

TITLE REPORT**I) NAME & ADDRESS OF THE PERSON REQUESTING TO PREPARE TITLE REPORT:-**

Shree Tirumala Buildcon Partnership Firm through its partner Mr. Nikhil Lalit Roongta having its office at Shree Tirumala Ashirwad Apartment, Pethenagar Road, Indiranagar, Nashik- 422009.

II) NAME & ADDRESS OF THE OWNERS OF THE PROPERTY :-

Shree Tirumala Buildcon Partnership Firm through its partner Mr. Nikhil Lalit Roongta having its office at Shree Tirumala Ashirwad Apartment, Pethenagar Road, Indiranagar, Nashik- 422009.

III) DESCRIPTION OF THE PROPERTY :-

All that piece and parcel of land bearing S. No. 45 / 1 A +1B+ 1C +1D+1E /1 admeasuring 6161.86 Sq. mtrs. out of which area admeasuring 852.73 sq.meter acquired by Nashik Municipal Corporation for DP road and remaining land admeasuring 5309.13 sq.meter lying and being at Anandwalli Shiwar, within the limits of Nashik Municipal Corporation Nashik and Registration & Sub Registration District of Nashik Taluka & Dist. Nashik, which property is bounded as follows :

On or towards East	:	Adjacent S.No. 45 / 1 A +1B+ 1C +1D+1E/2
On or towards West	:	Adjacent land from S.No.45
On or towards South	:	24 meter road
On or towards North	:	S.No.47/1

IV) OBJECT OF THE TITLE REPORT :-

As per the request of the owners of the property.

V) COVERAGE OF SEARCHES MADE :-

- 1) 7/12 extracts from the year 1973 - 1974 to 2017-2018.
- 2) Mutation Entries from form No. 6-D.
- 3) Sale deeds dated 02.03.1987, 27.04.2012, 07.01.2019
- 4) ULC / A-3-3 / SR 91 dated 28.07.1992
- 5) Tenancy / Kavi / 168 / 07, Nashik dated 08.06.2007
- 6) General Power of Attorney dated 02.11.2007
- 7) Development Agreement dated 02.11.2007
- 8) Confirmation deed dated 13.07.2010
- 9) N. A. permission having No. Kra/ma^b.a/kaksha-3/4/NA/260/2010 Nashik dated 30.04.2011
- 10) NA Sanad Kra/ Jama- 1 / SR/ 1741/2013, Nashik dated 23.10.2013

It appears from M.E. No. 509 dated 05-11-1956 that Shri Tukaram Narayan Kale was personally cultivating Area of S.No. 45 as a protected tenant since prior

to 1956. On 01-04-1957, (on Tillers Day), Shri. Tukaram Narayan Kale became deemed purchaser considering the provisions of section 32 G of Bombay Tenancy & Agricultural Lands Act, 1948. The name of Mr. Ganapatrao Amrutrao Deshpande was recorded below line.

It appears from ME no. 630 dated 30.01.1964 that for S.No.45, there was enquiry under section 32G of Bombay Tenancy Act. The said land was sold to tenant. Hence the name of tenant was Mr. Tukaram Narayan Kale was recorded in occupant column and the name of owner was recorded in other rights column with right to receive amount of Rs.3169/- from tenant.

Due to implementation of enforcement of weights and measurements Act & Indian coinage Act the measure ments of the said land have been converted in to metric by way of certifying in M. E. No. 747 dated 16.12.1969.

It appears from M.E. No. 826 dated 20-12-1973 that tenant Tukaram Narayan Kale had paid installment of Rs.3169/- Hence name of land owner Mr. Ganapatrao Amrutrao Deshpande was deleted from other rights column and Tukaram Narayan Kale became owner of S.No.45 on 06.09.1972 under provisions of section 32 G of Bombay Tenancy & Agricultural Lands Act, 1948.

It further appears from ME no. 1063 dated 27/07/1978 that Mr. Tukaram Narayan Kale died on 09.02.1977 leaving behind him 5 sons and 2 daughters. Their names are Mr. Jangaliram Tukaram Kale, Mr. Narayan Tukaram Kale, Mr. Pandharinath Tukaram Kale, Mr. Bhagvant Tukaram Kale, Karbhari Tukaram Kale, Mrs. Rangubai Fakirrao Shirsat and Mrs. Housabai Shrihari Thorat. The deceased did not had wife. Name of daughters were recorded in other rights column.

It further appears from ME no. 1162 dated 11.06.1982 that Mr. Jangaliram Tukaram Kale, Mr. Narayan Tukaram Kale, Mr. Pandharinath Tukaram Kale, Mr. Bhagvant Tukaram Kale, Karbhari Tukaram Kale, Mrs. Rangubai Fakirrao Shirsat and Mrs. Housabai Shrihari Thorat had sold area admeasuring 2 H 14 R from S.No. 45 for consideration of Rs. 1,07,000/- to Mr. Madhukar Karbhari Patil, chief promoter proposed Shanti Nidra Co Op Housing Society, Nashik . 2 hissas were formed in following way.

