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SEARCH AND TITLE INVESTIGATION REPORT

1. INTRODUCTION :-

SKYWARD NIRWANA, a Association of Persons having Office at Office 109, Pride Silicon Plaza Pune - 411 004. through its authorized representative **MR. RAHUL VILAS NAHATA**, Occu. Agriculturist & Business, has requested me to scrutinize and examine the marketable title of the property described in Para No.2 herein below written.

I had been in the office of Sub-Registrar Haveli No.1 to 23 and had carried out search for the last 30 years i.e. from the year 1983 to 2013 (both years inclusive) from the Index-II Registers which were made available to him by the Sub-Registrar Haveli No.1 to 23. Mr. Rahul Vilas Nahata, authorized representative of **SKYWARD NIRWANA**, a Association of Persons, had also handed over to me the documents which were available with him for scrutiny and examination.

2. DESCRIPTION OF THE PROPERTY:

All that property area admeasuring 00 Hectares 51 Ares assessment Rs.1.18 situated at village Hadapsar, Taluka Haveli, within the Registration District Pune, Sub-registration District Haveli, Sub-Registrar Haveli, and within the limits of Grampanchayat (sade Satara Nail) Hadapsar, Taluka Panchayat Haveli, Zilla Parishad Pune and which is bounded as follows:-

On or towards the East	:	Part of Survey No. 186
On or towards the South	:	Road
On or towards the West	:	Road
On or towards the North	:	Boundry of Village Mundhwa,

Hereinafter for the sake of brevity and convenience aforesaid properties referred to or called as "THE SAID LAND".

3. HISTORY OF THE TITLE:

- A. All that property bearing Survey No.180 Hissa No.1 admeasuring 1 Acres 10 Gunthas assessment 01 Rupees 03 anna village Hadapsar was shown in the name Shri Rajaram Narhari Kirtane as owner and



possessor column of revenue record by Mutation Entry No.2525 Village Hadapsar.

- B. Mutation Entry No.4536 Village Hadapsar certified on 04/09/1945, shows that, Shri.Tukaram Raghu Kadam as tenant of Shri,Rajaram Narhari Kirtane u/s 2 A of tenancy Act, for the property shown in mutation Entry which includes aforesaid Survey No180/1 Village Hadapsar.

- C. Mutation Entry No.5257 Village Hadapsar certified on 21/09/1959 shows that, Shri.Tukaram Raghu Kadam expired on 06/07/1955 leaving behind as his legal heir grandson Shri. Dashrath Baloba Kadam and accordingly his name was mutated in the revenue records by deleting name of the deceased for the properties shown in the mutation entry which includes the Survey No.180/1 Village Hadapsar.

- D. Mutation Entry No.6910 Village Hadapsar certified on 17/11/1968 Shows that, as per judgment and Order dated 18/12/1965 passed by Tenancy Agricultural Tribunal 2 Haveli,In case in Case No.ALIT/Hadapsar/188/302 has determined purchase value was as 119 Rupees and 8 Anna payable by the Agriculture Tenant Shri. Dashrath Baloba Kadam to land owner Shri. Dashrath Baloba Kadam and accordingly name of the Tenant was shown as the owner and possessor by deleting the name of the land owner and name of the land owner was shown in other right column along with the encumbrance of the purchase price accordingly he had paid of Rs.199 as tenancy price he had got 32 M certificate on 19/10/1970 as per aforesaid act.

- E. Mutation Entry No.15961 Village Hadapsar certified on 25/06/1992 Shows that,"Pokalist" names of Sakharam Pandu Kode and Shrinivas Vitthal Kirtane and other names are deleting by order dated 27/03/1992 of Nayab Tahasildar Haveli. Order bearing No./THS/478/1992.

- F. In pursuance of implementation of The Maharashtra Weights and Measurement Act 1958 and Indian Coins Act 1955 and Aakarband alongwith Hissa Form No.12 issued by Special District Inspector Land Record, the Mutation Entry No.6988 of Village Hadapsar had certified in the year 1969 and area and Aakar of all lands in Village was



converted into Hectares and Rupees. In pursuance of the aforesaid Mutation Entry the area of the Survey No.180 Hissa No.1, admeasuring 1 Acres 10 Gunthas assessment 01 Rupees 03 anna converted as Survey No.180 Hissa No.1 admeasuring 00 Hectare 51 Ares assessment Rs.01.18 village Hadapsar and accordingly shown in Revenue Record.

