

NISHANT V. POTDAR
ADVOCATE

OFFICE: Shriman Palace, FS-131, Lokmat Square, Beside Mount Carmel Primary
School, Dhantoli, Nagpur. Mob. 9923002964 (O) 0712-2451743
Mail ID :- nishant.potdar1976@gmail.com

Search Report No.10/2019

Dated : 09.02.2019

TITLE REPORT

1.	<u>NAME OF THE DEVELOPER & POSSESSOR OF THE LAND :-</u> M/S AAKAR CONSTRUCTION GROUP Partnership Firm having its Office at 53, 1 st Floor, Pritha Complex, Uday Nagar Square, Beside, Bhagyalaxmi, Sabhagruha, Manewada, Ring Road, Nagpur - 440024 through its Authorized Partners :- ➤ SHRI RAHUL LAHUJI DESHMUKH aged 37 years, Occ. Business, R/o- Plot No.12, Shriram Nagar, Ring Road, Nagpur- 440024. ➤ SHRI YUSUFBHAI KANCHWALA aged 37 years, Occ. Business, R/o- Plot No.12, Shriram Nagar, Ring Road, Nagpur- 440024	
2.	Name of the Owners :-	➤ SMT. SUDHA MADHUKARRAO PULLARWAR , aged about 71 years, Occupation- House Wife, R/o- Quarter No.3/11, Raghuji Nagar, Nagpur - 440009 ➤ SMT. USHA CHANDRASHEKHAR LACHERWAR , aged about 58 years, Occupation- House Wife, R/o- Chandra Nagar, Near Budha Vihar, Nagpur- 440017.
3.	<u>FULL DESCRIPTION OF PROPERTY:-</u> <u>SCHEDULE OF PROPERTY</u> All that piece and parcel of Non-Agriculture Land bearing Survey No. 114/5/1 (Part of Kh.No.114/5) admeasuring about 0.41 H.R. (4100 Sq. Mtrs) of Mouza-BAHADURA , P.H.No.35, situated within the Village limits of Bahadura, Tahsil Nagpur Gramin, Dist. Nagpur and the same is bounded as under: EAST : Land of Survey No. 114/2, 7, 8 WEST : 18.00 Mtr. wide Road NORTH : Land of Survey No.114/5 (Part) SOUTH : Land of Survey No. 114/9 It is submitted that, on the aforesaid land, owners have decided to float Group Housing Scheme and according, they have entrusted the development work to M/S AAKAR CONSTRUCTION GROUP. It is submitted that, the said land has been converted for non-agriculture use by the Collector and as per Letter of the Executive Engineer, Nagpur Metropolitan Region Development Authority, area of the said Survey No. 114/5/1 is subdivided as follows :	

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Area of Land as per 7/12		
Minimum area of land as per 'K' Prat		4100.000 Sqm.
Gross area under layout		4078.172 Sqm.
Recreation Open Space		4078.172 Sqm.
Area under Amenity space		408.061 Sqm.
Area under service Road / Highway Road widening		408.754 Sqm.
Area under internal Road		115.830 Sqm.
Area under residential plots		344.988 Sqm.
Net plot area for FSI calculations		2800.539 Sqm.
		3197.787 Sqm.

Note : Description of property is as per Agreement of Development as well as on the basis of documents supplied to me for verification.

3.1	Nature of Immovable Property	Rural property, layout sanctioned by the NMRDA, Nagpur under Group Housing Scheme
3.2	(i) Survey No. (ii) Hissa No. (iii) Ghat No. (iv) Town Survey No. (v) Khasara No. (vi) Patta No. (vii) Khatha No. (viii) Plot No. (Local name of the field as applicable including sub-divisions should be mentioned)	- As Above -
3.3	Number/Identification details as per building map/plan/DOD/Sale Deed	As mentioned in Schedule of Property
3.4	Extent of Property	As mentioned in Schedule of Property

4.

