

Subodh M. Shah

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Date : 17-1-2017

TITLE CERTIFICATE

NAME OF THE LAND HOLDER:- [1] MR. ASHOK RAJARAM BHAMARE [2] DR. ASHOK GANGARAM MORE [3] MRS. BHARTI ASHOK MORE [4] MR. CHANDRAKANT PRABHUDAM AMIN.

NAME OF THE DEVELOPER : M/S. SHREE SANKET BUILDTECH, Partnership firm, Nashik.

PROPERTY:- All that piece and parcel of the property situated at Village Adgaon, Taluka and District Nashik, within Nashik Municipal Corporation and within Registration and Sub Registration District Nashik bearing Gat No., Plot No. area and bounded as follows :-

GAT NO.	PLOT NO.	AREA	OWNER
509/1A/63	63	273-90	ASHOK RAJARAM BHAMARE
509/1A/64	64	273-90	DR.ASHOK GANGARAM MORE
			MRS.BHARTI ASHOK MORE
509/1A/65	65	273-90	MR.CHANDRAKANT PRABHUDAS AMIN

Total admeasuring 821-70 Sq. Mtrs. jointly bounded as follows:

On or towards East	:-	By Gat No. 322
On or towards West	:-	By Colony Road
On or towards South	:-	By Plot No. 62
On or towards North	:-	By Plot No. 66

HISTORY:- After going through the relevant revenue records like, 7/12 extracts and mutation entries and other relevant orders and papers, my observations are as follows :-

Following documents perused:

- [1] 7/12 extract since last 30 years
- [2] Mutation Entries since last 30 years
- [3] Dev. Agreement & G.P.A. Dated 7-7-2011
- [4] N. A. Order Dated 7-6-1994
- [5] Copy of final layout approval letter Dated 16-8-1995

It appears from the record of rights that Gat No. 509 was previously S.No 119/1 and on implementation of consolidation and fragmentation Act S.No. 119/1 became Gat No. 509 which was owned by Eknath Kondaji Shinde and Kisan Dagadu Navle jointly since prior to 1974-75.

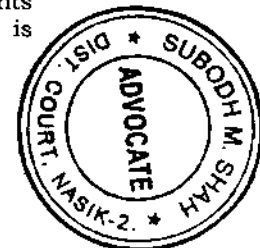
M. E. No. 6302 is effected in the record of rights on 15-4-1970 for giving effect to the Indian Coinage Act and Indian Enforcement Act.

That Mrs. Vithabai Kashinath Wagh and Mrs. Chandrabhaga Trimbak Adhav released their share in favour their brother Eknath Kondaji Shinde and her names was deleted into other rights column under M.E. No. 657 is effected on 1-11-83.

The charge of Tagai is deleted under M.E. No. 680 on 1-1-84.

That name of Bhaskar Govind Mandavgane is deleted from the other rights column as the certificate u/s. 32M is issued in the name of the tenants Kondaji Gopala Shinde and Kisan Dagadu Navale under M.E. No. 742 is effected on 23-7-84.

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That the properties are acquired under the provisions of B.T. & A. L. Act and therefore remark of RESTRICTED OWNERSHIP U/S. 43 OF THE B.T. AND A.L. ACT already appeared in the other rights column which was deleted for the area of Hector 1-40 of Kisan Dagadu Navale and 1-40 are for Eknath Kondaji Shinde as they intended to use the said area for N.A. purpose. M.E.No. 891 is accordingly effected on 8-6-85.

At the instance of the land owners Eknath Kondaji Shinde and as per order under the ULC Act Hector 1-40 is declared as retention land and therefore separate 7/12 extract is prepared for Hector 1-40 are whereby Gat No. 509 is sub divided in to hissa No. 1 and 2, Hissa No. 2 is allotted to retention land while hissa No 1 is allotted to remaining land, M. E. No. 893 is accordingly effected on 14-6-1985.

At the instance of the land owners Kisan Dagadu Navle and as per order under the ULC Act Hector 1-40 is declared as retention land and therefore separate 7/12 extract is prepared for Hector 1-40 are whereby Gat No. 509/1 is sub divided in to hissa No. 1 and 3, Hissa No. 3 is allotted to retention land while hissa No 1 is allotted to remaining land, M. E. No. 894 is accordingly effected on 14-6-1985.

The remark of Reservation under resettlement act is mutated in the other rights column for an area admeasuring Hector 2-05 are of Kisan Dagadu Navale as he wanted to sell Gat No. 473, M.E.No.1976 is effected on 24-4-1990.

Inspite of the deletion of name of Bhaskar Govind Mandavgane under M. E. No. 742, the name was not deleted from 7/12 extract and therefore the name is deleted from the other rights column under M.E.No. 1987 on 8-5-1990.

That as per the order of Competent Authority of ULC scheme u/s. 20 is sanctioned and therefore remark is recorded into the other rights column and as accordingly M.E. No. 2362 is effected on 29-2-92.

As per 7/12 extracts it appears that remark of Excess Land of 24900 Sq. Mtrs. for Kisan Dagadu Navle is recorded under M.E.No. 2396 on 14-4-1992.

The remark of Reserved for Resettlement in the other rights column is deleted and shifted to other Gat Nos. of the said land owners as per order of Tehasildar under M.E.No. 2710 on 25-6-1993.

M. E. No. 2749 is effected on 16-8-1993 for deleting the remark of Restricted ownership u/s. 43 of the B.T. & A.L. Act as per order of Sub Divisional Officer, on certain terms and conditions for the area of Kisan Dagadu Navale.

