

A. B. JADHAV

B. Com., LL.B.

OFFICE:

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Building, Opp. Union Bank,
Ghansoli Gaon,
Navi Mumbai – 400 701.

ADVOCATE HIGH COURT

Mob. No.9819 458688

Date : 11/06/2019

To,

M/s. Ashiana Lifestyle
Through their Partners

- (1) Mr. Jigar K. Mehta
- (2) Mr. Anandkumar Podar
- (3) Mrs. Anita M. Kachhara
- (4) Mr. Samarth Mehta
- (5) Mr. Shreyas A. Podar

Having office address at
02, First Floor, Mahavir Shopping Center,
Opp. Nerul Bus Depot, Sector No.11,
Nerul (E), Navi Mumbai – 400 706.

Sir,

Sub :- Search of title of the holders of agricultural piece and parcel of land situated, being and ling at Village - Kewale, Taluka and Sub Division Panvel, District and Division Raigad, within the jurisdiction of Sub- Registrar Assurances at Panvel and within the limits of raigad Zilla Parishad Panchayat Samittee and Gram Panchayat Kewale and described in the revenue as under :-

Name of the Holder	Gut / Survey No.	Hissa No.	Area	Assessment Is Rs.
M/s. Ashiana Life Style Through their Partners (1) Mr. Jigar K. Mehta (2) Mr. Anandkumar Podar (3) Mrs. Anita M. Kachhara (4) Mr. Samarth Mehta	75	1/A.	1H-50R-70PT	33.07

Hereinafter referred to as "Said Total Land".

That, M/s. Ashiana Life Style is a Partnership Firm duly Registered under the provisions of the Partnership Act, 1932 and was having 4 (Four) partners at the time of incorporation, namely (1) Mr. Jigar K. Mehta, (2) Mr. Anandkumar Podar, (3) Mrs. Anita M. Kachhara, (4) Mr. Samarth Mehta, and whereas by virtue of Admission cum Partnership Deed dated 01/04/2019, Mr. Shreyas A. Podar has been admitted as a partner of the firm M/S Ashiana Lifestyle.

In relation to the Said Total Land, search was carried out and following record was inspected:-

- 1) Revenue record of land of last 30 years.
- 2) Certified copies of Sale Deed in relation to the said piece of land.
- 3) All Search report dated 29.10.2018 and dated 17/01/2019 issued by one Mr. Sachin Sagare, Navi Mumbai claiming to be a search clerk. He has taken search of registers of Index No. II From the offices of Sub-registrar of Panvel.
- 4) Development Permission by CIDCO Ltd vide letter No CIDCO/NAINA/Panvel/Kevale/BP-414/CC/2019/SAP-537/650 dated 31/05/2019.

I elaborate below on search carried out and inspection of the above mentioned record and further my findings based on the inspection:-

That, the Said Total Land is derived of 6 Lands which are amalgamated vide Mutation Entry No. 1473 dt. 01.11.2018. That, the details of the 6 lands amalgamated are as follows:

Name of the Holder	Survey No.	Hissa No.	Area	Assessment Is Rs.
(1) Mr. Jigar K. Mehta (2) Mr. Anand kumar Podar	75	1	0-48-00 0-02-00 total 0-50-00 0-25-00	11.01

(Hereinafter referred to as "Said Land 1")

Name of the Holder	Survey No.	Hissa No.	Area	Assessment Is Rs.
Mr. Anand kumar Podar	75	1	0-48-00 0-02-00 Total 0-50-00 0-25-00	11.01

(Hereinafter referred to as "Said Land 2")

Name of the Holder	Survey No.	Hissa No.	Area	Assessment Is Rs.
(1) Mr. Jigar K. Mehta (2) Mrs. Anita M. Kacchara	75	2	0-54-50 0-02-40 Total 0-56-90 0-26-00	12.51

(Hereinafter referred to as "Said Land 3")

Name of the Holder	Survey No.	Hissa No.	Area	Assessment Is Rs.
(1) Mr. Anand kumar Podar. (2) Mr. Samarth Mehta	75	2	0-54-50 0-02-40 Total 0-56-90 0-30-90	12.51