TRACING OF TITLE

Original Ownership

- It seen from the record as well as documents supplied to me, as per **Adhikar Abhilekh Panji** (Record maintained by the Revenue Authority for the year 1954-55), Land admeasuring 29.31 acres i.e. 11.87 H.R. of Khasra Survey No. 29 Mouza-BAHADURA was belonged to and mutated in the name of Shri Rajaram Ramchandra Patil, Shri Balmukund Ramchandra Patil and Shri Bandu Ramchandra Patil through Natural Guardian Smt. Kamlabai Ramchandra Patil. It is further revealed that, Shri Balmukund Ramchandra Patil has died in the year 1957 and after his death, said property has been continued in the ownership of Shri Rajaram Ramchandra Patil, Shri Bandu Ramchandra Patil and Smt. Kamalabai Ramchandra Patil. It is submitted that, later on Partition in respect of said property has been taken place between Shri Rajaram Ramchandra Patil, Shri Bandu Ramchandra Patil and Smt. Kamalabai Ramchandra Patil and by virtue of said Partition, the property has been partitioned amongst the owners in the following Manner :-

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Smt. Kamalabai Ramchandra Patil	Kh. No.29/1	3.92 H.R.
Government, Public Works Department	Kh. No.29/2	0.13 H.R.
Shri Bandu @ Suresh Ramchandra Patil	Kh. No.29/3	3.91 H.R.
Shri Rajaram Ramchandra Patil	Kh. No.29/4	3.91 H.R.

It is submitted that, accordingly name of respective owners became the owners of their share from the said property and their names have been duly mutated in the aforesaid manner.

Resurvey and Re-Measurement

2. It is submitted that, during the time, due to resurvey and re-measurement conducted by the Revenue Authority, Land of Khasra No. 29/1, 3 and 4 has been renumbered as Khasra No.149 admeasuring 11.74 H.R. and names of Smt. Kamalabai Ramchandra Patil, Shri Bandu @ Suresh Ramchandra Patil, and Shri Rajaram Ramchandra Patil have been continued as the Owners of the said land. It is submitted that, further, due to re measurement conducted by the Revenue Authority, Land of Khasra No.149 renumbered as Khasra No.114 admeasuring 11.74 H.R. and names of the original owners were continued as the owners of the said land.

Sale Deed in the name of Shri Narendrakumar Rewatkar & Others

3. Thereafter, Shri Rajaram Ramchandra Patil along with his legal heirs namely Shri Indrakant Rajaram Patil and Shri Pramod Rajaram Patil have sold land admeasuring 1.62 H.R. out of entire land admeasuring 3.91 H.R. to Shri Narendrakumar Garibaji Rewatkar, (2) Mrs. Sudha Madhukarrao Pullarwar, (3) Mrs. Usha Chandrashekhar Lacherwar, (4) Shri Govindrao Domaji Sahare, (5) Shri Anna Balaji Mule and (6) Shri Sunil Sukhlal Patel by virtue of following documents :-

a. **Sale Deed dated 30.12.1988** executed by Shri Rajaram Ramchandra Patil along with his legal heirs namely Shri Indrakant Rajaram Patil and Shri Pramod Rajaram Patil in favour of (1) Shri Narendrakumar Garibaji Rewatkar, (2) Mrs. Sudha Madhukarrao Pullarwar, (3) Mrs. Usha Chandrashekhar Lacherwar, (4) Shri Govindrao Domaji Sahare, (5) Shri Anna Balaji Mule and (6) Shri Sunil Sukhlal Patel which is duly registered with the Sub-register Office Nagpur Gramin in Book No.1, Vol. No. 166, Sr.No.5946(P), Reg. No.5946(P) from pages 96 to 101 (in respect of land admeasuring 0.81 H.R. on Eastern side).

b. **Sale Deed dated 03.01.1990** executed by Shri Rajaram Ramchandra Patil along with his legal heirs namely Shri Indrakant Rajaram Patil and Shri Pramod Rajaram Patil in favour of (1) Shri Narendrakumar Garibaji Rewatkar, (2) Mrs. Sudha Madhukarrao Pullarwar, (3) Mrs. Usha Chandrashekhar Lacherwar, (4) Shri Govindrao Domaji Sahare, (5) Shri Anna Balaji Mule and (6) Shri Sunil Sukhlal Patel which is duly registered with the Sub-register Office Nagpur Gramin in Book No.1, Vol. No.261, Sr.No.30 (P), Reg. No.30 (P) from pages 38 to 42.

