

KISHOR G.KANT
ADVOCATE

Residence/Office:- 9, **Sarthak**, Ujjawal Society
Near Bank of Maharashtra
Karve Nagar, Wardha Road
Nagpur-25
Mobile No.9561085442

Panel Advocate for **Bank of Maharashtra, Bank of Baroda, The Karnataka Bank**
LIC Housing Finance, Life Insurance Corporation

(Format-A)

(Circular No.28/2021)

To,

Dated:-18.12.2022

MahaRERA

6 & 7th Floor, Housefin Bhabvan
Plot No.C-21, E-Block,
Bandra-Kurla Complex
Bandra (E), Mumbai-400 051

MahaRERA

Administrative Building No.1,
Civil Lines, Nagpur 440001

LEGAL TITLE REPORT

Subject:- Title clearance certificate with respect to Building known as **Shrinivasa Residency** to be erected on Plot No.154/2 and 155/, CTS No.1004 Sheet No.(54)/24/II, situated at Farm Land Layout at Ramdaspath, Mouza-Lendhra, Tahsil and Dist.Nagpur (hereinafter referred as the Said project i.e. **"Shrinivasa Residency"**)

- (1) I have investigated the title of the above said Plot No.154/2 and 155/1 City Survey No.1004 Sheet No.(54)/24/II on the request of the Promoter Gurumurthy Construction Proprietorship Firm having its office at 247, Sheel Niwas, West High Court Road, Dharmapeth, Nagpur (PANNo.ABCPK1427E) and the following documents i.e:-



01. **DESCRIPTION OF THE PROPERTY**

(Ward No.72, Mouza-Lendhra (Ramdaspath, Nagpur)

(City Survey No.1004 Sheet No. (54)/24/II)

(Corporation House No.162 Ward No.72 Farm Land Ramdaspath, Nagpur)

ALL THAT piece and parcel of land bearing **Plots No.154/2 and 155/1** containing by admeasurement about-6831.00 sq.ft. (634.62 Sq.mts.) holding in freehold rights situated in the Farm Land Layout at Ramdaspath, Nagpur being the portion of entire Khasara of Mouza-Lendhra Tahsil and Dist.Nagpur bearing Corporation House No.162 Ward No.72, **City Survey No.1004, Sheet No.(54)/24/II** Jointly owned by **(1) Shri Ramdhandra S/o Late Dr. Gopalrao Wyawahare and (2) Shri Madhusudan S/o Late Dr. Gopalrao Wyawahare,** decided to be developed by **Gurumurty Constructions** proprietorship Firm through its proprietor **Shri Moreshwar Gopalrao Kale** and within the limits of Nagpur Improvement Trust and Nagpur Municipal Corporation and bounded as under:-

On East by..... Lane (Conservancy)
On West by..... 9 mt.wide Road
On North by Nazul Plot No.156
On South by..... .. Nazul Plot No.154

02. Documents of allotment/ acquiring of plots/Land

03. Renewal of Lease Intra Municipal/Nazul for Building Purposes dated 23.05.2006
(duly Registered at serial No.1516 in the office of the Sub-registrar No.3, Nagpur)

04. Agreement of Development with Gurumurty Construction dated 23RD June 2021
(duly Registered at serial 4561 in the office of the Sub-registrar No.4 Nagpur)

05. Special Power of Attorney dated 24.6.2021 executed in favour of Moreshwar Gopalrao Kale (Duly Registered at serial No.4562 in the office of the Sub-Registrar No.4, Nagpur)

06. Order of Collector dated 12.08.2020 converting Leasehold land into freehold Land

07. Nagpur Municipal Tax Receipt for the Year 1.4.2021 to 31.03.2022

08. Sanction of Building permit and commencement certificate dated 03.10.2022 bearing No.233/BP/Lendhra/TP/NMC/1347.

09. Sanctioned Building plan .

10. Deed of Declaration dated 06.12.2022 duly registered at serial No.10585 in the office of the Sub-registrar No4, Nagpur.

City Survey Property card issued by city survey office duly mutated the names of Ramchandra Gopal Vyawahare and Madhusudan Gopal Vyawahare at mutation entry No.1520 dated 11.02.1994



12. Search Report for 30 years w.e.f. 1992 till 09.12.2022 taken from Sub-registrar Office.

2) On perusal of the above mentioned documents and all other relevant documents relating to title of the above said property I am of the Opinion that the title of (following owners) is clear, marketable and without any encumbrances.

Owners of the land:-

(1) Shri Ramchandra Gopal vyawahare CTS No.1004

(2).Shri Madhusudan Gopal Vyawahere. CTS No.1004

Qualifying Comments/Remarks if any :-

The title of Shri Ramchandra Gopal Vyawahare and Shri Madhusudan Gopal Vyawahare on the said Plot of land is good, valid and marketable, clear and saleable.

