**Harshawardhan L. Deshmukh**
**Advocate**
**Mob. 9890472661**

**"Guru - Kripa" Opp. Kesarimal School, Sudampuri, Nagpur Road, Wardha - 442001**
**Phone - (O & R) 07152-244086, E-mail - adv.hldeshmukh@gmail.com**

Date : 19/9/2020

## LEGAL SCRUTINY REPORT

To,
Whom so ever it may concerned

Dear Sir,

With reference to your to your letter No. _____ dt ---------- I submit my Legal Scrutiny Report as hereunder:

1. Name and address of the title holder.
Gunwant Mahadeo Ghumade r/o Kotamba Tah. Seloo Dist. Wardha and Gangadhar Mahadeorao Ghumade resident of Manewada Road Nagpur Tah & Dist. Nagpur and Rukhama allies Rukhamabai shankarrao Mokadam r/o Asthi Tah. Ashti Dist. Wardha

2. Details/description of the documents scrutinized

| Sr. No. | Date of document | Name of document | | Whether Original / certified / True copy / Photostat |
|---|---|---|---|---|
| 1) | 12/2/1981 | N.A. order | Ex. No. 1 | Xerox |
| 2) | | Layout map | Ex. No. 2 | Xerox |
| 3) | 29/4/1983 | Sale deed doc.No. 1613 | Ex. No.3 | Colored Xerox |
| 4) | 6/4/1994 | Sale deed doc. No. 1387 | Ex. No. 4 | ------do----- |
| 5) | 17/3/2013 | Mutation entry | Ex. No.5 | --------do----- |
| 6) | 3/9/2019 | Renumbering parchi | Ex. No. 6 | Certified |
| 7) | 11/1/2019 | Municipal tax receipt | Ex. No. 7 | Original |
| 8) | 1/11/2019 | Revenuer Tax receipt | Ex. No.8 | Colored Xerox |
| 9) | 10/2/2020 | construction permit | Ex. No. 9 | ----------do-------- |
| 10) | 21/5/2020 | sanction construction map | Ex. No.10 | Digital signature Xerox |
| 11) | 4/9/2020 | 7/12 extract of plot No. 14 | Ex. No. 11 | Certified |
| 12) | 4/9/2020 | Revenue Tax receipt | Ex.No.12 | Original |
| 13) | 14/9/2020 | Development agreement doc. No.1957 | Ex. No.13 | Xerox(verified from original ) |
| 14) | 14/9/2020 | Power of Attorney doc. No. 1958 | No. 14 | ----------do------ |
| 15 | 14/9/2020 | Deed of declaration doc.,no. 1559 | No. 15 | ----------do-------- |

3. Details/Description of the property/ies

| Item No. | Survey No./Kahta No./House no./Site no. | Extent/Area Of Land/ Building | Location Sub district/district village / Municipality etc. | Boundary as per partition deed |
|---|---|---|---|---|
| 1) | Plot No. 14 arising out of field No. old 6/3 new 51 of | Plot No. 14 arising out of field No. old 6/3 new 51 of Mauza Nalwadi | Mauza Wardha Mauza No. 73 within the jurisdiction of | To the East- Plot No. 15<br>To the West – Plot No. 13<br>To the North- road |

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Sr. LO

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| | | | | |
|---|---|---|---|---|
| | Mauza Nalwadi area 483.27 sq. mt. within the limit of Municipal Council Wardha Tah. & dist. Wardha | area 483.27 sq. mt. within the limit of Municipal Council Wardha Tah. & dist. Wardha | Municipal Council Wardha | To the south– Portion of plot No. 20 and 19 |

4. Brief history of the property/ies and how the owner/mortgagor has derived the title.

The borrower has produced the N.A. order which shows that the field No. 6/3 area 3.50 was owned and possessed by Smt. Shakuntala Hiralal Maliye , Rambhau Nandramji Bamnote r/o Wardha Tah. & dist. Wardha. They applied for conversion of the said agricultural land in to non – agricultural land . On 12/2/1981 vide Rev. case no. 5/NAP 34/79-80 of Mauza Nalwadi the then SDO had passed an order of conversion . The Xerox copy of the said N.A. order and Layout map is made available which is marked as **no. 1 and 2** in red colour for identification.

