

Subodh M. Shah

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Advocate

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Date : 01/06/2020

TITLE CERTIFICATE & SEARCH REPORT

**NAME OF THE HOLDER:- BHAVIK AND SARAF VENTURES,
PARTNERSHIP FIRM.**

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 admeasuring 3902.86 Sq. Mtrs. out of CTS No. 6821, 6822, 6823 and 6824 total admeasuring 4218.30 Sq. Mtrs. bearing S. NO. 646/7B/1/2A/2 bounded as follows :-

On or towards East :- By Tilakwadi Road
On or towards West :- By Plot No. 1,4 and 5
On or towards South :- By Road from Tilakwadi to Mahavir Society and thereafter Property owned by Mr. Mulane
On or towards North :- By Rajiv Gandhi Bhavan, Nashik Municipal Corporation.

HISTORY AND SEARCH:- 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 papers perused:

- [a] 7/12 extracts since 30 years
- [b] Mutation entries since 30 years
- [c] Copy of CTS extract
- [d] Copy of Sale Deed registered at Sr. No. 1000/1957 dated 14/8/1957
- [c] Sale Deed registered at Sr. No. 9695/2011 Dated 5/8/2011.
- [d] Copy of N. A. order dated 14/9/2009.
- [e] Copy of registered award of Arbitrator Purushottam Narayan Pandit registered at SR. No. 1052 on 23-4-1964
- [f] Commencement Certificate dated 20/05/2020.
- [g] Approved building plan

It appears that Vitthal Balaji Waje was original owner of S. No. 646/ 7B /1 /2A/2 and CTS No. 6821, 6822, 6823 and 6824.

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

That Vitthal Balaji Waje purchased 4218.30 Sq. Mtrs. bearing CTS NO. 6821, 6822, 6823 and 6824, out of S. NO. 646 from Balkrishna Vinayank Keskar, Purushottam Vishwanath Keskar and Vasant Vishwanath Keskar by sale deed dated 14/8/1957 registered at Sr. No. 1000 in the office of Sub Registrar, Nashik and as such name of the said purchaser is mutated in the owners column under M. E. No. 16409 on 4/7/1978 and accordingly S. No. 646/7B/1/2A/2 is allotted to the purchaser. Name of the purchaser is also mutated in



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the owners column of CTS NO. 6821 and 6823 on 4/11/1957 and of CTS O. 6822 and 6824 on 16/06/2007 after the partition suit was decided.

It appears from CTS extract No. 6821 and 6823 that as per application of Vitthal Balaji Waje his name is deleted on 19/10/1967 and name of Hemant Vitthal Waje through guardian Vitthal Balaji Waje is mutated in the owners column of CTS extract.

It appears that there was suit for partition amongst Rukhmini Vitthal Waje as Plaintiff and Vitthal Balaji Waje, Ashok Vitthal Waje and Hemant Vitthal Waje as defendants, the said partition suit was decided and as per the final award the aforesaid property came to the share of Hemant Vitthal Waje and accordingly the Arbitrator Purushottam Narayan Pandit registered the final award in the office of Sub Registrar, Nashik at Sr. No. 1022 on 23-4-1964 and as such Hemant Vitthal Waje became the absolute and exclusive owner of the aforesaid property and his name is mutated in the owners column under M. E. No. 16703 on 9/12/1978 of 7/12 extract and on CTS NO. 6822 and 6824 on 19/06/2007.

That the property admeasuring 3943.18 Sq. Mtrs. is duly converted N. A. use u/s. 44 of the M. L. R. Code under order of Collector under No. Mah./Kaksh-3/4/Bi. She. Pra.Kra./212/2008 Dated 14/9/2009.

That Vinayaka Builders through its Prop. Prakash Nivrutti Burhade filed Special Civil Suit No. 404/2011 in the Civil Juge, Senior Division, Nashik and the Lis Pendency Notice is duly registered at the office of Sub Registrar Nashik at Sr. No. 4955/2011 on 10/5/2011 and as such remark of Special Civil Suit No. 404 /2011 is mutated in the other rights column under M. E. No. 71181 on 11/5/2011. Appeal was filed in High Court, Mumbai in respect of the aforesaid property and as per the order remark of "Status Quo" is mutated in the other rights column and accordingly M. E. No. 76654 is effected on 7/9/2011.

