

SUBODH M. SHAH

B.Sc.(HONS), LL.B.
ADVOCATE

Date : 11-10-2013

TITLE CERTIFICATE

NAME OF THE HOLDER:- MR. TARUN GOPAL JAGTAP.

PROPERTY:- All that piece and parcel of the property situated at Nashik, Taluka and District Nashik, within Nashik Municipal Corporation and within Registration and Sub Registration District Nashik, Plot No., S. No. & admeasuring as follows :-

S. No.	Plot No.	admeasuring
277/3/1+2	3	1233.10
277/3/1+2	4	1236.75
277/3/1+2	5	1242.80
277/3/1+2	6	1280.95
Total		4993.60

Jointly bounded as follows :-

On or towards East :- By Adjacent S. No. 276
On or towards West :- By 12 Mtr. wide road
On or towards South :- By Plot No. 2
On or towards North :- By open space

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] Joint Venture Agreement Dt. 14-9-2012
- [4] N.A. Order dated 18-7-2011.
- [5] Copy of letter of final approval of layout dt. 6-2-2012
- [6] Copy of approved layout.

It appears from the record of rights that S.No. 277 was owned by Rambhau Laxman Mali since 1952-53. Rambhau Laxman Mali purchased S.No. 277 from Vinayak Madhavrao Dixit by sale deed dated 22-5-1943 and as such name of the said purchaser is mutated in the owners column under M.E.No. 3961 on 27-7-1943.

At the instance of Rambhau Laxman Mali the names of Appaji Rambhau, Vasantrao Ramchandra and Madhukar Bapurao Mali are mutated in the owners column under M.E.No. 7465 on 19-8-1959 whereby the name of Rambhau is deleted.

Subodh



1 are of of S.No. 277 is acquired by Gangapur Left Bank Canal and as such M.E.No. 8460 is effected on 27-1-1963.

At the instance of all the joint owners having equal share, Share of each owner is shown against his name under M. E. No. 10942 on 15-4-1968.

The three joint owners partitioned the properties whereby S.No. 277 is sub divided into hissa No. 1,2, and 3. Hissa No. 1 is allotted to Abaji Ramihau Mali, Hissa no. 2 is allotted to Vasant Rao Rachandra Mali while hissa no. 3 is allotted to Madhukar Babu Mali and as such separate 7/12 extracts are prepared and name of the allottee is mutated in the owners column under M. E. No. 11921 on 24-6-1970.

M. E. No. 12378 is effected in the record of rights on 19-5-1971 for giving effect to the Indian Coinage Act and Enforcement Act.

As per the partition amongst Madhukar Bapurao and Vasant Ramchandra Hector 00-40 are land out of S.No. 277/3 came to the share of Vasant Rao and as such S.No. 277/3 is further sub dived into hissa No. 1 and 2. Hissa No. 1 is allotted to Vasant Rao Ramchandra while Hissa No. 2 is allotted to Madhukar Bapurao and accordingly seaprate 7/12 extracts are prepared under M.e.No. 12879 on 27-1-1972.

At the instance of Madhukar Bapurao Mali his name is deleted and name of his wife Danyanti Madhukar Mali is mutated in the owners column under M.E.No. 12967 on 22-4-1972.

That the area of S.No. 277/3/2/ is corrected as per measurement by D.I.L.R. under M R.No. 22653 on 10-7-1986.

That the remark of excess land is recorded in the other rights column for the area admeasuring 13260.00 Sq. Mtrs. of S. No. 277/3/2/ under M. E. No. 29154 on 27/4/1992, which is deleted by the order of Competent Authority of ULC dated 19/5/1998 under M. E. No. 38255 on 16/6/1998. Remark of excess land of 4000 Sq. Mtrs. is also mutated in the owners column S.No. 277/3/1 under M.E.No. 29154. The said remark is deleted under M. E. No. 55946 on 15-7-2006.

That the owner of S.No. 277/3/1 Mr. Vasant Rao Ramchandra Mali died on 13-4-1998 and as such name of his legal heirs namely widow Veena Vasant Rao Mali, married daughters Deepa Kishor Abhonkar, Shobha Padmakar Raut, Sharayu Bhagwat Mehetre and Jayashri Shirish Khairnar are mutated in the owners column under M.E.No. 38198 on 5-6-1998.

Mr. Anil Juthalal Badiyani and Madhu Anil Badiyani purchased H. 00.80 R out of S. No. 277/3/2 from the Mrs. Danyanti Madhukar Mali by a sale deed dated 31/8/1995 and as such name of the said purchaser are mutated in the owners column of the record of rights under M. E. No. 38920 on 23/11/1998.

Mr. Hemendra Chhaganlal Popat and Pinal Hemendra Popat purchased H. 00.80 R out of S. No. 277/3/2 from Madhu Anil Badiyani and Anil Juthalal Badiyani by a sale deed dated 30/12/1998 and as such name of the said purchaser are mutated in the owners column of the record of rights under M. E. No. 39758 on 23/3/1999.

