नोंदणी ३९ म.
Regn. 39 m.

पावती क्रमांक

दस्तऐवजाचा/अर्जाचा अनुक्रमांक 2096

दिनांक 23/3/12 सन २०

दस्तऐवजाचा प्रकार— आदेश

सादर करणाराचे नाव— अॅड के के शहरवार

खालीलप्रमाणे फी मिळाली :—

	रु.	पैसे
नोंदणी फी	30	
नक्कल फी (फोलिओ)		
पृष्ठांकनाची नक्कल फी	640	
टपाल खर्च		
नकला किंवा ज्ञापने (कलमे ६४ ते ६७)		
शोध किंवा निरीक्षण		
दंड—कलम २५ अन्वये		
कलम ३४ अन्वये		
प्रमाणित नकला (कलम ५७) (फोलिओ		
इतर फी (मागील पानावरील) बाब क्र.		
.. ..		
.. ..		
.. ..		
.. ..	640	
एकूण		

दस्तऐवज नक्कल रोजी तयार होईल व नोंदणीकृत डाकेने पाठवली जाईल. या कार्यालयात देण्यात येईल.

दुय्यम निबंधक

सह-दुय्यम निबंधक, वर्ग-२
नागपूर शहर क्र.१

दस्तऐवज खाली नाव दिलेल्या व्यक्तीच्या नावे नोंदणीकृत डाकेने पाठवावा हवाली करावा.

सादरकर्ता.

K. K. GAHARWAR & CO.

Banking & Corporate Law Consultants AND Advocates

Ref: - LSR-580/2017-18

dt.25/03/2018

TO WHOM SOEVER IT MAY CONCERN
LEGAL OPINION FOR SCRUTINY OF TITLE

Dear Sir,

Ref: - **Title investigation and Search Conducted on 23/03/2018 In the Office of Sub-Registrar Nagpur in respect of the immovable property bearing Kh. No. 38 having an area 3.29 HR (i.e. 8.13 Acres) of Mouza-Dabha, vide Search receipt No. 2097**

Belonging to: - (1) Shri Sunil Ramkrishna Duddalwar,
(2) Mrs. Sonal Sunil Duddalwar and
(3) Shri Kunal Sunil Duddalwar

With reference to your personal instruction, I submits my Legal Scrutiny Report as hereunder:

1. The Complete description of Immovable property

All that piece and parcel of land bearing **Plot no. 67** situated in the HIMALAYA SUNSHINE Layout, which is **admeasuring 4484.893 Sq. Mtrs.** and which is part of the said HIMALAYA SUNSHINE layout situated on the land bearing KH. No. 38, having an area of 3.29 Hectares (i.e. 8.13 Acres), Rental 13.00, both held in Occupancy Class-1 rights of Mouza Dabha, P.S.K. No. 7, bearing city survey no. 270 and 238 and sheet No. 64 within the limits of Nagpur Improvement Trust & Nagpur Municipal Corporation, Tahsil & District Nagpur and which is bounded as under:-

ON THE EAST : - Kh. No. 39/1,
ON THE WEST : - 9 Mtrs. wide Road,
ON THE NORTH : - Plot no. 1 to 6 of Himalaya Sunshine Layout,
ON THE SOUTH : -12 Mtrs. wide Main Road,

Belonging to and standing in the name of Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar

A. Khasra No. (in case of Land property) :- Khasra No. 38
B. Door No. (in case of House property) :- **Plot no. 67**
C. Extent / Area : - **admeasuring 4484.893 Sq. Mtrs.**
D. Location & boundaries :- as mentioned below

ON THE EAST : - Kh. No. 39/1,
ON THE WEST : - 9 Mtrs. wide Road,
ON THE NORTH : - Plot no. 1 to 6 of Himalaya Sunshine Layout,
ON THE SOUTH : -12 Mtrs. wide Main Road,

Banking & Corporate Law Consultants AND Advocates ★ K. K. Gaharwar & Co. Nagpur

002, KaveriApptt., Opp. Narendranagar Gate, Ring Rd, Shreenagar, Off.: Wardha Rd.,
Nagpur-440013 Phone : 0712-2780368(M) 9665949094 Fax : 0712-2780368
E-mail : kkgaharwar@gmail.com Website : http://kkgaharwar.googlepages.com

