

SHRIRAM GOPAL KUBER

[ADVOCATE] BSLLLB

**Office: Shop no 18 & 19 Lakshadeep Phase II Near Kaka Halwai
Sweet Center, TalegaonDabhade, TalMavalDist Pune.**

[m] 9822315410

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SEARCH REPORT & LEGAL OPINION

Date: 13/9/2019

SUBJECT : Search report and title report with respect of the property bearing Plot No. 34 having area admeasuring 348 Sq. Mtrs as per city survey record having City Survey No. 7366/6, and 338 sq mtrs as per 7/12 extract in the land forming part of 367/1/3B situated in the colony known as KADOLKAR COLONY, situate at Talegaon-Dabhade, Tal. Maval, Dist. Pune.

I have seen all papers submitted to me for giving my necessary search report and the validity of the property.

I have taken search of the Property which is described in the schedule written as under for the last 30 years, in the Office of S.R vadgaon-Maval and as per the available Index II record for my perusal the search report is as Under :

A. THE DOCUMENTS RELIED UPON:

- 1) Property card extract CTS 7366/6
- 2) Copy of lay out sanctioned by Collector of Pune dated 25/8/1979 vide order no. NA/SR/VI/80/79
- 3) Copy of sale deed dated 9/11/1980 vide no. 1460/1980
- 4) Copy of sale deed dated 19/10/1995 vide no. 4309/1995

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- 5) Copy of sale deed dated 14/2/1996 vide no. 771/1996
- 6) Copy of sale deed dated 31/12/2001 vide no. 5119/2001
- 7) Copy of sale deed dated 1/2/2003 vide no. 491/2003
- 8) Copy of sale deed dated 4/8/2014 vide no. 4728/2014
- 9) Original deed of REDEMPTION dated 29/5/2018 vide no. 3606/2018.
- 10) Copy of Development Agreement and power of attorney vide no. 5746/2018 and 5747/2018 respectively
- 11) Copy of deed of cancellation dated 28/5/2019 vide no. 3960/2019
- 12) Original Development Agreement and power of attorney vide no. 3968/2019 and 3969/2019 respectively dated 28/5/2019.
- 13) Original sanctioned building plan
- 14) Original commencement certificate vide no. CBTDM/B/2019/APL/00148 DATED 26/7/2019.

B) SCHEDULE OF THE PROPERTY:

All that piece and parcel of the property bearing Plot No. 34 having area admeasuring 348 Sq. Mtrs as per city survey record having City Survey No. 7366/6, and 338 sq mtrs as per 7/12 extract in the land forming part of 367/1/3B situated in the colony known as KADOLKAR COLONY, situate at Talegaon-Dabhade, Tal. Maval, Dist. Pune and bounded as Under.

On or towards East : Plot no. 30 & 31 CTS No. 7366/12 & 7366/13

On or towards South : Colony Road

On or towards West: Colony Road

On or towards North : Plot no. 35 CTS no. 7366/7

Together with easements, appurtenances, plants, trees, shrubs, stones, things, ingress, egress, ancillary and other incidental rights thereto.

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C) FLOW OF TITLE:

Originally the said land was owned by Mr. Dattatraya Omannna Kadolkar.

He prepared the layout of the said land and was laid down several plots in the said layout. The Additional Collector of Pune granted/sanctioned lay out and granted permission to convert the land into various plots.

The said order is dated 25/8/1979 vide order no. NA/SR/VI/80/79. After going through the said order it is transpired that the said land is converted into Non Agricultural use.

The said **plot No. 34** is one of the sanctioned layout plot in the said scheme.

It is revealed from the record that MR. D. O. KADOLKAR the owner of the land sold conveyed and transfer Plot No. 34 having area admeasuring 348 Sq. Mtrs as per city survey record having City Survey No. 7366/6, and 338 sq mtrs as per 7/12 extract in the land forming part of 367/1/3B situated in the colony known as KADOLKAR COLONY, situate at Talegaon-Dabhade, Tal. Maval, Dist. Pune by executing SALE DEED in favor of Mr. Ramesh Narahar Ranade vide no. 1460/1/11/1980 dated 15/11/1980. Thus by virtue of the said sale deed Mr. Ramesh Narahar Ranade became owner of said plot and his name was mutated in the property card.

It is further revealed from property card that Kamala Anil Bhosale purchased the land admeasuring 167.28 sq mtrs out of plot no 34 towards Western side from Mr. Ramesh Narahar Ranade through his power of attorney holder Mrs. Suman Tanaji Thite. The name of Kamala

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Anil Bhosale was mutated in the property card. And she became owner of said portion of plot.