Mr. Bhupendra Chhaganlal Popat and Mr. Arunkumar Chhaganlal Popat purchased H. 00.77 R out of S. No. 277/3/2 from Mrs. Danyanti Madhukar Mali by a sale deed dated 30/12/1998 and as such name of the said purchaser



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are mutated in the owners column of the record of rights under M. E. No. 39759 on 23/3/1999.

Remark of "Reserved for Sihanstha Kumbha Mela" is mutated in the other rights column of S.No. 277/3/2 under M.E.No. 48045 which is subsequently deleted under M. E .No. 49927 on 23-12-2003.

That Mr. Viraj Vilas Shah and others purchased S.No. 277/1, 277/2/1, 277/3/1 and 278/2/1 from the previous owners Veena Vasantao Mali and others and as such name of the said purchasers are mutated in the owners column of the record of rights under M.E.No. 56267 on 11-9-2006.

Mrs. Vrushali Vijay Batabrekar purchased H. 00.37 R out of S. No. 277/3/2 from the Mr. Bhupendra Chhaganlal Popat and Mr. Arunkumar Chhaganlal Popat by a sale deed dated 22/4/2008 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 3701/2008 on 22/4/2008 and as such name of the said purchaser are mutated in the owners column of the record of rights under M. E. No. 61306 on 28/4/2008.

Mr. Dinesh Murlidhar Khemani and Mr. Rakesh Murlidhar Khemani purchased H. 00.40 R out of S. No. 277/3/2 from the Mr. Bhupendra Chhaganlal Popat and Mr. Arunkumar Chhaganlal Popat by a sale deed dated 22/4/2008 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 3704/2008 on 22/4/2008 and as such name of the said purchaser are mutated in the owners column of the record of rights under M. E. No. 61307 on 28/4/2008.

Mr. Nikhil Sanjay Bhatambarekar purchased H. 00.40 R out of S. No. 277/3/2 from the Mr. Hemendra Chhaganlal Popat and Mr. Pinal Hemendra Popat by a sale deed dated 22/4/2008 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 3701/2008 on 22/4/2008 and as such name of the said purchaser is mutated in the owners column of the record of rights under M. E. No. 61308 on 28/4/2008.

Mr. Pavan Suryakant Bagad purchased H. 00.40 R out of S. No. 277/3/2 from the Mr. Hemendra Chhaganlal Popat and Mr. Pinal Hemendra Popat by a sale deed dated 22/4/2008 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 3703/2008 on 22/4/2008 and as such name of the said purchaser is mutated in the owners column of the record of rights under M. E. No. 61309 on 28/4/2008.

That Mr. Deepak Ramchandra Bagad and Vrushali Vijay Bhatambarekar purchased the S.No.277/3/1 from Karan Rajendra Shah by a sale deed dated 25-9-2009 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 1455/2009 and as such name of the said purchaser is mutated in the owners column of the record of rights under M.E.No. 65650 on 31-10-2009.

That the owners of S. No. 277/3/1 and 277/3/2 prepared a layout which is finally approved by Nashik Municipal Corporation on 6-2-2012 and the property is duly converted to N.A. use under Sec. 44 of the M. L. R. Code under order of Collector Dated 18-7-2011 and all the joint owners distributed the plots amongst themselves and as such separate 7/12 extracts are prepared for each plot and name of the respective allottee is mutated in the owners column under M.E.No. 78261 on 6-2-2012 whereby S.No. 3 and 4 came to the share of Nikhil Sanjay Bhatambarekar while Plot No. 5 and 6 came to the share of Vrushali Vijay Bhatambarekar.

The present holder purchased the Plot No. 3 & 4 from Mr. Nikhil Sanjay Bhatambarekar by a sale deed dated 6/7/2012 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 6223 6/7/2012 and name of the

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aforesaid holder is mutated in the owners column of the record of rights under M. E. No. 83374 on 7/7/2013.

The present holder purchased the Plot No. 5 & 6 from Mrs. Vrushali Vijay Bhatbarekar by a sale deed dated 12/9/2012 which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 8457 and name of the aforesaid holder is mutated in the owners column of the record of rights under M. E. No. 86231 on 17/9/2012.

That the aforesaid holder executed a joint venture agreement in favour of M/s. **United Builders** on 14-9-2012 and which is duly registered at the office of Sub Registrar, Nashik at Sr. No. 7999/2012 and accordingly name of the said developer is mutated in the other rights column under M. E. No. 87031 on 26-11-2012 and as such the said developers are competent to develop the said property by constructing building thereon and the said developers are empowered to sell, alienate and dispose off the construction therein.

That the developer has prepared a building plan on the said property which is duly sanctioned by Nashik Municipal Corporation under sanction of building permit and commencement certificate dated 26-9-2013 under No. LND/ BP / PANCH/C-1/469/2707.

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. United Builders** is entitled to develop the said properties and construct building thereon as per the commencement certificate dated 26-9-2013 and sell the super structure thereon and appropriate the sale proceeds as per the terms and conditions of joint venture agreement.

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