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इतर पावती

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नोंदणी क्र.: 39म

Regn.: 39M

पावती क्र.: 1916 दिनांक: 16/02/2018

गावाचे नाव : करंजाडे

दस्तऐवजाचा अनुक्रमांक: पवत्र 5-0-2018

दस्तऐवजाचा प्रकार :

सादर करणाऱ्याचे नाव : अॅड. संतोष एम नाड

वर्णन अर्ज क्र. 196/2018 मीजे करंजाडे प्लॉट नं. 17 से. अं. 2 व ता. पनवेल जि. जालना सह 2007 ते 2018 12 वर्षे

शोध व निरीक्षणे

रु. 300.00

एकूण :

रु. 300.00

Sub Registrar Panvel 5

तह दुय्यम निबंधक, पनवेल-५ (को-२)

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

इडी / घनदेश / पे ऑर्डर क्रमांक: MH010651409201718E दिनांक: 16/02/2018

बँकेचे नाव व पत्ता:

2/16/2018

Santosh Manohar Lad.

Advocate (MAH/1000/1994)

104, 1st floor, Aaditya Vihar CHS, Mahatma Phule Marg, Near Old Post Office, Panvel- 410 206,
Tel No. (O) 2746 6415, Mobil- 9930 333000, Email id: office@advsmld.com.

SEARCH REPORT & TITLE CERTIFICATE

Sub: - Search Report & Title Certificate with Respect to Plot No. 17, Sector-2A lying and being at Village Karanjade, Tal. Panvel, Dist. Raigad.

TO WHOMSOEVER IT MAY CONCERN

1) INSTRUCTIONS :

On the request of **M/S. NEELKANTH CONSTRUCTION**, Partnership Firm through its Partners **Mr. Kishor Krushnakant Gupte** having it's Office at **Shop No. 1, Hari Om Residency, Old Thana Naka Road, , Panvel- Taluka-Panvel, Dist-Raigad-410 206**, hereinafter called and referred to as (said "**PROMOTERS**"), I, have taken search in respect of the Property which is described as follows.

2) DESCRIPTION OF PROPERTY:-

All that piece and parcel of land known as **Plot No. 17, in Sector No. 2A, Village Karanjade**, Tal. Panvel, Dist. Raigad admeasuring 1999.75 square meters or thereabout and bounded that is to say:

North	:	Plot No. 18.
South	:	prop 20 meters wide Road
East	:	Plot No. 16
West	:	5 meters wide pathway

(Herein referred to as the "**Said Plot**")

3) SEARCH :

Accordingly, my office has carried out search of the Index No. II as maintained in the office of Sub-Registrar of Assurances at Panvel 1, 2, 3, 4 & 5 and Registrar of Assurances at Panvel for a period of 30 years i.e. **from dt. 01/01/2012 to dt. 16/02/2018 vide receipt no. 1916, dt. 16/02/2018** with respect to the said

Plot. That from the available record documents mentioned in the search were found during search.

4) **DOCUMENTS** :

For the purpose of investigation of title and search of the said Plot, I also perused the following documents:

- (i) Letter of allotment dt. 06/01/2012.
- (ii) Agreement to Lease, dt. 09/03/2012 registered on 04/04/2012.
- (iii) Tripartite Agreement dt. 24/08/2012 registered on same day,
- (iv) Letter cum final order of Corporation dt. 12/10/2012.
- (v) Commencement Certificate of Corporation dt. 10/02/2015.

5) **INCIDENTS:**

- (a) CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LIMITED, is a Company incorporated under the Companies Act 1956 (I of 1956) hereinafter referred to as ("**The Corporation**") having its registered office at the Nirmal, 2nd floor, Nariman Point, Mumbai 400 021.
- (b) The Corporation has been already declared as a New Town Development Authority, under the provisions of sub section (3-A) of Section 113 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVIII of 1966) hereinafter referred to a "**the said Act**") for the New Town of Navi Mumbai by Government of Maharashtra in the exercise of its powers of the area designated as site for New Town under sub section (1) of Section 113 of the said Act.
- (c) The State Government has acquired lands within the designated area of Navi-Mumbai and vested the same in the Corporation by an Order duly made in that behalf as per the provisions of Section 113 of the said Act.
- (d) By virtue of being the Development Authority the Corporation has been empowered under section 118 of the said Act to dispose off any land acquired by it or vested into it in



accordance with the proposal approved by the State Government under the said Act.