(Hereinafter referred to as "Said Land 4")

Name of the Holder	Survey No.	Hissa No.	Area	Assessment Is Rs.
Mr. Samarth J. Mehta	75	3	0-41-60 0-02-00 <u>Total 0-43-60</u> 0-21-80	9.55

(Hereinafter referred to as "Said Land 5")

Name of the Holder	Survey No.	Hissa No.	Area	Assessment Is Rs.
Mrs. Anita M. Kacchara	75	3	0-41-60 0-02-00 <u>Total 0-43-60</u> 0-21-80	9.55

(Hereinafter referred to as "Said Land 6")

I have taken the search of the aforesaid Land No.1 to 6 at Sub-Registrar Office at Panvel – 1, 2, 3, 4 and 5 from the year 1989 to 2019. The Record of the said Land No. 1 to 6 is as under :-

- (i) The Said Land No.1 and 2, (Some records of the year 1989 to 2016 are NIL. The further record of the year 2019 is not maintained).

I enclose receipt No. 14669 dated 29/10/2018 for Rs. 750/- and Receipt No.1285 dated 17/01/2019 for Rs.300/- respectively deposited for search at sub Registrar Office, Panvel – 3.

- (ii) The Said Land No.3 and 4, (Some records of the year 1989 to 2016 are NIL. The further record of the year 2019 is not maintained).

I enclose Receipt No. 14671 dated 29/10/2018 for Rs. 750/- and Receipt No. 1283 dated 17/01/2019 for Rs. 300/- respectively deposited for search at sub Registrar Office, Panvel – 3.

- (iii) The Said Land No.5 and 6, (Some records of the year 1989 to 2016 are NIL. The further record of the year 2019 is not maintained).

I enclose receipt No. 14670 dated 29/10/2018 for Rs. 750/- Receipt No. 1284 dated 17/01/2019 for Rs. 300/- respectively deposited for search at sub Registrar Office, Panvel – 3.

I have investigated the title of the Land No. 1 to 6 mentioned in the Schedule hereunder written and I put on record my findings and report as under :-

THE SAID LAND 1 : Survey No. 75, Hissa No. 1A, admeasuring 0H:25R:0PT

- 1) Document No. Panvel-5/996/2017, registered on 10/02/2017 (2500 Sq. Mtrs) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. And Mr. Jigar K. Mehta in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/1. The Agreement value is Rs.1,91,25,000/-.
- 2) Document No. Panvel-5/3760/2017, registered on 05/05/2017 (2500 Sq. Mtrs) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. And Mr. Jigar K. Mehta in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/1. The Agreement value is Rs.1,91,25,000/-.

THE SAID LAND 2 : Survey No. 75, Hissa No. 1B, admeasuring 0H:25R:0PT

- 3) Document No. Panvel-5/998/2017, registered on 10/02/2017 (2500 Sq. Mtrs) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. and Mr. Anandkumar S. Podar in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/1. The Agreement value is Rs.1,91,25,000/-.
- 4) Document No. Panvel-5/3761/2017, registered on 05/05/2017 (2500 Sq. Mtrs) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. and Mr. Anandkumar S. Podar in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/1. The Agreement value is Rs.1,91,25,000/-.

THE SAID LAND 3 : Survey No. 75, Hissa No. 2A, admeasuring 0H:26R:0PT

5) Document No. Panvel-5/43/2017, registered on 03/01/2017 (0000 H/R) its Release Deed executed by Mr. Maniram Gotiram Patil & 7 Ors. and (1) Mr. Balaram Padu Patil (2) Mr. Yogesh Joma Mali in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/2. The Agreement value is Rs.1/-.

6) Document No. Panvel-5/5383/2017, registered on 22/08/2017 (0.2600 H/R) its Sale Deed executed by Mr. Balaram Padu Mali & 6 Ors. and (1) Mr. Jigar K. Mehta (2) Mrs. Anita M. Kachara in the records of Sub-Registrar Panvel -3 in respect of Survey No.75/2. The Agreement value is Rs.2,58,85,000/-.