S.No.	Area	Owner
45/1	1 H 13 R	Jangaliram Tukaram Kale & Others
45/2	2 H 14 R	Shanti Nidra Co Op Hsg Society Ltd

Permission for this sale was obtained from Sub Division Officer Nashik, vibhag nasik vide order no TN6/NS/231/82 dated 16.02.1982.

It further appears from ME no. 1474 dated 17.10.1987 that Mr. Jangaliram Tukaram Kale, Mr. Narayan Tukaram Kale, Mr. Pandharinath Tukaram Kale,

Mr. Bhagvant Tukaram Kale, Karbhari Tukaram Kale, Mrs. Rangubai Fakirrao Shirsat and Mrs. Housabai Shrihari Thorat sold the area 1 H 10 R plus potkharaba area of 3 R , total area admeasuring 1 H 13 R from S.No. 45/1 to Shri. Dagdu Gendaram Khairnar by registered sale deed dated 03.03.1987 obtaining prior permission U/S -43 of Mumbai Tenancy Act from Maharashtra Revenue Tribunal, Mumbai in tenancy case no. Tenancy A /14 / 86 dated 30.01.1987. The above said sale deed is registered with sub registrar at Nashik at serial number 1126 dated 10.04.1987.

It further appears from ME no. 1529 dated 11.06.1988 that Land under S.No.45/1 was held by Shri Jangaliram Tukaram Kale & others under section 32 G of Bombay Tenancy Act. Hence they had to obtain prior permission from Maharashtra Revenue Tribunal, Mumbai under under section 43 of Bombay Tenancy Act for selling property to Mr. Dagdu Gendaram Khairnar. The said permission was given in tenancy case vide order no. TENA 14 - 1986 dated 30.01.1987 as per reason no. 12 under rule 29-A[1] - "A" to "L" of Tenancy Act, 1956 that said land is far from their house and due to their age, they are not able to cultivate their land personally. The permission to sell land to Mr. Dagdu Gendaram Khairnar was given on following conditions - 1) The land owner had deposited 40 times of original rate amount as nazrana in bank on 17.03.1988 hence purchaser shall hold said land as common old tenure. 2) Purchaser should use said land for agriculture purpose only. The said permission is given under the rules and regulations of ceiling of Agricultural Lands Act & other allied acts.

It further appears from ME no. 1961 dated 14.08.1992 that Mr Dagdu Gendaram Khairnar owned and possessed area admeasuring 1 H 13 R out of S.No. 45/1. He has given an application to Tahasildar for partition of said land among his family members under section 85 of Maharashtra Land Revenue Code. The said partition took place in following manner vide order of Deputy Collector, Nashik vide their order number RTS / wa ke num. 23 / 91 dated 13.08.1992.

S.No.	Area	Owner
45/1A	0 H 30 R + potkharaba 0.03R	Dagdu Gendaram Khairnar (0.20 R) Bhagirathibai Dagdu Khairnar 0.10 R + PK 0.03 R
45/1B	0 H 20 R	Vasant Dagdu Khairnar
45/1C	0 H 20 R	Jyotirao Dagdu Khairnar
45/1D	0 H 20 R	Rajendra Dagdu Khairnar
45/1E	0 H 20 R	Jayant Dagdu Khairnar

Hence, 7/ 12 extracts were separated as above.

It further appears from ME no 5382 dated 01.08.2006 that Mrs. Bhagirathibai Dagdu Khairnar died on 06.08.2006 leaving behind her husband Mr. Dagdu

Gendaram Khairnar, 4 sons namely - Vasant, Jyotirao, Rajendra, Jayant and 2 daughters namely Sunanda Sahebrao Mahajan and Mrs. Vidya Dnyaneshwar Londhe. Their names were mutated in the record of rights.

It further appears from ME no. 5623 dated 18.02.2007 that Mr. Dagdu Gendaram Khairnar and others 5 repaid whole loan amount of The Nasik Merchants Co Op Bank Ltd, Nashik, Branch Nashik. Hence remark of loan from other rights column has been deleted.

It further appears from ME no 5821 dated 13.07.2007 that as per order of Sub Divisional Officer Nashik vide order no. Tenancy/ Kavi / 168 / 07 dated 08.06.2007, land from S.No. 45/1A to 45/1E has to be used for agricultural purpose only vide its previous order no. Tenancy/SR/55/1985 dated 07.06.1988. Permission for sell of land was given under section 43 of Tenancy Act. The said land was niyantrit sattaprakar under Bombay Tenancy Act. However, land under S.No 45/1A to 45/1E of Anandwalli was incorporated in residential zone of development plan of Nashik Municipal Corporation vide letter no. / ja num./ NMC/ N R /zone dakhla / 88/ 07 dated 21.03.2007. In view of this, previous order no. Tenancy / SR / 55 / 85 dated 07.06.1988 had been modified to relax condition to use land only for agricultural purpose. The SDO, Nashik by his order no. Tenancy/ Kavi / 168 / 07 dated 08.06.2007 modified previous order to use the said land for non agricultural purpose with prior permission of Collector U/S 44 of Maharashtra Land Revenue Code, 1966.