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Thus, (1) Shri Narendrakumar Garibaji Rewatkar, (2) Mrs. Sudha Madhukarrao Pullarwar, (3) Mrs. Usha Chandrashekhar Lacherwar, (4) Shri Govindrao Domaji Sahare, (5) Shri Anna Balaji Mule and (6) Shri Sunil Sukhlal Patel became the joint owners of land admeasuring 1.62 H.R. and after execution of aforesaid sale deed said land has been renumbered as 114/5. Accordingly, names of aforesaid purchasers have been duly mutated in the record of right by virtue of **Ferfar No. 103** dated 20.01.1991.

Death of Shri Narendra Rewatkar

4. It is submitted that, during the time, Shri Narendra Garibdas Rewatkar has left for heavenly abode on 05.10.2006 and his one of legal heir Shri Prashant Narendrakumar Rewatkar died on 02.06.2004 and after their deaths portion of the said property has been devolved upon their legal heirs (1) Shri Dilip Narendrakumar Rewatkar, (2) Shri Pradip Narendrakumar Rewatkar, (3) Shri Sandip Narendrakumar Rewatkar, (4) Ku. Purva Prashant Rewatkar and (5) Smt. Shilpa Prashant Rewatkar and their names have been duly mutated in the record of right by virtue of **Ferfar No. 446**.

Sale Deed in the name of Guruchhaya Cooperative Housing Society Ltd.

5. It is submitted that, later on, (1) Shri Dilip Narendrakumar Rewatkar, (2) Shri Pradip Narendrakumar Rewatkar, (3) Shri Sandip Narendrakumar Rewatkar, (4) Ku. Purva Prashant Rewatkar and (5) Smt. Shilpa Prashant Rewatkar have sold land admeasuring 0.41 H.R. out of entire land admeasuring 1.62 H.R. of Khasra No. 114/5 to Guruchhaya Cooperative Housing Society Ltd. by virtue of Sale Deed.

Dispute regarding the said property

6. It is submitted that, thereafter, Guruchhaya Cooperative Housing Society Ltd. has prepared a layout in its portion of land by demarcating various sized plots therein and transferred some plots to the prospective purchasers. Hence, due to such as of the society, dispute regarding area was arose between the remaining owners and the society. It is submitted that, due to said dispute, mutation work of the said khasra has been stopped by the Revenue authority by virtue of Ferfar No. 555. It is submitted that, during the court of time, Mrs. Sudha Madhukarrao Pullarwar and Mrs. Usha Chandrashekhar Lacherwar was filed Regular Civil Suit No. 255/1991 before the Civil Court, Nagpur for partition and separate possession to the extent of their 2/6th share from the said entire land. It is submitted that, said suit has been decreed by the Hon'ble Court. It is submitted that, during the time, plot purchaser from the portion of society have filed Regular Civil Suit No. 15/2009 before the Chief Joint Civil Judge, Jr. Division, Nagpur for permanent and mandatory injunction. In the said civil suit the Hon'ble Court has considered the ownership of Mrs. Sudha Madhukarrao Pullarwar & Mrs. Usha Chandrashekhar Lacherwar and also admitted their 2/6th share and ownership from the said property and on merit the 5th Joint Civil Judge, Jr. Division, Nagpur has decreed the said civil suit partly and

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Pullarwar and Mrs. Usha Chandrashekhar Lacherwar. hence, accordingly, case has been lodged before the Tahasildar, Nagpur. Thereafter, after hearing all the parties, the Tahasildar, Nagpur vide his order dated 17.11.2008 passed in revenue Case No. 7/SRV/43/2007-2008, partitioned the said property amongst all the owners of land of Khasra No. 114/5 in the following manner.