THE SAID LAND 4 : Survey No. 75, Hissa No. 2B, admeasuring 0H:30R:90PT

7) Document No. Panvel-2/9794/2017, registered on 22/08/2017 (0.2850 H/R) its Sale Deed executed by Mr. Balaram Padu Mali & 6 Ors. and (1) Mr. Anandkumar S. Podar (2) Mr. Samarth J. Mehta in the records of Sub-Registrar Panvel -2 in respect of Survey No.75/2. The Agreement value is Rs.4,39,02,500/-.

THE SAID LAND 5 : Survey No. 75, Hissa No. 3A, admeasuring 0H:21R:80PT

8) Document No. Panvel-5/993/2017, registered on 10/02/2017 (2180 Sq. Mtrs.) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. and Mrs. Anita M. Kachhara in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/3. The Agreement value is Rs.1,05,70,000/-.

9) Document No. Panvel-2/1345/2017, registered on 10/02/2017 (2180 Sq. Mtrs.) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. and Mr. Samarth J. Mehta in the records of Sub-Registrar Panvel -2 in respect of Survey No.75/3. The Agreement value is Rs.1,05,70,000/-.

THE SAID LAND 6 : Survey No. 75, Hissa No. 3B, admeasuring 0H:21R:80PT

10) Document No. Panvel-5/3758/2017, registered on 05/05/2017 (2180 Sq. Mtrs.) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. and Mr. Samarth J. Mehta in the records of Sub-Registrar Panvel -2 in respect of Survey No.75/3. The Agreement value is Rs.1,05,70,000/-.

11) Document No. Panvel-5/3762/2017, registered on 05/05/2017 (2180 Sq. Mtrs.) its Sale Deed executed by Mr. Bhau Kondaji Mali & 7 Ors. and Mrs. Anita M. Kachhara in the records of Sub-Registrar Panvel -5 in respect of Survey No.75/3. The Agreement value is Rs.1,05,70,000/-.

THE OBSERVATION OF THE MUTATION ENTRIES IS MADE ON THE BASIS OF VILLAGE FROM NO. VI OF VILLAGE- KAWALE, ISSUED BY TALATHI SAJA NERE AND IT IS AS UNDER:-

Mutation Entries :-

1) **M. E. No. 63.**

This mutation entry is not available.

2) **M. E. No. 153.**

It is seen from the said mutation entry that on 08/05/1944 Gut No.75/0 Mortgage by Mr. Ram Bhaskar Gokhale to Mr. Vinayak Dhondiram Bivalkar for Rs. 4,600/-.

3) **M. E. No. 155.**

It is seen from the said mutation entry dated 24/11/1944 that Sitaram Bhaskar Gokhale died leaving behind his legal heir Gopal Sitaram Gokhale. Hence his name was recorded in the revenue record of Gut No. 75/0.

4) **M. E. No. 193.**

It is seen from the said mutation entry dated 12/07/1948 that Name of Dharma Kondaji Mali was mutated as protected tenant of Gut No. 75/0.

5) **M. E. No. 207.**

It is seen from the said mutation entry dated 12/07/1948 that Name of Savalya Andhlya Mali was mutated as protected tenant of Gut No. 75/0.

6) **M. E. No. 231.**

It is seen from the said mutation entry that the Said entry is not readable.

7) **M. E. No. 245.**

It is seen from the said mutation entry dated 10/07/1955 that Charge of Rs.4,600/- of Mr. Vinayak Dhondiram Bivalkar of Mortgage dtd.08/05/1944 was removed as amount was repaid from the 7/12 extract of Gut No. 75/0.

8) **M. E. No. 278.**

It is seen from the said mutation entry dated 23/09/1958 that the name of Savalya Andhlya Mali was deleted as protected tenant of Gut No. 75/0.