- (e) That Agriculture land of **1) Mr. Aabu Ganpat Bhoir, 2) Mr. Madan Ganpat Bhoir, 3) Mr. Ashok Ganpat Bhoir, 4) Mr. Bhalchandra Ganpat Bhoir, 5) Smt. Dharmubai Ramdas Patil, 6) Smt. Bugambai Ragho Daki, 7) Smt. Sundabai Ramdas Naik, 8) Smt. Shantabai Tulshiram Patil, 9) Smt. Minabai Namdev Bhoir, 10) Mr. Vivek Namdev Bhoir, 11) Smt. Vaishali Namdev Bhoir, 12) Mr. Vijay Namdev Bhoir** (hereinafter called and referred to as "**Mr. Bhoir & Others**") situated at Village Wadghar, Taluka Panvel, Dist-Raigad bearing Survey No. 159/2, 121/4, 135/1 & 134/3 were acquired by state of Maharashtra under Land Acquisition Act.
- (f) That the Special Land Acquisition Officer (in short **SLAO**) has declared necessary award of acquired land under section 11 of Land Acquisition Act.
- (g) That Government of Maharashtra has declare a beneficial scheme for the persons whose land was acquired for Navi Mumbai project and as per said scheme plot of 12.5% area out of total acquired area was to be allotted to agriculturist on Leasehold basis.
- (h) That under the Gaothan Expansion Scheme (**i.e. 12 ½ % Scheme**) by letter of allotment dt. 6/1/2012 the Corporation has agreed to allot said plot to **Mr. Bhoir & others** for a period of 60 years.
- (i) That in furtherance of said letter of allotment by a Agreement to lease dated 09/03/2012 executed between The Corporation as one part and **Mr. Bhoir & Others** of the other part, said Plot is leased by the Corporation to the said **Mr. Bhoir & Others** and the possession is handed over to **Mr. Bhoir & Others** on terms and conditions contained in the said agreement. Said Agreement to Lease is registered with Sub-Registrar Panvel-2 on **04/04/2012 at serial No.**



PWL2-02950/2012. That during the search said Agreement to lease was found to be registered with the Sub Registrar Panvel-2 on 04/04/2012.

- (j) That as per term No. (d) on page 2 registrations page no. 9 of the said agreement to lease the corporation has agreed to grant said plot to the **Mr. Bhoir & Others** construction of building or buildings for residential & Commercial user.
- (k) That as per term No. (d) on page 5 registrations page no. 12 of the agreement to lease the corporation has posed a restriction on **Mr. Bhoir & Others** to commence the construction within 12 months and completes the same within 4 years.
- (l) That on certification of completion of construction of building/ buildings on the said plot by the Town Planning officer of the Corporation lease deed is to be executed as per term No. 7 on page 12, registrations page no. 19 of the said agreement to lease.
- (m) That as the lease is granted for construction a period of 60 years the same is perpetual lease as per the provisions of the Transfer of Property Act.
- (n) As per terms of the said agreement to lease the Corporation has posed an restriction on the Lease-Owners to start construction with one year from the date of agreement and to complete the same within 4 years from the date of said agreement in default the Corporation has right to cancel the license and take possession of the said plot.
- (o) By an Tripartite Agreement dated 24/08/2012 executed between the **Corporation as One Part, Mr. Bhoir & Others** as Original Licensee and **M/s. Neelkanth Construction** a partnership firm (hereinafter referred to "**the Promoters**") the leasehold rights of said Plot are transferred by the Corporation to the Promoters and the possession is handed over to the Promoters on terms and conditions contained in the said tripartite agreement. Said tripartite agreement is



registered with **Sub-Registrar Panvel-1 on same day at serial No. PWL1-10423/2012**. That all the terms and conditions of the agreement to lease are applicable and binding on the Promoters. That during the search said Tripartite was found to be registered with the Sub-Registrar Panvel-1 on 24/08/2012.