Kh. No.	Area	Original Owners	As per Order of the Tahasildar, Nagpur		
			Kh. No.	Area	Owner's Name
114/5	1.62 H.R.	1. Shri Narendrakumar Garibaji Rewatkar, 2. Mrs. Sudha Madhukarrao Pullarwar 3. Mrs. Usha Chandrashekhar Lacherwar 4. Shri Govindrao Domaji Sahare 5. Shri Anna Balaji Mule 6. Shri Sunil Sukhlal Patel	114/5	0.41 HR	Sudha Madhukarrao Pullarwar & Usha Chandrashekhar Lacherwar
			114/5	0.40 HR	Narendrakumar Garibdasji Rewatkar & Sunil Sukhlal Patel
			114/5	0.40 HR	Govindrao Domaji Sahare & Anna Balaji Mule
			114/5	0.41 HR	Guruchaya Housing Cooperative Society Ltd., Nagpur
				1.62 HR	

Thus, as per order of the Tahasildar, Nagpur dated 17.11.2008, aforesaid owners became the owners of their respective share from the said property and their names have been duly mutated in the record of right by virtue of **Ferfar No. 623** and the respective owners are in possession of their demarcated portion of land.

Non-Agriculture Order

7. It is submitted that, Mrs. Sudha Madhukarrao Pullarwar and Mrs. Usha Chandrashekhar Lacherwar have decided to develop the said property by floating a Group Housing Scheme over the land admeasuring 0.41 H.R. (4100 Sq. Mtr.) and accordingly, the Collector, Nagpur vide his order dated 10.11.2017 in Revenue Case No. 66/NAP-34/2017-2018 converted the said land for non-agricultural i.e. for residential use. It is submitted that, as per said NA order layout sanctioned by the Collector, following are the statement of area

Area of Land as per 7/12	4100.000 Sqm.
Minimum area of land as per 'K' prat	4078.172 Sqm.
Gross area under layout	4078.172 Sqm.
Area under Amenity space	409.245 Sqm.
Area under Open Space	408.938 Sqm.
Area under approach & vehicular Road	237.930 Sqm.
Area under Service Road/Road widening as per Clause 24/1	115.830 Sqm.
Area under residential plots	115.830 Sqm.

Agreement with the NIT

8. It is submitted that, later on, an agreement dated 22.02.2018 has been executed between the NIT and land owners i.e. Mrs. Sudha Madhukarrao Pullarwar and Mrs. Usha Chandrashekhar Lacherwar and in view of that, by virtue of Letter No. EE-1(NMRDA)/AE/BE/NMRDA-11/48 dated 22.02.2018

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Area under Amenity space	409.245 Sqm.
Recreation Open Space	408.938 Sqm.
Area under approach & vehicular Road	237.930 Sqm.
Area under Service Road / Road widening as per Clause 24/1	115.830 Sqm.
Area under residential plots	2906.229 Sqm.

9. Further as per Letter No. Assistant Engineer-I (NMRDA)/76 dated 03.11.2018 area of layout and statement of area has been revised in the following manner.

Area of Land as per 7/12	4100.000 Sqm.
Minimum area of land as per 'K' prat	4078.172 Sqm.
Gross area under layout	4078.172 Sqm.
Recreation Open Space	408.061 Sqm.
Area under Amenity space	408.754 Sqm.
Area under Service Road / Highway Road widening	115.830 Sqm.
Area under Internal Road	344.988 Sqm.
Area under residential plots	2800.539 Sqm.
Net plot area for FSI Calculations	3197.787 Sqm.

It is submitted that, as per said area, following 7/12 extracts has been prepared.

Kh. No. 114/5/1	29.06.23 (2906.229 Sqm.)	Mrs. Sudha Madhukarrao Pullarwar and Mrs. Usha Chandrashekhar Lacherwar
Kh. No. 114/5/1/Road	3.53.76	Govt. of Maharashtra
Kh. No. 114/5/1/Open Space	4.08.94	Govt. of Maharashtra
Kh. No. 114/5/1/Public Utility Land	4.09.25	Mrs. Sudha Madhukarrao Pullarwar & Mrs. Usha Chandrashekhar Lacherwar

It is submitted that, said 7/12 extracts has been prepared by the revenue authority on the basis of earlier area statement and on the basis of revised order, process for modification in Seven Twelve Extract is in progress.