3. The Report reflecting the flow of the title of the Owners on the said plot of land is enclosed herewith as Annexure.

Enclosure:- Annexure
Date:- 18.12.2022



Kishor G. Kant
(Kishor G. Kant)
KISHOR G. KANT
Advocate

KISHOR G.KANT
ADVOCATE

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(FORMAT - A)
Circular
(ANNEXURE) No. 28/2021

FLOW OF THE TITLE OF THE SAID LAND

- 1) The Property card issued by the City Survey Department as on date of application for Registration.

The names of Shri Ramchandra Gopal Vyawahare and Shri Madhusudan Gopal Vyawahare is recorded in the property card issued by City Survey Department, Nagpur in respect of the property comprising Plots no.154/2 and 155/1.

- 2) The Property card issued by City Survey Department, Nagpur reveal that vide mutation /Ferfar entry No. 1520 dated 11.02.1994, the names of Shri Ramchandra Gopal Vyawahare and Shri Madhusudan Gopal Vyawahare is recorded as owner/Lessee of the said Property.
- 3) Search Report for the 30 years i.e. w.e.f. 01.01.1992 till 09.12.2022 taken from Sub-Registrar's office at Nagpur.

- i) **ALL THAT** piece and parcel of land bearing **Plots No.154/2 and 155/1** containing by admeasurement about-6831.00 sq.ft. (634.62 Sq.mts.) holding in freehold rights situated in the Farm Land Layout at Ramdaspath, Nagpur being the portion of entire Khasara of Mouza-Lendhra Tahsil and Dist.Nagpur bearing Corporation House No.162 Ward No.72, **City Survey No.1004, Sheet No.(54)/24/II** Jointly owned by **(1) Shri Ramdhandra S/o Late Dr. Gopalrao Wvawahare and (2) Shri Madhusudan S/o Late Dr. Gopalrao Wvawahare,** decided to be developed by **Gurumurty Constructions** proprietorship Firm through its proprietor **Shri Moreshwar Gopalrao Kale** and within the limits of Nagpur Improvement Trust and Nagpur Municipal Corporation Nagpur

- ii) That originally the entire Plots No.154 and 155 situated in Farm Land Layout, at Ramdaspath Nagpur within the limits of Nagpur Municipal Corporation Ward No.72, Circle No.20 Division No.8 in tahsil and Dist. Nagpur was belongs to Dr. Gopalrao Ramchandra Wvawahare, having acquired the same by him from the Nazul Department on Leasehold Rights by virtue of an Indenture of Lease Deed dated 10.11.1945 for a term ending on 31.03.1975 and accordingly his name was mutated in all the relevant records and also in the city survey Property card.



- iii) That the said Shri Gopalrao Ramchandra Waywahare surrendered the Northern Half Portion of the said Plot No.155 (Later on numbered as Plot No.155/2) to the C.P. & Berar Housing Society which was thereafter purchased by the owner of the adjacent Plot No.156.
- iv) That at the request of said Dr. Gopalrao Ramchandra Waywahare, the southern Half portion of Plot No.155 (Numbered as Plot No.155/1) admeasuring about-45554 sq.ft. and the Plot No.154 admeasuring about-9108 sq.ft. were amalgamated by the Nazul Authority into a single Plot admeasuring about-13662 sq.ft. (or about-1266.44 sq.mts. vide Memo No.10/VII-7 of 1946-47 dated 08.09.1947.
- v) That later on said Dr. Gopalrao Ramchandra waywahare constructed a Residential House on the said Nazul Leasehold plots No.154 & 155/1 covering total built up area of about-370 sq. mts. consisting of ground and First Floor structure bearing Corporation house No.162, City Survey No.1004 and sheet No.(54) 24/II of Mouza-Lendhra in accordance with the sanctioned building plan duly sanctioned by the building Engineer of the Nagpur Improvement Trust, Nagpur/Nagpur Municipal Corporation vide its Building permit No.CS/48/255 dated 27.05.1947.
- vi) That during the course of time the aforesaid Dr. Gopalrao Ramchandra Waywahare and his two sons Namely Dr. Ramchandra Gopalrao Waywahare and Shri Madhusudan Gopalrao Waywahare filed a suit for Partition against one Shri Gangadhar S/o Gajanan Waywahare before the Civil Judge Senior Division, Bhandara vide Civil Suit No.9A/1950 .
- vii) That subsequently the said Civil Suit for Partition was compromised and compromise Decree was Passed on 05.04.1966 and in terms of compromise the NORTHERN HALF PORTION of the said amalgamated Plot No.154 and 155/1 having dimensions of 60'2 1/2" North-South and 133'6" East-West Total 6832 sq.f. was allotted to the exclusive share of Dr. Gopalrao Ramchandra Waywahare and his aforesaid two sons namely (i) Dr. Ramchandra alias Sharad Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare (The owner No.s 1 and 2 named above) to hold the same jointly as absolute owner thereof exclusively for ever with heritable and transferable rights therein. The SOUTHERN HALF PORTION of the said amalgamated Plot No.154, 155/1 admeasuring 6832 sq.ft. was allotted to he exclusive share of Shri Gangadhar Gajanan Waywahare.
- viii) That the aforesaid Dr. Gopalrao Ramchandra Waywahare left for heavenly abode on 30.4.1989 and consequent upon his death/demise, the aforesaid property devolved upon his aforesaid two sons namely (i) Dr. Ramchandra Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare jointly by virtue of the intestate succession, being the only legal heirs of the deceased Shri Dr. Gopalrao Ramchandra Waywahare. As a result thereof the said Dr. Ramchandra Gopalrao Waywahare and Shri Madhusudan Gopalrao Waywahare has now becomes the absolute and Joint owners of the aforesaid property of Plots No.154, and 155/1 with the heritable and transferable rights therein and the same is also accordingly mutated in their joint names in all the relevant records and also in the