9) **M. E. No. 300.**

It is seen from the said mutation entry dated 26/03/1961 that Dharma Kondaji Mali died leaving behind his legal heirs (1) Daji Dharma Mali, (2) Shantaram Dharma Mali, and (3) Manglya Dharma Mali. Hence their names were recorded in the revenue record of Gut No. 75/0.

10) **M. E. No. 315.**

It is seen from the said mutation entry that as per order of Agricultural Land Tribunal and Additional Mamlatdar, Panvel purchase price of captioned property was fixed in the name of tenant Pandu Andhalya Mali. Hence name of Pandu Andhalya Mali was mutated as occupant of the said property and charge of owner Shridhar Sitaram Gokhale & others was kept in the column of other rights on 7/12 extract of Gut No.75/0.

11) **M. E. No. 353.**

It is seen from the said mutation entry that the Said entry was not concerned with captioned property.

12) **M. E. No. 760.**

It is seen from the said mutation entry dated 01/07/1991 that total purchase price of Rs.932/- under Section 32-G of captioned property was paid by tenant Pandu Andhalya Mali. Hence charge of said amount was removed from the coloum of other right on 7/12 extract of Gut No. 75/0.

13) **M. E. No. 874.**

It is seen from the said mutation entry dated 26/11/1998 that as per akarphod patrak dtd.28/06/1998 and order of Tahsildar Panvel dtd. 05/10/1998 Gut No. 75/0 was subdivided into 75/1, 75/2.

14) **M. E. No. 1024.**

It is seen from the said mutation entry dated 06/11/2000 that Padya Andhalya Mali died leaving behind his legal heirs (1) Balaram Padu Mali, (2) Joma Padu Mali, (3) Dwarkabai Kana Gharat, (4) Manibai Gotiram Patil, and (5) Jijabai Bama Vangilkar. Hence their names were recorded in the revenue record of Gut No. 75/2.

15) **M. E. No. 1325.**

It is seen from the said mutation entry that Dwarkabai Kana Gharat Died leaving behind her legal heirs (1) Ramdas Kana Gharat , (2) Bhimabai Haribhau Patil, (3) Lilabai Bhagwan Patil, (4) Sadanand Kana Gharat, (5) Meghnath Kana Gharat, and (5) Anant Kana Gharat, Hence their names were recorded in the revenue record of Gut No. 75/2.

16) M. E. No. 1357.

It is seen from the said mutation entry that Joma Padu Mali died on 10/05/2012 leaving behind his legal heirs (1) Ranjana Joma Mali, and (2) Yogesh Joma Mali. Hence their names were recorded in the revenue record of Gut No. 75/2.

18) M.E. No. 1377

It is seen from the said mutation entry that the Lis Pendence was noted in respect to the R.C.S. No. 276/2006 which was pending between smt. Sitabai Fadke and Ors V/s. Dhau Kondaji Mali and ors at Civil Judge Junior Division, Panvel Court in respect to Land No. 75/1 and 75/3.

19) M.E. No. 1407

It is seen from the said mutation entry that the M.E. NO. 1377 was challenged before the SDO vide RTS Appeal no. 23/2015 and the concern authority has passed order dt. 21.05.2015 and thereby the entry of Lis Pendence in M.E. No. 1377 was cancelled. As well subsequently the Plaintiffs smt. Sitabai Fadke and others vide their application dt. 24.04.2017 has applied before the CJJD, Panvel Court to withdraw the suit against the Land survey No. 75/3 and Survey 75/1 which was allowed by the Hon'ble Civil Judge J. D., Panvel Court vide order dt. 22.06.2017.

20) M. E. No. 1429

It is seen from the said mutation entry dated 04/03/2017 that as per order of Tahasildar Panvel having Ref. No. Recovery/Kat-2/R.S. 473/2916/876/2017 dt. 03.03.2017 tenancy act section 43, class 2 remarks removed and class 1 remark noted in records in respect to land survey no. 75/1 and 75/3.