On 29/4/1983 vide doc. no. 1613 Shrinagar Layout Development company through partners 1) Sau. shakuntalabai Hiralalji Maliye and Sau. Ganga Rameshkumar Varma sold the plot No. 14 of field No. 6/3 area 5200 sq. ft. by regd. Sale deed for Rs. 13,000/- to Sau. Rukhamabai shankarrao Mukadam . The colored Xerox is made available for verification which is marked as **No. 3** in red colour for Identification.

On 6/4/1994 vide doc. no. 1387 Sau. Rukhamabai shankarrao Mukadam sold the plot No. 14 of field No. 6/3 area 2600 sq. ft.( after leaving the 5x80 = 400 sq. ft. from total area 5,200 sq. ft. ) by regd. Sale deed for Rs. 60,000/- to Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade r/o Kotamba Tah. Seloo Dist. Wardha. The colored Xerox is made available for verification which is marked as **No. 4** in red colour for Identification.

The Talathi had taken the mutation entry of it on 17/3/2013 vide entry no. 7659 in the name of Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade r/o Kotamba as owner . The colored Xerox is made available for verification which is marked as **No. 5** in red colour for Identification.

The borrower has produced certified copy of the benumbing parchi dt. 3/9/2019 which is marked as **No. 6** in red colour for Identification.

The property is also mutated in Municipal Council Wardha . The original Municipal tax receipt dt. 11/1/2019 for the year 2018-19 in the name of Gunwant Mahadeo Ghumade +1 which is marked as **No. 7** in red colour for Identification.

The Xerox copy of the revenue Tax receipt dt. 1/11/2019 for the year 2018-19 and 2019-20 in the name of Gunwant Mahadeo Ghumade +1 which is marked as **No. 8** in red colour for Identification.

The Municipal council Wardha had granted permission for construction of the flat scheme and commencement certificate over the plot No. 14 of survey no. 51 by letter dt. 10/2/2020 in the name of Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Raukhmabai Shankart Mukadam which is digitally signed . The Xerox copy of it is marked as **No. 9** in red colour for Identification. The Xerox copy of the sanction construction map is marked as **No. 10** in red colour for Identification.

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The certified copy of the 7/12 extract dt. 4/9/2020 in the name of Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Rukhama allies Rukhamabai Shankart Mukadam for the area 241.63 sq. mt. is made available which is marked as **No. 11** in red colour for Identification. (while scrutiny of the 7/12 extract the name of the previous owner Rukhama allies Rukhamabai Shankar Mokadam is appeared with the area 241.63 sq. mt. along with the name of the present owner Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade . Secondly the total area of the plot is shown as 483.27 sq. mt. In short the area 241.64 sq. mt. is owned by Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and area 241.63 sq. mt. is owned by Rukhama allies Rukhamabai Shankar Mokadam total area 483.27 sq. mt.)

The revenue tax receipt dt. 4/9/2020 for the year 2020-21 in the name of Rukhama allies Rukhamabai Shankar Mokadam is marked as **No. 12** in red colour for Identification .

On 14/9/2020 vide doc. No.1957 Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Rukhama allies Rukhamabai Shankar Mokadam entered in to an agreement of development with M/s Vastuvishva Developers through prop. Saju Anapara Joseph for development of the plot No. 14 survey No. 51 in to commercial and residential by construction of multistoried building . The Xerox copy of the said agreement ( verified from original) is marked as **No. 13** in red colour for Identification .