property Card of the City Survey vide Ferfar Entry No.1520 dated 02.07.1994.

- ix) That on expiration of the original Term of Lease , the Nazul Department i.e. Collector, Nagpur on behalf of Governor of Maharashtra State Lateron executed a Document of Renewal Indenture of Lease in respect of the aforesaid Plots No.154, 155/1 admeasuring about-13662 sq.ft. for further term ending on 31.03.2005 in favour of said (i) Dr. Ramchandra Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare and (iii) Shri Gangadhar Gajanan Waywahare jointly on 15.12.1986.
- x) That in terms of order dated 23.11.2005 passed by the Collector Nagpur in revenue case No.21/N.A.A./48/2005,the lease period of the said Plots of land was extended for further term and granted renewal of Lease relating to Northern half portion of Plots No.154, 155/1 admeasuring about-6832 sq.ft. which is identified as Plot No.155.
- xi) That thereafter again the collector acting on behalf of the Governor of Maharashtra State further extended the Lease of the said Plots of land for a further term/period commencing w..e.f.01.04.2005 and ending on 31.03.2035 by executing a Renewed indenture of Lease regarding he aforesaid Property comprising of Nazul Leasehold Plots No.154/2 & 155/1 infavor of (i) Dr. Ramchandra Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare, the joint owners hereinabovenamed for their respective portion jointly on 23.05.2006 and the same is duly Registered at the office of the Sub-registrar, Nagpur city No.3, in Book No.1 at serial no.1516 on 23.05.2008.
- xii) That the aforesaid joint owners (i) Dr. Ramchandra Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare of the said property of Nzaul Plot No.155 (old No.154/2 and 155/1) situated at Farm Land Layout, Ramdaspeth Nagpur decided to develop the said property into RESIDENTIAL ESTATE by constructing thereon a multistoried building consisting of various self contained residential Apartments and as such they entered into an Agreement of Development on 23.06.2021 with M/s Gurumurty Constructions through its proprietor Shri Moreshwar Gopalrao Kale having its office at Sheel Niwas House No.247, on Wsst High Court Road, Dharampeth, Nagpur 440010 and the same is duly Registered at serial No.4561 on 24.06.2021 in the office of the Sub-Registrar Class-II of Nagpur City No.2, Nagpur.
- xiii) That the said Joint owners (i) Dr. Ramchandra Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare of the said property of Nzaul Plot No.155 (old No.154/2 and 155/1) situated at Farm Land Layout, Ramdaspeth Nagpur also executed a Registered a Special Power of Attorney appointing Shri Moreshwar Gopalrao Kale Proprietor of M/s Gurumurty Constructions as their Attorney for an on their behalf to do the acts, deeds and things as incorporated in the said document of special power of attorney duly Registered at serial No.4562 on 24.06.2021 in the office of the Sub-Registrar No.4 of Nagpur City Nagpur.