That the charge of Adgaon Society is deleted from the other rights column under M.E. No. 2782 on 24-9-93.

That the land owner Kisan Dagadu Navale prepared a layout of his share in G. No. 509/1 which is duly sanctioned by Nashik Municipal Corporation under their letter No. Nagar rachana Vibhag/ Antim/ 373/3838 Dated 2-5-1997 and the said property is duly converted to Non Agri. use u/s. 44 of the M.L. R. Code under order of Collector, Nashik under No. Maha/ Kaksha-3 / Bi. She. Pa. Kra./ 372/1993 Dated 5-11-1993 and as per the approved layout separate 7/12 extracts are prepared for the individual plots under M. E. No. 2805 on 6-11-1993. The land of the remaining owner Eknath



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Kondaji Shinde is allotted G. No. 509/1/A while the land of Kisan Dagadu Navle for which the layout was approved is allotted G.No. 509/1/B.

That the property was u/s. 43 of the B.T. & A. L. Act the owner obtained permission u/s. 43 and therefore the remark of restricted ownership u/s. 43 of the B.T. & A. L. Act is deleted from the record of rights under M.E.No.2825 on 5-12-1993.

That the land owner Eknath Kondaji Shinde prepared a layout of G. No. 509/1A which is duly sanctioned by Nashik Municipal Corporation under their letter No. Nagarrachana Vibhag/ Antim/ 183/2323 Dated 16-8-1995 and the said property is duly converted to Non Agri. use u/s. 44 of the M.L. R. Code under order of Collector, Nashik under No. Maha/ Kaksha-3/ Bi. She. Pa. Kra./ 464/93 Dated 7-6-1994 and as per the approved layout separate 7/12 extracts are prepared for the individual plots under M. E. No. 3290 on 23-10-95. S.No. 509/1/A is allotted to the plots of the layout.

Mrs. Sunita Bhagwan Aher purchased Plot No. 63 from the previous owner Mr. Eknath Kondaji Shinde and others by a sale deed dated 18-12-1995 which is duly registered at the office of Sub Registrar, Nashik 2 at Sr. No. 6021 on 18-12-1995 and as such name of the said purchaser is mutated in the owners column of the record of rights under M.E. No. 3394 on 13-3-1996.

Mrs. Sunita Bhagwan Aher died on 7-8-2000 and as such names of her legal heirs namely Bhagwan Sakharan Aher, Nilesh Bhagwan Aher, Swati Bhagwan Aher, Mrs. Vaishali Majoj Jadhav and Mrs. Jayashree Bhushan Puranik are mutated in the owners column of the record of rights under M.E.No. 6130 on 14-10-2002.

All the legal heirs of Mrs. Sunita Bhagwan Aher gifted Plot No. 63 to Mr. Ashok Rajaram Bhamare by a Gift Deed Dated 14-2-2005 which is duly registered at the office of Sub Registrar, Nashik 3 at Sr. No. 798 on 14-2-2005 and as such name of Mr. Ashok Rajaram Bhamare is mutated in the owners column of the record of rights under M.E.No. 7535 on 18-2-2005.

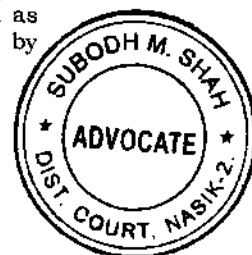
Dr. Ashok Gangaram More and Mrs. Bharti Ashok More purchased Plot No. 64 from the previous owner Mr. Eknath Kondaji Shinde and others by a sale deed dated 27-11-1995 which is duly registered at the office of Sub Registrar, Nashik 2 at Sr. No. 5605 on 27-11-1995 and as such name of the said purchaser is mutated in the owners column of the record of rights under M.E. No. 3394 on 13-3-1996.

Mr. Chandrakant Prabhudas Amin purchased Plot No. 65 from the previous owner Mr. Eknath Kondaji Shinde and others by a sale deed which is duly registered at the office of Sub Registrar, Nashik and as such name of the said purchaser is mutated in the owners column of the record of rights under M.E. No. 3394 on 13-3-1996.

The remark of approved scheme u/s. 20 of the ULC Act is recorded in the other rights column as per the order of Tehasildar Dated 10-8-2011 under M. E. No. 14285 on 22-8-2011.

That the aforesaid holders entrusted the aforesaid property for development of the same to the aforesaid holder for development of the same as per the terms and conditions of the Development Agreement and General Power of Attorney Dated 7-7-2016 which are duly registered at the office of Sub Registrar, Nashik 3 at SR. No. 5930 and 5931 on 7-7-2016 and as such name of the aforesaid developer is mutated in the other rights column of the record of rights under M.E. No. 20462 on 22-7-2016 and as such the said developers are competent to develop the said property by

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constructing building thereon and the said developers are empowered to sell, alienate and dispose off the construction therein.

No charge, encumbrance or defect in title is observed during the course of the aforesaid observation, in respect of the aforesaid property.

OPINION:- In consistence with my above observations, I am of the opinion that the title of the aforesaid property appears to be clear, negotiable and marketable without any charge, encumbrance and defect in title and the aforesaid developer **M/s. Shree Sanket Buildtech** is entitled to develop the said properties and construct building thereon and sell the super structure thereon and appropriate the sale proceeds.

Shah
SUBODH M. SHAH
ADVOCATE