On 14/9/2020 vide doc. No.1958 Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Rukhama allies Rukhamabai Shankar Mokadam executed power of attorney with M/s Vastuvishva Developers through prop. Saju Anapara Joseph for development of the plot No. 14 survey No. 51 in to commercial and residential by construction of multistoried building. The Xerox copy of the said agreement (verified from original) is marked as **No. 14** in red colour for Identification .

On 14/9/2020 vide doc. No.1998 Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Rukhama allies Rukhamabai Shankar Mokadam though power of attorney with M/s Vastuvishva Developers through prop. Saju Anapara Joseph for deed of declaration in respect of the commercial and residential multistoried building is marked as **No. 15** in red colour for Identification.

5. Search and Investigation;

The Search for the Plot No. 14 arising out of field No. old 6/3 new 51 of Mauza Nalwadi area 483.27 sq. mt. within the limit of Municipal Council Wardha Tah. & dist. Wardha is Owned by possessed by Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Rukhama allies Rukhamabai Shankar Mokadam though power of attorney with M/s Vastuvishva Developers through prop. Saju Anapara Joseph was taken on 16/9/2020 **vide search receipt No. GRN MH 004441656202021E for the period 1991 to 2020 i.e. for 20 years at sub- registrar Wardha .**

5.1 The persons who is/are the present owner/s of the property/ies.

Plot No. 14 arising out of field No. old 6/3 new 51 of Mauza Nalwadi area 483.27 sq. mt. within the limit of Municipal Council Wardha Tah. & dist. Wardha owned and possessed by Gunwant Mahadeo Ghumade and Gangadhar Mahadeorao Ghumade and Rukhama allies Rukhamabai Shankar Mokadam though power of attorney holder M/s Vastuvishva Developers through prop. Saju Anapara Joseph

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H.L.D

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**Date :**

-------Yes ------- The Plot owner have absolute and clear marketable title over the properties though power of attorney holder M/s Vastuvishva Developers through prop. Saju Anapara Joseph of required .

5.3 a) What is the nature of the title of the owner i.e. tenancy right , full ownership , occupancy right , possessory right , minor's right or any other type of right ? clarify

----------Full ownership .-------

b) Leasehold immovable property/ies

(Whether the land / building (s) is /are leasehold , please verify the terms of the lease ( s) the name and address( es) of the lessor (s) company authority is required for transfer ( such as mortgage, sale etc.) of the property/ies)

----------Not Applicable -------

5.4. Whether there is any restriction/ prohibition under personal laws of the owner/ mortgagor to hold the property/ ies under the title deeds through which he has derived the title.

----------No . ----------

5.5. Whether the latest title deeds and the immediately previous title deeds are available in originals.

-The original title deed of the owner are available . ----------

5.6. Whether the building tax / land revenue has been paid , upto date Not made available and hence it should be collected from the borrower.

----------Xerox Tax receipt is made available-------

5.7. whether any dues recoverable as land revenue are outstanding
----------Tax receipt is submitted ----------

5.8. In case the facility is sought for constructions purpose :- Whether the land has been converted under the land Revenue laws ? is not required to be converted , give reasons
----------Not –applicable ----------

5.9. Whether the land is affected by any revenue and tenancy legislations ? if so how and to what extent and the remedy , if nay .

----------No . The land is not affected by revenue of tenancy legislation ---

5.10. Whether the permission under the urban land ( Ceiling and regulations Act ) 1976 is necessary or not ?

----------Not- applicable ---------

5.11. Is there any other special enactments like Land Acquisition Act and other state Legislations / provisions of which are applicable to the property/ ies and affecting the title ?
----------Not- applicable ---------

5.12. a) Is / are the property/ies free from encumbrances .

The above mentioned property is free from all the encumbrances

b) Please give detailed account of creation of charge / mortgage or redemptions for a minimum period of 13 years and also state the subsisting charge / mortgage if any, mentioned in the case of priority sector advances and for the last 30 years in all other cases.

------- Not – applicable ------

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