2. Particular of the Documents Scrutinized :

Sr. No	Date of Document	Document No.	Nature of Document	Original Copy
1	10/01/1978	Registered under Sr. No. 83 dt. 10/01/1978 with Sub Registrar Nagpur	Sale Deed executed by **Shri Rajendra Vishwanath Pandit and Shri Madhav Vishwanath Pandit** in favour of **Shri Shrikrushnakumar Pandit** in favour of registered under Sr. No. 83 dt. 10/01/1978 with Sub Registrar Nagpur.	Photostat
2	28/05/2013	Registered under Sr. No.3295/2013 Dt. 28/05/2013 with Sub Registrar Nagpur-4	Sale Deed Dt. 28/05/2013 executed by **(1) Smt. Sudha Shrikrushnakumar Pandit (2) Shri Shashank Shrikrushnakumar Pandit (3) Mrs. Savita Vishvajit Karandikar** in favour of **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar** registered under Sr. No.3295/2013 with Sub Registrar Nagpur-4 in respect of land having an area of 3.29HR out of KH/Survey/Gat No. 38 of Mouza- Dabha	Original
3	28/05/2013	Registered under Sr. No.3294/2013 Dt. 28/05/2013 with Sub Registrar Nagpur-4	Sale Deed Dt. 28/05/2013 executed by **(1) Smt. Sudha Shrikrushnakumar Pandit (2) Shri Shashank Shrikrushnakumar Pandit (3) Mrs. Savita Vishvajit Karandikar** in favour of **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar** registered under Sr. No.3294/2013 with Sub Registrar Nagpur-4 in respect of land having an area of 0.93HR out of KH/Survey/Gat No. 39/2 of Mouza- Dabha	Original
4	01/03/2017	in revenue case no. 219/NAP-34/2016-17 dt. 01/03/2017	N.A order passed by the District Collector, Nagpur in revenue case no. 219/NAP-34/2016-17 dt. 01/03/2017 converting agricultural land admeasuring 18396.648 Sq. Mtrs. out of 32900 Sq. Mtrs. Of Kh. No. 38 of Mouza-Dabha into Non agricultural	Original

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			for residential purpose.	
5	30/03/2017	vide mutation entry No. 10035 dt. 30/03/2017	Extract of Akhiv Patrika dt. 30/03/2017 issued by city survey Officer no.3 Nagpur Stating that name of **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar** has been mutated vide mutation entry No. 10035	Original
6	03/04/2017	vide its letter bearing no. ADTP/PI./2441 dt. 03/04/2017	Layout Plan of land bearing Kh. No. 38 of Mouza-Dabha sanctioned by NIT vide its letter bearing no. ADTP/PI./2441 dt. 03/04/2017	Original
7	03/04/2017		Agreement dt. 03/04/2017 entered into between **Nagpur Improvement Trust** and **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar in respect of sanction layout plan.**	Original
8	19/07/2017	vide letter no. EE(West)/5017 dt. 19/07/2017	Release letter issued by NIT vide letter no. EE(West)/5017 dt. 19/07/2017	Original

3. In case of companies/ societies /Associations: Weather;

a) Memorandum and article /bye-Laws of the company/society/ Association authorize to offer its Property (ies) security for loan. : Not Applicable

b) Requisite resolution have duly passed by the company /society/association for mortgaging the property in favor of the Bank. : Not Applicable

c) Such resolution sets out the name of the person who are authorized to create charge over the properties affixing common seal. : Not Applicable

d) Weather they are any subsisting charges As per the records of charges with the Registrar of Companies over the property Offered. : Not Applicable

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4. Brief History/flow of title. weather all original link documents are available with the mortgagor whether there is any defect in the claim of title. : Yes

1) Originally, All that piece and parcel of land having an area 3.29HR. (i.e. 8.13Acres) out of KH. No. 38, P.S.K. No. 7, bearing city survey no. 270 and 238 and sheet No. 64 within the limits of Nagpur Improvement Trust & Nagpur Municipal Corporation was belonging to and standing in the name of **Shri Shrikrishnakumar Vishwanath Pandit** having been acquired by Family Settlement deed dt. 10/10/1976 who expired on 16/08/2010 consequent upon his death the aforesaid property was devolved upon his widow **(1) Smt. Sudha Shrikhrishnakumar Pandit, his son (2) Shri Shashank Shrikrishnakumar Pandit and daughter and (3) Mrs. Savita Vishwajit Karandikar** and their names were mutated and recorded in the record of city survey authority vide mutation entry no. 10035 dt. 01/02/2016.