- F. Mutation Entry No. 16874 Village Hadapsar Shows that out of the said land area admeasuring 00 Hector 31 Are was purchase by Shri Brhamhadeo Dhondiba Mager and Sou. Lata Brhamhadeo Mager from Shri. Dashrath Baloba Kadam by Sale Deed dated 03/08/1993 which is registered in the office of Sub registrar Haveli at No.3 serial No.3423 on 3/08/1993 in pursuance that sale deed Shri Brhamhadeo Dhondiba Magerhas has get permission of Sub-divisional officer Haveli u/s 43 of Bombay Tenancy and Agricultural land Act,on 26/07/1992 and accordingly the Names of Purchaser were mutated for revenue record of said land for Purchase area.

- G. Mutation Entry No. 24315 Village Hadapsar certified on 31/07/1999 Shows that out of the said land area admeasuring 20 Ares partition by Shri. Dashrath Baloba Kadam between his two son Shri. Balasaheb for 10 Ares and Ashok 14 Ares by partition dated 21/07/1992 which is registered at office of Sub-Register Haveli at Serial No.2668 on 21/07/1992 and accordingly the Names of Shri. Balasaheb Dashrath Kadam and Shri. Ashok Dashrath Kadam were mutated for revenue record of said land for their respective area.

- H. Mutation Entry No.37988 Village Hadapsar Shows that Shri. Ashok Dashrath Kadam, Sou. Surekha Ashok Kadam, Shri. Vishal Ashok Kadam has Gifted their partition property i.e.10 Ares to Shri. Anil Dashrath Kadam by Gift Deed dated 17/04/2009 which is register at Sub-Registered Haveli No. 3 at Serial No.2043 on 14/04/2009 in pursuance of gift deed they get permission of Sub-divisional officer Haveli u/s 43 of Bombay Tenancy and Agricultural land Act,on 12/02/2009 and accordingly the name of Shri. Anil Dashrath Kadam was shown as owner and possessor column of the said land for the Gifted area.

- I. Mutation Entry No.42229 Village Hadapsar Shows that Mr. Anil Dashrath Kadam and others with the consent of M/s. Radhika Shelters has sale his area to aforesaid firm by Sale Deed dated



03/02/2012 which registered in the office of Sub-registered Haveli No. 20 at Serial No.934 on 03/02/2012 and accordingly the name of aforesaid firm of mutated revenue record by deleting the name of sellers for the purchase area out of the said land.

- J. Mutation Entry No.42230 Village Hadpsar Shows that Mr. Bramhadeo Dhondiba Magar and others with the consent of M/s. Radhika Shelters has sale his area to aforesaid firm by Sale Deed dated 03/02/2012 which registered in the office of Sub-registered Haveli No. 20 at Serial No.936 on 03/02/2013 and accordingly the name of aforesaid firm was mutated revenue record by deleting the name of sellers for the purchase area out of the said land.

- K. Mutation Entry No.43239 Village Hadpsar Shows that Mr. Balasaheb Dashrath Kadam and others with the consent of M/s. Radhika Shelters has agree to sale his area admeasuring 10 Are to aforesaid firm by Agreement dated 03/02/2012 which registered in the office of Sub-registered Haveli No. 20 at Serial No.939 on 03/02/2012 on the terms and conditions mention in aforesaid agreement and get permission under section 43 of Bombay Tenancy on and Agricultural Act 1948 on 11/10/2012 and their after they are entered in to Sale Deed dated 07/01/2013 which registered in the office of Sub-registered Haveli No. 12 at Serial No.319 on 09/01/2013 and accordingly the name of aforesaid firm of mutated revenue record by deleting the name of sellers for the purchase area out of the said land.