- (p) That by letter cum final order dt. 12/10/2012 of the Corporation, the Corporation has confirmed/ ordered transfer of said plot in favour of the Promoters in the records of CIDCO.
- (q) That the Promoter had applied for permission for Development from the Corporation and has obtained development permission and Commencement Certificate dt. 10/12/2015 bearing reference No. **CIDCO/(B.P.-11949/TPO(NM & K)/2015**, in the name of the Promoter.
- (r) That as per the Commencement Certificate the Corporation has permitted the Promoter to Construct a building of Ground Floor + 07 floors having 84 residential units & 11 commercial units.
- (s) That as mentioned in para 3 hereinabove I have caused search from the Index II as maintained by Sub-Registrar Panvel- 1, 2, 3, 4 & 5 and during the search above referred Agreement to lease dt. 04/04/2012 and tripartite agreement dt. 24/08/2012 where found to be registered against the registration serial numbers & dates referred to above.
- (t) That on 12/04/2012 a Notice of Lis Pendency is registered by One Mr. Dadasaheb Bhanudas Pawar with Sub-Registrar-Panvel-1 at serial No. PWL-4574/2012. Said lis pendency notice is with respect to RCS No. 600/2012 filed by Mr. Harishchandra D Bhagat & others through their POA Mr. Dadasaheb Bhanudas Pawar before the CJJD, Panvel.
- (u) That said suit is dismissed by the hon'ble court on dt. 20/01/2017 and is no longer pending before the CJJD Panvel therefore the said notice of lis Pendency is not required to be

consider nor its creating any adverse effect on the title of the property.

- (v) Search is carried out from 01/01/2012 as agreement to lease is executed in the year 2012. That allotment is from Cidco so the record starts from the date of allotment and or agreement to lease.
- (w) That during search no other document was found to be registered with respect to said Plot encumbering and or creating mortgage over said Plot.
- (x) That as per the search taken and available documents the flow of title is in consonance with the available record.

6) **CONCLUSION** :

That said plot is held by **M/S. NEELKANTH CONSTRUCTION** on lease hold basis as per terms of Agreements Lease & Tripartite agreement mentioned herein above.



7) **CERTIFICATE AND TITLE** :

On the basis of the search taken, perusal of the documents referred to above and incidents pointed out as above, I am of the opinion that,

- i) Said Plot is free from encumbrances,
- ii) The said **M/S. NEELKANTH CONSTRUCTION** are seized and possessed of the said Plot on lease-hold basis as Licensee of the Corporation on the terms and conditions mentioned in the agreement to lease, tripartite agreements mentioned hereinabove and their title to same is clear and marketable,
- iii) Said **M/S. NEELKANTH CONSTRUCTION** are entitled and have right to develop the said Plot by constructing thereon

the building/s consisting of independent residential blocks, shops etc.

- iv) Said **M/S. NEELKANTH CONSTRUCTION** are entitled to dispose the same of to desiring purchasers.

Place : Panvel.

Date : 1/03/2018

(S. M. Lad)
Advocate.



NOTES OF SEARCH FROM

Index II since 01/01/2012 to 16/02/2018

YEAR	FINDINGS
2012	1) Notice of Lis Pendancy dated 12/04/2012, serial No. PWL1-04574/2012. 2) Agreement to lease dated 4/04/2012, serial No. PWL2-02950/2012. 3) Tripartite Agreement dated 24/08/2012, serial No. PWL1-10423/2012.
2013	Available Index Checked No Entry Found
2014	Available Index Checked No Entry Found
2015	Available Index Checked No Entry Found
2016	Available Index Checked No Entry Found
2017	Available Index Checked No Entry Found
2018	Checked up to 16/02/2018 available Index Checked No Entry Found

Note-

- 1) Computerized Index-II of the year 2012 to 2016 not bounded alphabetically and in haphazard manner.
- 2)
 - a) Sub-Registrar Office No. 1 - Index-II Record from Jan 2016 Onwards not made available for search.
 - b) Sub-Registrar Office No.2-Some of the Index-II Record for Year 2012 to 2016 is in loose, mix and torn condition and for the Year 2017 & 2018 Index-II record not available.
 - c) Sub-Registrar Office No. 3 - Index-II Record from Jan 2017 Onwards not made available for search.

- d) Sub-Registrar Office no.4 (office has started since 2012) - Index-II
Record from Jan 2016 Onwards not made available for search.
- e) Sub-Registrar Office No.5 (office has started since 2012) - Index-II
Record from Jan 2016 Onwards not made available for search.
- 3) There was no entire record found pertaining to the total no. of books or
total No. of pages or total No. of entries made till date pertaining to the
respective village.

Hence this Search Report issued.

Panvel
Date: 16/02/2018.

Note:-

Search Receipt No. 1916, dt. 16/02/2018
issued by Sub-Registrar, Panvel is handed
over along with reports


S. M. Lad
Advocate

