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इतर पावती

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नोंदणी क्र.: 39म

Regn.: 39M

पावती क्र.: 1843 दिनांक: 03/07/2017

गावाचे नाव:

दस्तऐवजाचा अनुक्रमांक: मरब-0-2017

दस्तऐवजाचा प्रकार:

सादर करणाऱ्याचे नाव: अॅड प्रविण गोपाळ भोईर

वर्णन अर्ज क्र. 164, मौजे मोहरई, ता. मुरबाड, येथील सर्वे नं. 123 सन 2006 ते 2017 12 वर्षे

SEARCHFEE

रु. 300.00

एकूण:

रु. 300.00

Sub Registrar, Murbad

1); देयकाचा प्रकार: eChallan रकम: रु. 300/-

डीडी/धनादेश/पे ऑर्डर क्रमांक: MH003078981201718E दिनांक: 03/07/2017

बँकेचे नाव व पत्ता:

दुय्यम निबंधक, मुरबाड

Pravin Gopal Bhoir

B.A.B.Ed.L.L.B

Mob.:9702959697

ADVOCATE HIGH COURT

9221811096

Add.: 1st floor, Shri Niwas Bluiding, Santoshi Mata Road, Kalyan (W.)
At- Shai, Tal – Murbad, Dist.- Thane

STRICTLY PRIVATE AND CONFIDENTIAL

Dt: 03rd July, 2017

Dear Sir,

Sub : Title Opinion.

Subject : LEGAL OPINION

Description of Property : All that piece and parcel of land admeasuring of 09 H 34.1R comprising of S. Nos. 118, 119, 121, 122, 123/1, 123/2, 222, lying and situated at Mouje Mohrai, Taluka Murbad, District Thane within the Registration District of Thane, Sub-Registration Taluka Murbad and within the Limits of Grampanchayat Mohrai and having corresponding Plot Nos. 1 to 215 total area 66517.00 Sq. mtrs of "Sector D" as per the Non-Agriculture order by Collector order no. **No.Mahasul/K-1/Te-11/NAP/Moharai(Murbad)/SR-44/2016** sanctioned by Collector office Thane, District Thane.

On or towards East	S. Nos. 120 and 223
On or towards south	S. Nos. 127 and 220
On or towards West	S. Nos. 117, 113, 125 and 126
On or towards North	S. Nos. 111 and 15 mtr wide Road

Present Owner : Captioned Land is owned by **Shri. Shivnarayan Rampratap Bhutada**

List of Documents Scrutinised :

- 1) Xerox copy of 7/12 extracts. (for seven survey number i.e. 118, 119, 121, 122, 123/1p, 123/2p, 222. Total Area 9-34-1 H-R-P)
- 2) Xerox copy of M.E. No. 915 and 968.
- 3) Xerox copy of Sale Deed dated 18/08/2010 executed by Mr. Vasant Abhechand Ajmera as owner unto the favor of Smt.


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- Radhadevi Madhusudan Jajoriya as purchaser. (Registered at office of Sub Registrar Murbad at Searial No. 2515/2010).
- 4) Xerox copy of Sale Deed dated 13/09/2010 executed by Smt. Lilavati Abhechand Ajmera and others as Owners unto the favor of Smt. Radhadevi Madhusudan Jajoriya as purchaser. (Registered at office of Sub Registrar Murbad at Searial No. 2776/2010).
 - 5) Xerox copy of Sale Deed dated 23/06/2015 executed by Smt. Radhadevi Madhusudan Jajoriya as owner unto the favor of Mr. Hemant Agarwalla. (Registered at office of Sub Registrar Murbad at Searial No. 1504/2015).
 - 6) Xerox copy of Index II Extract and Registration receipt.
 - 7) Xerox copy of Sale Deed dated 01/08/2015 executed by Mr. Hemant Agarwalla as Owner unto the favor of Shri Shivanarayan Rampratap Bhutada . (Registered at office of Sub Registrar Murbad at Searial No. 1855/2016).
 - 8) Xerox copy of Index II Extract and Registration receipt.
 - 9) Xerox copy of Demarcation Map.
 - 10) Xerox copy of The Non-Agriculture order by Collector order no. No.Mahasul/K-1/Te-11/NAP/Moharai(Murbad)/SR-44/2016 sanctioned by Collector office Thane, District Thane Dt. 17/06/2017
 - 11) Xerox copy of 5 Search Report dated 03/07/2017, issued by Adv. Pravin Gopal Bhoir.