In pursuance of aforesaid sale deeds **SKYWARD NIRWANA**, a Association of Persons having Office at Office 109, Pride Silicon Plaza Pune - 411 004 hereinafter referred **THE SAID FIRM**. The said firm has agree to give 13666 sq. fts. Saleable area to M/s Radhika Shelters. M/s Radhika Shelters has right in the said land therefore they are settled the dispute on Consent term dated 09/09/2011 in First Appeal No.1360 of 2010 in High Court Bombay between Shri Balasaheb Arjun Mager and Shri Balasaheb Dashrath Kadam.

4. **BUILDING AND NON AGRICULTURAL PERMISSION:-**

As per order bearing No. PMH/NA/SR/421/2012 dated 30/04/2013, relating to the said land, passed by Collector Revenue Branch, Pune shows that, the Assistant Director of Town Planning recommended by



his recommendation Letter No.Layout/NABP/ Village Hadapsar / Taluka Haveli, / Survey No.180/01/ S.S.Pu. / 6383 dated 13/09/2012, recommended for sanction of the building plan and accordingly as per the aforesaid order the building plan alongwith non agricultural permission is granted by the Collector Revenue Branch Pune being Development Controlling Authority.

5. TENURE :-

The tenure of the said land is free hold land and there is no any restriction on alienation as shown in revenue record being Class-I occupancy. As per the present sanctioned regional development plan applicable to the Pune Region, the said land is shown within Yellow Zone. As per the order bearing No. PMH/NA/SR/421/2012 dated 30/04/2013, the said land is under non agriculture use for commercial purpose.

6. PUBLIC NOTICE :-

I have published a public notice in the daily newspaper "Prabhat" dated 10/05/2013 in respect of the said land for the purpose to ascertain the marketable title of the said company towards the said land and had called objections from the public at large, but till today I have not received any objection from any person etc. in respect of the said land.

7. AVAILABILITY OF THE RECORDS :-

I had paid Search Fee of Rs.750/- for the period of 1984 to 2013, in the office of Sub-Registrar Haveli No.1 on 05/03/2013 vide receipt No.874/13 and I had carried out the search for the said land in the office of Sub-Registrar Haveli No.1 to 23 but I had not found any entry except the entries stated in paragraph 3 hereinabove written in available Index-II, registers, which were made available to me by concerned Sub-Registrar Haveli No.1 to 23. I have gone through the revenue record being 7/12 extract since 1965-66 to 2008-09 and mutation entries shown thereon as well as the documents being Gift Deed, Agreements, Power Of Attorney, Sale Deeds, which are made available for scrutiny by Shri Rahul Vilas Nahata Member of the said Firm.

8. CONCLUSION AND CERTIFICATE OF TITLE:-

This is to certify that, I have investigated the Title of the said land since 1984 to 2003. I had carried out the search for the said land in the office of Sub-Registrar Haveli No.1 to 23 for the last 30 years, (i.e. from 1984 to 2013) from the Index-II Registers, which were made available to him by the Sub-Registrar Haveli No.1 to 23. Shri Rahul Vilas Nahata Member of the said Firm had also handed over to me documents / copies of the documents which were available with him, for scrutiny and examination. On relying upon the aforesaid available documents, title deeds and non receipt of any objection to the public notice published in daily newspapers "Prabhat" dated 10/05/2013, in my opinion the said firm is absolute owner and possessor of the said land and having good, clear and marketable title in respect of the said land which is under non agriculture use for Residential/ commercial purpose and further the said land is free from all encumbrances, charges or claims of whatsoever nature. The said firm has absolute authority and right to develop the said land by constructing new buildings as per sanctioned or to be sanction building plan/s and right to deal with all the tenements(excluding area of M/s Radhika Shelters) flats, shops, offices etc. in the building/s which are under construction or to be constructed on the said land and to sell, lease, mortgage the same to the buyers, lessee, mortgagee etc. or to dispose of the said land with or without construction thereon and to receive consideration, premium, rent, allotment charges etc. from them and also have right to deliver the possession to such person or persons, buyers, allotted, mortgagee, lessee, allottee etc.. There is / are no restrictive clause / clauses that will be obstructing the said firm being absolute owner for authority to sell the said land free from all encumbrances, charges or claims of whatsoever nature.

Place: Pune

Date: 25/05/2013

**SHRI. ABHIJIT S. WAGH**

ADVOCATE