2) During the course of time some dispute arose in between the aforesaid **Shri Shrikrishnakumar Vishwanath Pandit and others and Smt. Sheelabai Ramesh Sarode and others** in respect of aforesaid property, which was resulted into the initiation of legal proceedings in the Court Of Law. And accordingly the aforesaid **Smt. Sheelabai Ramesh Sarode and others** have filed a Civil Suit before the Civil Judge, Senior Division, Nagpur, which was registered as civil Suit No. 591/2010 for specific performance of the sale dt. 21/08/1989. The legal heirs of late **Shri Shrikrishnakumar Vishwanath Pandit namely Smt. Susha Shrikrishnakumar Vishwanath Pandit and others** further preferred as appeal against the Judgment and Decree passed in the aforesaid Civil Suit No. 591/2010 before the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur, which was registered as First Appeal No. 1425/2009. That both the aforesaid parties lateron jointly and severally decided to settle their aforesaid disputed matter amicable outside the Court by withdrawing of the said Appeal bearing No. 1425/2009 and compromised the aforesaid Civil suit bearing No. 591/2010 unconditionally. The Hon'ble High Court of Judicature at Bombay, Bench at Nagpur passed a Judgment and Decree on dt. 08/09/2011 in the aforesaid Appeal and civil suit and thereby dismissed the aforesaid Appeal. As a result therefore the aforesaid property had become free from encumbrances of all kinds whatsoever and the present Owners thereof hold a good, valid and marketable title in respect of the said property.

3) Thereafter (1) **Smt. Sudha Shrikhrishnakumar Pandit, (2) Shri Shashank Shrikrishnakumar Pandit and (3) Mrs. Savita Vishwajit Karandikar** sold the land having an area of 3.29HR (i.e. 8.13Acres) out of KH/Survey/Gat No. 38 of Mouza- Dabha **to Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar** by way of a Sale Deed Dt. 28/05/2013 registered under Sr. No.3295/2013 with Sub Registrar Nagpur-4 and their names are mutated and recorded in the record of city survey authority vide mutation entry No. 10035 dt. 01/02/2016 as the owner of the aforesaid property.

4) The Government of Maharashtra vide Notification No. 2413/103/CR-174/2014/UD-9 dt. 24/06/2015 user of the aforesaid lands bearing Kh./Survey/Gut Nos. 38 having a total area of 3.29 Hectares (i.e. 8.13Acres) of Mouza-Dabha was changed from Agricultural Zone and included the said land bearing KH. No. 38 in residential Zone as mentioned in the Development Plan of Nagpur City. Thus the aforesaid properties are declared and thus identified in residential Zone.

5) The aforesaid land is situated in the area covered by the **"Green Belt Control Scheme"** as per Government Notification the said Scheme is under jurisdiction of the Nagpur Improvement Trust by virtue of which the regulations framed under section 90(h-1) of the Nagpur Improvement Trust Act, NIT has control over the area of development of the said land.

6) Accordingly, N.A order is passed by the District Collector, Nagpur in revenue case no. 219/NAP-34/2016-17 dt. 01/03/2017 converting agricultural land admeasuring 18396.648 Sq. Mtrs. out of 32900 Sq. Mtrs. Of Kh. No. 38 of Mouza- Dabha into Non-agricultural for residential purpose.

7) Being desirous to have the layout plan of the aforesaid land duly sanctioned by NIT, **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar entered into an agreement with Nagpur Improvement Trust, Nagpur on dt. 03/04/2017 in pursuance of which the** Layout Plan of land bearing Kh. No. 38 of Mouza-Dabha is sanctioned by NIT vide its letter bearing no. ADTP/PI./2441 dt. 03/04/2017 dividing the aforesaid land into 67 plots from plot No. 1 to 67 out of 37 plots bearing plot no. 7, 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 66 and **67** are **released by NIT for development in terms of release letter bearing** no. EE(West)/5017 dt. 19/07/2017 issued by NIT.

8) Having regard to what has been discussed aforesaid, I certified that the title of **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar respect of the aforesaid Property** is **Clear, Marketable and Free from Any Sort of Encumbrances.**

Certificate

Having regard to what has been discussed aforesaid I certify that the title of **Shri Sunil Ramkrishna Duddalwar, Mrs. Sonal Sunil Duddalwar and Shri Kunal Sunil Duddalwar respect of the aforesaid Property is Clear, Marketable and Free from Any Sort of Encumbrances.**

NAGPUR
Dated : 25/03/2018

Banking & Corporate Law Consultants AND Advocates
K. K. Gaharwar & Co. Nagpur

Yours faithfully,
For K.K. Gaharwar& Co.

(K.K. Gaharwar)
Advocate