part	1-20	2-44	Pramila Vishnu Nagare
423 Part	0-32	0-64	Vishnu Tukaram Nagare
	P.K. 0-07		

11) M.E. No. 3529 dated 01/04/2015 and the xerox copy of Development Agreement dated 03/09/2014, Doc. No. 5417/2014 shows that Pramila Vishnu Nagare have given Gat No. 423 Part area 0 H. 60 R. for development to Shankar Tukaram Avhad as per the condition mentioned therein. Pramila Vishnu Nagare also executed General Power of Attorney Doc. No. 5418/2014 alongwith Development Agreement. As per Development Agreement and GPA the name of **Shankar Tukaram Avhad** was recorded in other right column of record of right of Gat No. 423 Part.

12) M.E. No. 3873 dated 13/06/2018 shows that in record of right of Gat No. 423 the land was shown as Class II Land. But the land was not Class II land but while implementing consolidation scheme by mistake this remarks was return. Therefore owner and developer applied for correction to the consolidation authority. Consolidation authority by their order wide No. Consolidation/Su.P.Kr./SR/116/2018 Nashik dated 08/02/2018 order to delete the remark of Class II Land. By this order the remark of Class II Land and New Tenure Condition was deleted and the remark – Restricted Tenure U/s. 47 of BTAL Act was recorded.

13) M.E. No. 3886 dated 06/08/2018 shows that owner paid Nazrana and therefore the remark of Class II was deleted and the land has been shown as a Class I land.

- 14) **M.E. No. 3881** dated 16/07/2018 shows that owner of Gat No. 423 paid Nazrana 40 times of assessments to Govt. therefore the remark of Restricted Tenure U/s. 43 of BTAL Act was deleted from record of right.
- 15) Developer Shri. Shankar Tukaram Avhad applied for layout approval to NMRDA and also applied for N.A. Permission to SDO Niphad. After compliance and scrutiny N.A. permission was given by SDO Niphad vide No. Jama/NA/SR/89/2018 Niphad dated 03/09/2018. Layout plan was also finally by NMRDA vide their Letter No. NMRDA/Layout/Saikheda, Tal. Niphad/Gat No. 423 Part / 818 dated 19/07/2018 and Final Layout vide their Letter No. NMRDA/Final Layout/Saikheda, Tal. Niphad/Gat No. 423 Part / 303 dated 04/04/2019. I have perused the xerox copy of N.A. order and Final Layout Plan.
- 16) **M.E. No. 3921** dated 03/09/2018 shows that the effect of N.A. order and of layout plan was taken to record of right and accordingly 7/12 extract of each plot (Plot No. 1 to 20) was prepared by revenue authority. Hence this mutation.
- 17) Xerox copy of Confirmation Deed, Doc. No. 2538/2018 dated 04/09/2018 and M.E. No. 3936 dated 11/10/2018 shows that land owner and developer confirmed the their plot and Plot No. 1 to 7, 17 was shown to developer Shri. Shankar Tukaram Avhad and rests of the plots in the name of Pramila Vishnu Nagare. Accordinly name of developer was recorded in record of right of Plot No. 1 to 7 and 17.
- 18) Xerox copy of Agreement to Sale Doc. No. 2540/2018 dated 04/09/2018 shows that Pramila Vishnu Nagare agreed to sale Plot No. 8 to M/s. Avhad Infra Projects Ltd. as per this agreement to sale Pramila Vishnu Nagare sold Plot No. 8 to M/s. Avhad Infra Projects Ltd. by registered sale deed Doc. No. 1429/2018 dated 15/10/2018. By this sale deed M/s. Avhad Infra Projects Ltd. becomes the legal owner of Plot No. 8.
- 19) Xerox copy of Sale Deed Doc. No. 1265/2019 dated 15/10/2019 shows that Shri. Shankar Tukaram Avhad sold Plot No. 7 to M/s. Avhad Infra Projects Ltd. By this sale deed M/s. Avhad Infra Projects Ltd. becomes the legal owner of Plot No. 7.

- 20) Above documents shows that **M/s. Avhad Infra Projects Ltd.** is the legal owner of Plot No. 7 & 8 out of Gat No. 423 Part, situated at Saikheda, Tal. Niphad, Dist. Nashik.
- 21) **Construction Permission** - M/s. Avhad Infra Projects Ltd. through Director Shankar Tukaram Avhad obtained construction permission from NMRDA vide Letter No. NMRDA/ BT/Saikheda/423 Part/Plot No. 7+8/1041 dated 04/10/2019.
- 22) The provisions of section 36, 36(A), 36 (B) of M.L.R.C. are not applicable to the subject plot as the occupant are not Adivasi. Also the provisions of Maharashtra Restoration of Lands to Schedule Tribe Act 1974 are also not applicable to subject property.
- 23) The provisions of Urban Land Ceiling Act are also not applicable to the subject plot.
- 24) Record of right do not show any encumbrances on the subject property.
- 25) I have taken search of Index II record maintained by Sub-Registrar Sinnar by paying Search Fee of Rs. 1000/- for 40 years Vide Receipt No. 4533/2019 Dtd. 04/11/2019. I do not found any adverse entry which can effect title of present owner.

This title verification report and opinion is given on the strength of document produced before me, searches taken by me from the concern office and the instruction given by the client. This report and opinion is liable to revoked / withdraw if any new adverse transaction / entry / document is found.

5) **FINDING :-**

- a) Subject land is legally owned by **M/s. Avhad Infra Projects Ltd.** and its name is recorded in record of right.
- b) Subject Plots are duly permitted / recognized for N.A. Residential use.
- c) Layout plan is approved by competent authority.
- d) Building Permission is also granted by the competent authority.
- e) There are no encumbrances on the subject plots as per record of right.
- f) No permission required from Govt. or from competent authority to alienate, resale, mortgages the subject land.
- g) Title of **M/s. Avhad Infra Projects Ltd.** appears legal, clear and free encumbrances.

7) **OPINION :-**

I am of the opinion that the title of **M/s. Avhad Infra Projects Ltd.** to the Plot No. 7 + 8 out of Gat No. 423 Part situated at Saikheda, Tal. Niphad, Dist. Nashik and within the limits of NMRDA and Saikheda Grampanchayat appears legal, clear, marketable and free from encumbrances.

Note :- This Title Search Report is given relying on the documents referred above and the instruction given by the client and the search taken from the Sub-Registrar Office of subject proeprty.

Place :- Niphad

Date :- 11/11/2019



Advocate

अॅड.संजय गं.कुलकर्णी

बी.ए., एल.एल.बी.

निफाड न्यायालय चेंबर नं. १०५