Legal Opinion :

Based on the information received during search and on perusal of the documents referred to above, I am giving my opinion herein below.

1) Land bearing S. No. 118 admeasuring about 01H 29 R (including pokharaba of 00H 07R):

- A. On perusal of the documents referred to above, its appears that, the land bearing S. No. 118 was originally owned by Mr. Bhaskar Ganpat Chaoudhari and others prior to year 1996.
- B. It is seen from 7/12 extract that, said Mr. Bhaskar Ganpat Chaoudhari and others sold the said land unto the favor of Mr. Vasant Abhechand Ajmera. Accordingly name of Mr. Vasant Abhechand Ajmera is seen to be recorded on 7/12 extract of said land vide Mutation entry No. 232.
- C. It further appears that, said Mr. Vasant Abhechand Ajmera by executing of Sale Deed dated 18/08/2010 sold the said land unto the favour of Smt. Radhadevi Madhusudan Jajoriya. The said Sale Deed is duly registered at office of

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Sub Registrar Murbad at serial No. 2515/2010. Accordingly the name of Smt. Radhadevi Madhusudan Jajoriya is seen to be recorded on 7/12 extract vide mutation entry No. 402.

2) A) Land bearing S. No. 119 admeasuring about 00H 94 R (including pokaraba of 00H 06R), B) Land baring S No. 121 admeasuring about 01H 00 R (including pokaraba of 00H 06R), C) Land baring S No. 122 admeasuring about 01H 69 R (including pokaraba of 00H 10R), D) Land baring S No. 123/1 admeasuring about 01H 20 R, E) Land baring S No. 123/2 admeasuring about 01H 27 R (including pokaraba of 00H 15R), F) Land baring S No. 222 admeasuring about 01H 95.1R (including pokaraba of 00H 07.1R):

- A. On perusal of the documents referred to above, its appears that, the land bearing S. No. 119, 121, 122, 123/1, 123/2 and 222 were standing in the name of Mr. Vasant Abhechand Ajmera prior to year 1996.
- B. It is seen from 7/12 extract that, Mr. Vasant Abhechand Ajmera went for heavenly abode leaving behind him widow Smt. Lilawati Abhechand Ajmera, 7 sons Mr. Chiman Abhechand Ajmera, Mr. Vasant Abhechand Ajmera, Mr. Ashwin Abhechand Ajmera, Mr. Lalit Abhechand Ajmera, Mr. Prafull Abhechand Ajmera, Mr. Rajesh Abhechand Ajmera and Mr. Dharmendra Abhechand Ajmera, and 2 Daughters Smt. Chandan Kirit Jasani and Smt. Darshika Bhisit Shaha as his only legal Heirs. Accordinly the names of above mentioned legal heirs of late Mr. Vasant Abhechand Ajmera came to be recorded to the 7/12 extract of respective lands vide Mutation Entry No. 256.
- C. It further appears that, said Smt. Lilawati Abhechand Ajmera and others by executing of Sale Deed dated 13/09/2010 sold the said land unto the favour of Smt. Radhadevi Madhusudan Jajoriya. The said Sale Deed dated 13/09/2010 is duly registered at office of Sub Registrar Murbad at serial No. 2776/2010. Accordingly the name of Smt. Radhadevi

Madhusudan Jajoriya is seen to be recorded on 7/12 extracts of respective lands vide common mutation entry No. 404.