It further appears from ME no. 6210 dated 07.04.2008 that land owner of area admeasuring 1 H 13 R from S.No. 45/1A, 45/1B, 45/1C, 45/1D, 45/1E Mr. Dagdu Gendaram Khairnar, Mr. Vasant Dagdu Khairnar, Mr. Jyotirao Dagdu Khairnar, Mr. Rajendra Dagdu Khairnar, Jayant Dagdu Khairnar, Mrs. Sunanda Sahebrao Mahajan and Mrs. Vidya Dnyaneshwar Londhe had executed development agreement in favour of Mr. Manoj Jaykumar Tibdewala, Shrimati. Gunwanti Jaykumar Tibdewala, Mrs. Pramila Sunil Patil, Mr. Sunil Uttamrao Patil, Mr. Eknath Laxman Ahire, Mrs. Ratnaprabha Narendra Mahajan. The said development agreement was registered at sub registrar office, Nashik - 1 at sr. no. 10215 dated 02.11.2007 and also executed a General Power of Attorney in favour of Mr. Manoj Jaykumar Tibdewala and Shrimati. Gunwanti Jaykumar Tibdewala. The said General Power of Attorney was registered at subregistrar Office, Nashik - 1 at Sr. No.10216 dated 02.11.2007.

It further appears from ME no 6949 dated 26.02.2010 that owner of s.no. 45/1A Mr. Dagdu Gendaram Khairnar died on 14.05.2009 leaving behind him legal heirs namely Mr. Vasant Dagdu Khairnar, Mr. Jyotirao Dagdu Khairnar, Mr. Rajendra Dagdu Khairnar, Jayant Dagdu Khairnar, Mrs. Sunanda Sahebrao Mahajan and Mrs. Vidya Dnyaneshwar Londhe. Their names were mutated in the record of rights.

It further appears that Mr Dagdu Gendaram Khairnar was died on 14.05.2009 and his legal heirs Mr. Vasant Dagdu Khairnar, Mr. Jyotirao Dagdu Khairnar,

Mr. Rajendra Dagdu Khairnar, Jayant Dagdu Khairnar, Mrs. Sunanda Sahebrao Mahajan and Mrs. Vidya Dnyaneshwar Londhe had executed a confirmation deed for Development Agreement and Power of Attorney dated 02.11.2007 registered at Sr. No. 10215 and 10217 respectively. The said Confirmation Deed was registered at Sr. No. 5988 in Sub Registrar Office , Nashik - 5 dated 13.07.2010. In said Confirmation Deed, the landowner had relinquished their right for plot no. 6 admeasuring 500 sq.meter in tentative lay out instead of consideration of amount of Rs 27,50,000/-

It further appears from ME no. 7256 dated 17.09.2010 that S.no 45/1A is owned by Mr. Jyotirao Dagdu Khairnar and others. It has been recorded in other rights column that area of 3.31.2 acre as aquired area for canal. Kami Jasta Patra of said S.No. has been prepared and no land under canal aquisition has been acquired according to ME no 582, hence said remark by pencil had been deleted from other rights column.

It further appears from ME no 7652 dated 27.05.2011 that as per order of District Collector, Nashik vide their order no. Maha/Kaksha/3/4/NA letter no. / 260/2010 dated 30.04.2011, granted permission to use the following area for no agricultural use.

S.NO.	Area(Sq.m.)
45/1A	3300
45/1B	2000
45/1C	2000
45/1D	2000
45/1E	2000

It further appears from ME no. 8441 dated 11.05.2012 that , the plots are amalgamated and sub divided as follows.

Before amalgamation,

45/1A	0 H 33 R	Mr Dagdu Gendaram Khairnar & others
45/1B	0 H 20 R	Mr Vasant Dagdu Khairnar
45/1C	0 H 20 R	Mr Jyotirao Dagdu Khairnar
45/1D	0 H 20 R	Mr Rajendra Dagdu Khairnar
45/1E	0 H 20 R	Mr Jayant Dagdu Khairnar

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From the records put before me. and subject to the above findings the title of the said land bearing S. No. 45 / 1A+1B+ 1C +1D+1E /1 admeasuring 6161.86 Sq. mtrs. out of which area admeasuring 852.73 sq.meter acquired by Nashik Municipal Corporation for DP road and remaining land admeasuring 5309.13 sq.meter lying and being at Anandwalli Shiwar, within the limits of Nashik Municipal Corporation Nashik and owned by Shree Tirumala Buildcon Partnership Firm through its partner Mr. Nikhil Lalit Roongta is clear and marketable.

Nashik,

Dated : 19-01-2019.



Sau. Vidyullata K. Tated,

Advocate

सौ. विद्युलता कां. तातेड

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