It is further revealed from the record that, Ramesh Narahar Ranade through his POA Mrs. Suman Tanaji Thite sold conveyed and transfer admeasuring area 180.72 sq mtrs out of plot no. 34 in favor of MR. DIPAK SADASHIV BHEGADE as purchaser which is duly registered in the office of S R MAVAL at Sr No. 4309/19/10/1995.

It is further revealed from the record that, name of said Dipak Sadashiv Bhegade was mutated in the record of right and they became owner of said property.

It is further revealed from the record that, on 14/2/1996 Kamala Aniket Bhosale sold conveyed and transfer by executing SALE DEED admeasuring area 167.28 sq mtrs out of plot no. 34 in favor of MR. MAHESH SHANKAR BHANUSHALI as purchaser which is duly registered in the office of S R MAVAL at sr no. 771/1996 and thus he became owner and of said plot and his name was mutated in the property card.

It is further revealed from the record that on Mr. Dipak Sadashiv Bhegade as owner sold his portion of plot admeasuring 180.72 sq mtrs out of plot no 34 by executing SALE DEED in favor of 1) Mr. Sahebrao Ashappa Gabbur 2) Mr.Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur as purchasers which is duly registered in the office of S R MAVAL at Sr No. 5119/2001 dated 31/12/2001. Thus 1) Mr. Sahebrao Ashappa Gabbur 2) Mr.Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur became owners of said portion of plot and their names are mutated in the record of right.

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It is further revealed from the record that on Mr. Mamesh Shankar Bhanushali as owner sold his portion of plot admeasuring area 167.28 sq mtrs out of plot no. 34 by executing SALE DEED in favor of 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur as purchasers which is duly registered in the office of S R MAVAL at Sr No. 491/2003 dated 4/1/2003. Thus 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur became owners of said portion of plot and their names are mutated in the record of right.

Thus by virtue of the said two sale deeds 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur became owners of PLOT NO 34 in the colony Kadolkar Colony having CTS NO. 7366/6 admeasuring area 348 sq mtrs as per property card and they have got every right and title interest in the said property.

ENCUMBRANCE AND NON ENCUMBRANCE:

- 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur availed loan from Shri Laxmi Krupa Urban Co Operative Bank Ltd branch Shivane Varje Malvadi and mortgaged the said property as security for their loan which **SRM** is registered at Sr No. 4728/2014 dated 4/8/2014. The Note of encumbrance has been mutated in the property card CTS 7366/6.
- 2) It is further revealed from the record that, 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur have repaid entire loan amount and therefore said bank issued NO DUE CERTIFICATE and closed the loan account and also executed **DEED OF REDEMPTION** in favor of said owners which is duly registered in the office of S R MAVAL at Sr No. 3606/2018 dated 29/5/2018. Hence title of the owners with respect to said plot no. 34 in the Kadolkar Colony is clear

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legal and marketable and free from all encumbrances. And remark of encumbrance has been deleted from property card by entry dated 14/9/2018.

DEVELOPMENT AGREEMENT AND POWER OF ATTORNEY: [first]

It is further revealed from the record that, on 18/8/2018 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur as owners have executed DEVELOPMENT AGREEMENT and POWER OF ATTORNEY with respect to Plot no. 34 in the colony Kadolkar Colony Talegaon Dabhade in favor of AYUSH CONSTRUCTION through its Partner Mr. Atul Ganesh Hampe, Mr. Basappa S. Bhandari. The said Development Agreement and Power of attorney were duly registered in the office of S RMAVAL 2 at Sr No. 5746/2018 and 5747/2018 respectively.

CANCELLATION DEED OF [D A & P A]

It is further revealed from the record that due to some unavoidable circumstances both the parties referred herein cancelled the said Development Agreement and Power of Attorney [5746/2018 and 5747/2018] by executing DEED OF CANCELLATION which is duly registered in the office of S R MAVAL 2 at Sr No. 3960/2019 dated 28/5/2019. Hence by virtue of the said cancellation deed the said D A and Power of Attorney stands null and void and said plot retained with owners only.

DEVELOPMENT AGREEMENT AND POWER OF ATTORNEY [SECOND]

It is further revealed from the record that, on 28/5/2019 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr.

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Babu Ashappa Gabbur as owners have executed DEVELOPMENT AGREEMENT and POWER OF ATTORNEY with respect to Plot no. 34 in the colony Kadolkar Colony Talegaon Dabhade in favor of M/S. ADITYA ASSOCIATES Proprietorship having its office at Kadolkar Colony Talegaon Dabhade Tal. Maval Dist. Pune through its proprietor MRS. AVANTIKA SANJAY BAVISKAR as Developer/Builder. The said Development Agreement and Power of Attorney are duly registered in the office of S R MAVAL 2 at Sr No. 3968/2019 and 3969/2019 respectively.