That the present holder purchased the aforesaid property from the previous owner Mr. Hemant Vitthal Waje by sale deed dated 5-8-2011 which is duly registered at the office of Sub Registrar, Nashik 2 at Sr. No. 9695 on 5-8-2011 and accordingly M.E.No. 77301 was recorded but in view of the order of High court the mutation entry was cancelled on 9-12-2011.

That the Special Civil Suit No. 404/2011 was settled amongst the parties and as such the plaintiff filed pursis that he does not intend to proceed further and therefore the suit was disposed off for want prosecution and in view of the said suit being disposed off the Hon. High Court also disposed off the appeal and as such remark of Status-quo of Hon. High Court Mumbai is deleted under M. E. No. 88918 on 20/4/2013 and accordingly the remark of lis-pendance of Special Civil Suit No. 404/2011 is deleted from the other rights column under M. E. No. 88919 on 20/4/2013.

M. E. No. 300082, 300619, pertaining to the E-conversion

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That the remark of "Status Quo" Regular Civil Suit No. 511/2013 is deleted from the other rights column under M. E. No. 300232 on 28/11/2017.

That remark of "Status Quo" Regular Civil Suit No.511/2013 is mutated in the other rights column under M. E. No. 91824 on 26/12/2013.

That the present holder purchased the aforesaid property from the previous owner Mr. Hemant Vitthal Waje by sale deed dated 5-8-2011 which is duly registered at the office of Sub Registrar, Nashik 2 at Sr. No. 9695 on 5-8-2011 and the name of the said holder is mutated in the owners column under M. E. No. 88920 on 20/4/2013.

It appears that even though the area purchased by the present holder is 4218.30 Sq. Mtrs. the N. A. order is for 3943.18 Sq. Mtrs. for (for the reasons that on site actual measurement the area admeasures 3943.18 sq. mtrs. only) and the same area of 3943.18 sq. mtrs. is considered while approving the building plan and on approval of building plan an area admeasuring 40.32 Sq. mtrs. is subjected to road widening which will be deducted from existing area on site and 3902.86 sq. mtrs. remains on site owned by the holder. Building plan are approved as per Commencement Certificate No. LND/BP/A-1/BP/05/2020 Dated 20/5/2020.

The search of Index II registers is conducted in the office of Sub Registrar, Nashik vide Ref. No. 97876498 on 2/6/2020 and no adverse entries is observed during the course of the search.

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 is clear, negotiable and marketable without any charge, encumbrance and defect in title.



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**SUBODH M. SHAH
ADVOCATE**



CHALLAN
MTR Form Number-6



GRN	MH000860298202021E	BARCODE				Date	01/06/2020-13:14:57		Form ID		
Department	Inspector General Of Registration				Payer Details						
Type of Payment	Search Fee Other Items				TAX ID / TAN (If Any)						
					PAN No.(If Applicable)						
Office Name	NSK3_NASHIK 3 JOINT SUB REGISTRAR				Full Name	Adv S M Shah					
Location	NASHIK										
Year	2020-2021 One Time				Flat/Block No.	CTS No. 6821 - 6822 -6823 -6824					
Account Head Details				Amount In Rs.	Premises/Building						
0030072201	SEARCH FEE			750.00	Road/Street	S.No. 646/7 B/1/2 A/2					
					Area/Locality	Nashik					
					Town/City/District						
					PIN	4 2 2 0 0 2					
					Remarks (If Any)	30 Years					
					Amount In	Seven Hundred Fifty Rupees Only					
Total				750.00	Words						
Payment Details	BANK OF INDIA				FOR USE IN RECEIVING BANK						
Cheque-DD Details					Bank CIN	Ref. No.	02202292020060105282		97876498		
Cheque/DD No.					Bank Date	RBI Date	01/06/2020-13:14:57		Not Verified with RBI		
Name of Bank					Bank-Branch	BANK OF INDIA					
Name of Branch					Scroll No. , Date	Not Verified with Scroll					

Department ID :

Mobile No. : 0000000000

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document

सदर चलन "टाइप ऑफ पेमेंट" मध्ये नमूद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करावयाच्या दस्त्यासाठी लागू नाही.