Agreement of Development

10. Now, Mrs. Sudha Madhukarrao Pullarwar and Mrs. Usha Chandrashekhar Lacherwar have decided to develop the said property in view of agreement executed with the NIT as well as rules laid down by the NMRDA and accordingly approached to M/s Aakar Construction Group and due negotiation registered **Agreement of Development dated 30.1.2019** has been executed in between Mrs. Sudha Madhukarrao Pullarwar and Mrs. Usha Chandrashekhar Lacherwar AND M/s Aakar Construction Group and the same is duly registered with the Sub-Registrar office Nagpur Gramin- 10 in A.B.No.1 at Sr.No.1080.

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Power of Attorney

11. It is submitted that Mrs Sudha Madhukarrao Pullarwar and Mrs Usha Chandrashekhar Lacherwar have executed **Power of Attorney dated 30.1.2019** in favour of M/s Aakar Construction Group and the same is duly registered with the Sub- Registrar office Nagpur Gramin- 10 in A.B.No.1 at Sr.No.1081.

Sanctioned Building Plan

12. It is submitted that during the time Mrs Sudha Madhukarrao Pullarwar and Mrs Usha Chandrashekhar Lacherwar with the Developer has got building Plan duly sanctioned by the Competent Authority of the NIT i.e. NMRDA vide **Permit No.NE(NMRDA/SOUTH/NAGPUR/RULER)/NO.55/2018050284/1645 dated 19.1.2019 for Building -1 of Group Housing Scheme.**

Deed of Declaration

13. It is submitted that process for Deed of Declaration is in progress.

14. It is submitted that, some record was in mutilated and torn form, intermittently and some record was missing. Moreover, the indexing of record as required under Registration Act is incomplete. Hence, Affidavit from the present titleholder for non encumbrance over the property is to be obtained for mortgage as well as suggested documents have to be obtained from the present title holder.

5.	Title deeds/document details under which ownership is acquired	Borrower	
		Development Agreement & POA	
6.	List of encumbrances	N.A.	
7.	View on encumbrance	N.A.	
8.	Regulatory Issues :	N.A.	
9.	Views on regulatory hurdles	N.A.	
10.	List of documents/deeds provided to the Advocate and perused by him	• Certified copy of Adhikar Abhilekh Panji • Certified copy of Ferfar Panji No. 103, 416, 555, 623, • Certified copy of Old 7/12 Extract • Certified copy of Sale Deed dt. 30.12.1988 • Certified copy of Sale Deed dt. 03.01.1990 • Copy of Court Order • Original NIT Agreement • Original NA order • Original Layout Plan • Original Agreement of Development dt. 30.1.2019 • Original Power of Attorney dt. 30.1.2019 • Original 7/12 Extract dt. 14.03.2018 • Original Grampanchayat Tax Receipt dt. 2.2.2019	

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11.	List of documents found out, while examining the deeds as above and in the search in the offices of registrar/ revenue authorities affecting the property and examined	That, I have verified 7/12 extract, it revealed that the names of present titleholders are duly mutated in the record of right. It is advisable to obtain corrected current mutated extract as per revised area statement. I have verified Grampanchayat Tax Receipt, it revealed that, names of present titleholders are duly mutated in the record of Grampanchayat and tax is paid for the year 2018-2019 in the names of the Owners.
12.	Whether the documents examined are duly stamped as per the Stamp Act	Yes
13.	Whether the Registration endorsements are in order	Yes
14.	Certificate of examination	This is to certify that I have examined each and every page of the documents required for giving the title clearance certificate and do not find that transactions under the documents sham and fictitious. I have verified documents mentioned in Para 10.
15.	Certificate of title	That, the Index Register available with the concerned Sub-Registrar Office, have been verified for the period of 30 years i.e. from 1990 to 2019. It is submitted that, on the basis of record available with the concerned Sub-Registrar Office and on the basis of documents supplied to me, title of the said property is clear and marketable.

Hence this title report.



(NISHANT V. POTDAR)
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