21) **M. E. No. 1430.**

It is seen from the said mutation entry dated 04/03/2017 that as per order of Tahasildar Panvel having Ref. No. Recovery/Kat-2/R.S. 474/1620/875/2017 dt. 03.03.2017 tenancy act section 43 , class 2 remarks removed and class 1 remark noted in records in respect to land survey no. 75/2.

22) **M. E. No. 1431.**

It is seen from the said mutation entry dated 19/04/2017 that (1) Manibai Gotiram Patil, (2) Jijabai Bama Vangilkar, (3) Ramdas Kana Gharat, (4) Bhimabai Hiribhau Patil, (5) Lilabai Bhagwan Patil, (6) Sadanand Kana Gharat, (7) Meghnath Kana Gharat and (8) Anjana Joma Mali released their undivided share in the Gut No. 75/2 in favour of (1) Balaram Padu Mali and (2) Yogesh Joma Mali by registered Release Deed dated 03/01/2017.

23) **M. E. No. 1435**

It is seen from the said mutation entry dated 14/06/2017 that Shri. Bhau Kondaji Mali sold an area of 0-25-00 H.R.P. from Gut No. 75/1 in favour of Mr. Jigar K. Mehta by registered Sale Deed dated 05/05/2017 having registered document no. PVL5-3760/2017.

24) **M. E. No. 1436**

It is seen from the said mutation entry dated 16/06/2017 that Shri. Bhau Kondaji Mali sold an area of 0-25-00 H.R.P. from Gut No. 75/1 in favour of Mr. Anandkumar S. Podar by registered Sale Deed dated 05/05/2017 having registered document no. PVL5-3761/2017.

25) **M. E. No. 1437**

It is seen from the said mutation entry dated 16/06/2017 that Shri. Bhau Kondaji Mali sold an area of 0-21-80 H.R.P. from Gut No. 75/3 in favour of Mrs. Anita M. Kacchara by registered Sale Deed dated 05/05/2017 having registered document no. PVL5-3762/2017.

26) **M. E. No. 1439.**

It is seen from the said mutation entry dated 15/07/2017 that Anant Kana Gharat died on 26/12/2011 leaving behind his legal heirs Ranjana Anant Gharat, Sunita Gomesh Patil, Amruta Rajesh Phulore, Pradip Anant Gharat & Pratap Ananta Gharat, Hence their names were recorded in the revenue record of Gut No. 75/2.

27) **M. E. No. 1443**

It is seen from the said mutation entry dated 30/08/2017 that Shri. Bhau Kondaji Mali sold an area of 0-21-80 H.R.P. from Gut No. 75/3 in favour of Mr. Samarth J. Mehta by registered Sale Deed dated 05/05/2017 having registered document no. PVL5-3758/2017.

28) **M. E. No. 1451.**

It is seen from the said mutation entry dated 25/10/2017 that (1) Amruta Rajesh Phulore, (2) Pratap Ananta Gharat, (3) Pradip Ananta Gharat, (4) Balaram Padu Mali, (5) Yogesh Joma Mali and (6) Ranjana Anant Gharat and (7) Sunita Gomesh Patil sold an area of 0-26-00 H.R.P. from Gut No. 75/2 in favour of (1) Anita Mahendra Kachchra and (2) Jigar K. Mehta by registered Sale Deed dated 22/8/2017 having registered document no. PVL3-5383/2017.

29) **M. E. No. 1452.**

It is seen from the said mutation entry dated 18/11/2017 that (1) Balaram Padu Mali, (2) Ranjana Anant Gharat, (3) Sunita Gomesh Patil, (4) Yogesh Joma Mali, (5) Amruta Rajesh Phulore, (6) Pradip Ananta Gharat and (7) Pratap Ananta Gharat sold an area of 0-28-50 H.R.P. Gut No. 75/2 in favour of (1) Shri. Anandkumar S. Podar and (2) Samarth Jigar Mehta by register Sale Deed dated 22/8/2017 having registered document no. PVL2-9764/2017.