It is transpired from the Development Agreement that the owners have received monetary consideration as mentioned the said deed and in addition to it said Builder/Developer will hand over three constructed flats admeasuring area 1385 sq ft i.e. 128.75 sq mtrs as mentioned herein under:

Sr No.	Flat no.	Floor
1	101	First Floor
2	203	Second Floor
3	303	Third Floor

Thus M/S. ADITYA ASSOCIATES Proprietorship having its office at Kadolkar Colony Talegaon Dabhade Tal. Maval Dist. Pune through its proprietor MRS. AVANTIKA SANJAY BAVISKAR has got every right to developed the said plot in the said property.

COMMENCEMENT CERTIFICATE AND SANCTIONED PLAN:

It is further revealed from the record that, M/S. ADITYA ASSOCIATES through its proprietor MRS. AVANTIKA SANJAY BAVISKAR decided to developed the said plot and therefore prepared building plan and submitted it in the office of TALEGAON DABHADE MUNICIPAL COUNCIL and obtained sanctioned. After sanctioning the plan TDMC issued

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Commencement Certificate vide no. CBTDM/B/2019/APL/00148
DATED 26/7/2019.

Thus by virtue of the said sanctioned plan and commencement certificate issued by TDMC said firm has got every right and title interest in the said property and right to construct the tenements and right to sell the constructed tenements to the intending purchasers.

The title of the owners and Developer is clear legal and marketable and free from all encumbrances.

E. Encumbrances if any in respect of property which is more particularly described hereinabove mentioned.

As regards the search of the said property I have inspected Index II Registers made available to me in the office of S.R. Vadgaon-Maval for the last 30 years i.e. 1990 to 2019, from the available records and registers, I have not any entry creating encumbrances and or charge on the said property. **I have paid the search fee charges by way of E PAYMENT and obtained E CHALLAN vide dated 13/9/2019.**

OPINION:

On the basis of the aforesaid title documents and information given by the party concern and after taking search of the property for the last 30 years, in the office of S.R. Vadgaon-Maval. I have also taken search of said property on the government web site ie. E SEARCH on igr.maharashtra.gov.in and I am of the opinion that...

On 28/5/2019 1) Mr. Sahebrao Ashappa Gabbur 2) Mr. Ashok Ashappa Gabbur 3) Mr. Babu Ashappa Gabbur as owners have executed DEVELOPMENT AGREEMENT and POWER OF ATTORNEY with respect to Plot no. 34 in the colony Kadolkar Colony Talegaon Dabhade in favor

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of M/S. ADITYA ASSOCIATES Proprietorship having its office at Kadolkar Colony Talegaon Dabhade Tal. Maval Dist. Pune through its proprietor MRS. AVANTIKA SANJAY BAVISKAR as Developer/Builder. The said Development Agreement and Power of Attorney are duly registered in the office of S R MAVAL 2 at Sr No. 3968/2019 and 3969/2019 respectively.

It is transpired from the Development Agreement that the owners have received monetary consideration as mentioned the said deed and in addition to it said Builder/Developer will hand over three constructed flats admeasuring area 1385 sq ft i.e. 128.75 sq mtrs as mentioned herein under:

Sr No.	Flat no.	Floor
1	101	First Floor
2	203	Second Floor
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Thus M/S. ADITYA ASSOCIATES Proprietorship having its office at Kadolkar Colony Talegaon Dabhade Tal. Maval Dist. Pune through its proprietor MRS. AVANTIKA SANJAY BAVISKAR has got every right to developed the said plot in the said property.

COMMENCEMENT CERTIFICATE AND SANCTIONED PLAN:

It is further revealed from the record that, M/S. ADITYA ASSOCIATES through its proprietor MRS. AVANTIKA SANJAY BAVISKAR decided to developed the said plot and therefore prepared building plan and submitted it in the office of TALEGAON DABHADE MUNICIPAL COUNCIL and obtained sanctioned. After sanctioning the plan TDMC issued Commencement Certificate vide no. CBTDM/B/2019/APL/00148 DATED 26/7/2019.

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Thus by virtue of the said sanctioned plan and commencement certificate issued by TDMC said firm has got every right and title interest in the said property and right to construct the tenements and right to sell the constructed tenements to the intending purchasers.

The title of the owners and Developer is clear legal and marketable and free from all encumbrances.

Hence this report.

The documents pertaining to the said property are return to the Developer

Talegaon-Dabhade.

Date : 13/9/2019

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