3. Common Developments :

- a. It appears that, said Smt. Radhadevi Madhusudan Jajoriya by executing of Sale Deed dated 23/06/2015 sold the captioned land admeasuring of 09H 34.1R comprising of S. No. 119, 121, 122, 123/1, 123/2 and 222, unto the favour of Mr. Hemant Agarwalla. The said Sale Deed dated 23/06/2015 is duly registered at office of Sub Registrar Murbad at serial No. 1504/2015. Accordingly the name of Mr. Hemant Agarwalla is seen to be recorded on 7/12 extracts vide mutation entry No. 915.
- b. It further appears that, said Mr. Hemant Agarwalla by executing a Sale Deed dated 01/08/2016 sold the captioned land admcaasuring of 09H 34.1R comprising of S. No. 119, 121, 122, 123/1, 123/2 and 222, unto the favour of Mr. Shivanarayan Rampratap Bhutada. The said Sale Deed dated 01/08/2016 is duly registered at office of Sub Registrar Murbad at serial No. 1855/2016.
- c. it appears that prior to selling the captioned properties to Mr. Hemant Agarwalla, Smt. Radhadevi Madhusudan Jajoriya had amalgamated captioned properties along with adjacent lands and prepared the layout of the same consisting of various sub-divided Plots, Internal Roads, Amenity Space, Open Space etc. and submitted the same for the approval of the Assistant Director Town Planning, Thane.
- d. By an order of approval dated 23/04/2015, bearing no. Thane / Vishesh / Temporary Layout / Village Moharai / Tal: Murbad /SSRN/ 864 The Assistant Director Town Planning, Thane has suctioned the Layout of said land and submitted the same for approval of the Collector of Thane.
- e. As per the copy of sanctioned layout submitted before me, it reveals that the entire layout comprises of various other adjoining Survey Numbers and the same are amalgamated and layout comprising of various Plots, Internal Roads, Amenity Space, Open Space etc. The entire Layout has been divided into 4 Sector i.e. Sector A, B, C and D and each Sector consist of various Plots. As per the said Order the captioned Properties which are adjacent to each other together form a part of Sector D, which consists of Plot Nos. 1 to 215.



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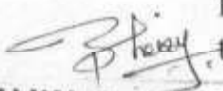
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f. By an order of collector Non Agriculture order dated 17/06/2017 Collector order no. No.Mahasul/K-1/Te-11/NAP/Moharai(Murbad)/SR-44/2016 sanctioned by Collector office Thane, District Thane. Having corresponding Plot nos. 1 to 215 of Sector D Total area 66517.00 Sq.mtrs

- 4) **SEARCH** : I have taken the search in respect of the above mentioned property and I have gone through the available index-2 register kept in office of Sub-Register Murbad for the period of 12 year i.e. 2006 to 2017 (up-to-date 30 June, 2017).
- 5) Expect for the transactions referred to above no other transaction was noticed by the on perusal of documents referred to above.
- 6) Considering the aforesaid I am of the opinion that, subject to payment of Revenue Assessment Charges upto date, the title of the captioned property with Mr. Shivanarayan Rampratap Bhutada is clear, marketable and free from encumbrances.
- 7) The captioned property can be mortgaged with the Bank as security for the Loan facilities to be availed by Mr. Shivanarayan Rampratap Bhutada. The charge over the captioned property be created by way of a Simple Registered Mortgage. Following Documents be procured prior to creation of Mortgage :
- A) Latest 7/12 extracts in respect of captioned Properties having the name of Mr. Shivanarayan Rampratap Bhutada recorded thereto as Owner.
- B) An Affidavit be obtained from the Borrower stating that he has not sold or agreed to sell any Plots out of the sanctioned layout. The Affidavit MUST further contain an undertaking that, during the continuance of mortgage / Loan he shall not


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sell the said land or individual Plots to any person / body/
firm, without obtained a prior permission from the Bank.

- 8) Charge of the Bank be recorded to the 7/12 Extract of respective
Properties post creation of Mortgage.

Your Faithfully



PRAVIN GOPAL BHOIR
(ADVOCATE)

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