30) **M. E. No. 1461**

It is seen from the said mutation entry dated 16/03/2018 that as per akarphod patrak dtd. 27/02/2018 and order of Tahsildar Panvel dtd. 06/03/2018 Gut No. 75/3 was subdivided into 75/3A, 75/3B.

31) **M. E. No. 1462.**

It is seen from the said mutation entry dated 17/03/2018 that as per akarphod patrak dtd. 27/02/2018 and order of Tahsildar Panvel dtd. 06/03/2018 Gut No. 75/2 was subdivided into 75/2A, 75/2 B.

32) **M. E. No. 1463**

It is seen from the said mutation entry dated 17/03/2018 that as per akarphod patrak dtd. 27/02/2018 and order of Tahsildar Panvel dtd. 06/03/2018 Gut No. 75/1 was subdivided into 75/1A, 75/1B.

33) **M. E. No. 1471**

It is seen from the said mutation entry dated 18/09/2018 that as per order of Tahasildar, Panvel having Ref. No. Rights/Kat-4/14706/2018 dt. 12.09.2018 in lieu of award by Arbitration dt. 06.08.2018 the name of Ashiana Lifestyle through their Partners (1) Mr. Jigar K. Mehta, (2) Mr. Anandkumar Podar, (3) Mrs. Anita M. Kachhara, (4) Mr. Samarth Mehta was recorded to the Said Plot No. 1 to 6 being survey no. 75/1A, 75/1B, 75/2A, 75/2B, 75/3A, 75/3B.

34) **M.E. No. 1473**

It is seen from the said mutation entry dated 24/10/2018 that Survey No. 75/1A, 75/1B, 75/2A, 75/2B, 75/3A, 75/3B were amalgamated by the present entry and thereby Survey no. 75/1B, 75/2A, 75/2B, 75/3A, 75/3B, were closed totally and all were amalgamated to only survey no. 75/1A which henceforth be read as 75/1A Admeasuring 01H:50R:70 pt which shall comprises of 01H:44R:10pt + 01H:50R:70pt, being amalgamated as per the order of SDO Panvel having their letter no. Bhumapan/K. J. P./Mouje – Kevale/D. R. No. 126/2018/3625 dt.16/10/2018, mutation carried on dt.01.11.2018.

Hence the following certificate of title is issued.

TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

I, therefore, on the basis of the above referred to revenue record and the documents furnished to me and as no objection or claim was raised by anyone in the said land in response to the public notice, certify that M/s. Ashiana Lifestyle through their Partners (1) Mr. Jigar K. Mehta, (2) Mr. Anandkumar S. Podar, (3) Mrs. Anita M. Kachhara, (4) Mr. Samarth J. Mehta (5) Mr. Shreyas A. Podar has good, marketable and clear title to the said land more specifically described in the schedule given below and that there is no encumbrance of what so ever nature to the said land.

That, the Promoters have approached the planning authority NAINA under CIDCO Ltd. And obtained development Permission from CIDCO Ltd vide letter No CIDCO/NAINA/Panvel/Kevale/BP-414/CC/2019/SAP-537/650 dated 31/05/2019.

PROPERTY SCHEDULE

All that piece and parcel of agricultural land situated, being and ling at Village - Kewale, Taluka and Sub Division Panvel, District and Division Raigad, within the jurisdiction of Sub- Registrar Assurances at Panvel and within the limits of Raigad Zilla Parishad Panchayat Samittee and Gram Panchayat Kewale and described in the revenue as under :-

Name of the Holder	Gut / Survey No.	Hissa No.	Area	Assessment Is Rs.
M/s. Ashiana Lifestyle Through their Partners (1) Mr. Jigar K. Mehta (2) Mr. Anandkumar Podar (3) Mrs. Anita M. Kachhara (4) Mr. Samarth J. Mehta	75	1/A.	1H-50R-70PT	33.07

Date : 11/06/2019

Place: Navi Mumbai

Yours truly,


(A. B. JADHAV)
Advocate

A. B. JADHAV
B. Com. L. L. B.
ADVOCATE HIGH COURT
Room No. 2, Gr. Floor, AR Enterprises
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