- xiv) That The said Joint owners (i) Dr. Ramchandra Gopalrao Waywahare and (ii) Shri Madhusudan Gopalrao Waywahare of the said property of Nzaul Plot No.155 (old No.154/2 and 155/1) situated at Farm Land Layout, Ramdaspath Nagpur have applied to the collector for conversion of the said Nazul Leasehold Plot into Free hold rights occupancy Class-I and in accordance with the Maharashtra Government Gazette Notification No. Nazul 2016/CN 186 (B)/J-8 Dated 02.03.2019 by paying the requisite charges therefor and the said Authority through Tahsildar 9Nazul) vide its order dated 12.08.2020 passed in Revenue case No.01/MRC-81/2021-22 of Moyuza-Lendhra converted the said Plots No.154/2 and 155/1 into free hold rights bearing No.154/2 and 155/1, City Survey No.1001 and Sheet No.(54)24/II of Mouza-Lendhra containing by admeasurement about- 634.62 sq.mts. That since the date of above order the said Plots of land becomes free hold rights of occupancy Rights class-I
- xv) That the Nazul Authorities have numbered the said Plots No.154/2 and 155/1 as Plot No.155 in Nazul Rent receipt HOWEVER the same has now renumbered as Plots. No.154/2 and 155/1 as per the order Passed by the Revenue officers in conversion case of the said Plots of land into free hold rights. Thus the said Plot No.155 is now identified as Plots No.154/2 and 155/1 as per the order order dated 12.08.2020 passed in Revenue case No.01/MRC-81/2021-22 of Moyuza-Lendhra
- xvi) That after considering the available FSI and also the FSI under the T.O.D.(Transit Oriented Development) the said Joint owners authorised the said **Gurumurty Constructions** to prepare the building plan of the proposed multi storied building comprising of various Residential Apartments therein and submitted the same to the competent authority i.e. Deputy Director Town Planning Department of Nagpur Municipal Corporation Nagpur for necessary sanction. That the said competent Authority sanctioned the said building plan . vide its sanction Building permit and commencement certificate bearing **Permit No.233/BP/Lendhra/TP/NMC/1347 dated 03.10.2022.**
- xvii) That the said Joint owners **Dr. Shri Ramchandra Gopalrao Waywahare and Shri Madhusudan Gopalrao Waywahare** acting through their **Power of Attorney Shri Moreshwar Gopalrao Kale (Proprietor Gurumurty Constructions)** have submitted the said property to the provisions of Maharashtra Apartment ownership Act,1970 vide the document of Deed of Declaration dated 06.12.2022 duly Registered at serial No. 10585 in the office of the Joint Sub-registrar Class-II of Nagpur City No.4, Nagpur. The entire Project/Scheme is named and styled as **“SHRINIVASA RESIDENCY”.**



xviii) That for the Purpose of verification of the title, the following documents relating to the said property are provided to me:-

- (a) Renewal of Lease Intra Municipal/Nazul for Building Purposes dated 23.05.2006 (duly Registered at serial No.1516 in the office of the Sub-Registrar No.3, Nagpur)
- (b) Agreement of Development with Gurumurty Construction dated 23RD June 2021 (duly Registered at serial 4561 in the office of the Sub-registrar No.4 Nagpur)
- (c) Special Power of Attorney dated 24.6.2021 executed in favour of Moreshwar Gopalrao Kale (Duly Registered at serial No.4562 in the office of the Sub-Registrar No.4, Nagpur)
- (d) Order of Collector dated 12.08.2020 converting Leasehold land into freehold Land
- (e) Nagpur Municipal Tax Receipt for the Year 1.4.2021 to 31.03.2022
- (f) Sanction of Building permit and commencement certificate dated 03.10.2022 bearing No.233/BP/Lendhra/TP/NMC/1347.
- (g) Sanctioned Building plan.
- (h) Deed of Declaration dated 06.12.2022 duly registered at serial No.10585 in the office of the Sub-registrar No4, Nagpur.
- (i) City Survey Property card issued by city survey office duly mutated the names of Ramchandra Gopal Vyawahare and Madhusudan Gopal Vyawahare at mutation entry No.1520 dated 11.02.1994

xix) That , all the above said documents are produced before me are the photocopies and I have verified and confirmed the same by verifying the original documents referred above and are in the custody of the aforesaid land owner/Promotor. It is further necessary to obtain an affidavit from the aforesaid owner that they have not executed any undersigned Deed or Document whereby their ownership rights are affected, diluted or a third party interest is created.

xx) That I have taken online search in respect of the aforesaid property from the web portal www.igrmaharashtra.gov.in by giving inputs of city survey No.1004 of Mouza-Lendhra for the period 30 (Thirty) years (i.e. from 1992 to 2022) by depositing necessary search fees on line with the Department of Registration vide GRN NO.MH11897297202223E dated 9.12.2022. The aforesaid E-challen receipt is enclosed herewith.

xxi) That during our on line search we did not came across any adverse entry recorded relating the aforesaid Property



4) Any other relevant title:-

I observed the said Plot of land is free hold property.

5) Litigations if any:-

During my on line search we did not came across any entry of Lispendence records relating to the above said Property.

Nagpur
Dated:- 18.12.2022



Kishor
Advocate Kishor G. Kant
KISHOR G. KANT
Advocate