



Mr. Pawan Pramod Chandratre (B.Com., LL.B.)

ADVOCATE

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Date: 26/07/2024

TITLE OPINION REPORT

1) Name of the Purchaser: Mr. Deepak Kalyanji Chande (Proposed Purchaser)

Name of the Seller:

1. Rameshwar Devkisan Sarda,
2. Vikram Devkisan Sarda,
3. Devkisan Bastiram Sarda and
4. Janak Rameshwar Sarda

2) Description of the Property:

All that piece and parcel of the property bearing **Survey No. 412** area adm. 9300.00 Sq. Mtr., situated at village **Nashik**, Taluka, & District: Nashik within the limits of Nashik Municipal Corporation, Nashik and bounded as follows:

On or Towards East	:	Survey No. 409
On or Towards West	:	Survey No. 407 & 413
On or Towards South	:	Survey No. 411
On or Towards North	:	Survey No. 406 and Survey No. 408 (part)

3) Devolution of Title:

- 1) Previously, **Survey No. 412**, situated at Village **Nashik**, Tal. & Dist. Nashik from Ramdas Sonu Unhale, Rakhamabai Sonu Unhale in the year 1966 and before.
- 2) It appears by M. E. No. 10416 and Sale Deed registered at Sr. No. 2588/1966 on 09/12/1966 at Nashik that Smt. Kiranbai Kisanlal Sarda, Rameshwar Devkisan Sarda and Vikram Devkisan Sarda through Guardian Kamalbai Devkisan Sarda purchased **Survey No. 412**, situated at Village **Nashik**, Tal. & Dist. Nashik and other properties from Ramdas Sonu Unhale, Rakhamabai Sonu Unhale. Accordingly M.E. No. 10416 was made and certified.
- 3) It appears by M. E. No. 61862 Dt. 23/06/2008 that Punja Tukaram Potinde and others filed RCS No. 212/2008 before Hon'ble Civil Court, Nashik against Kiranbai Kisanlal Sarda and others in respect of **Survey No. 409/1, 408/3A, 412**, situated at Village **Nashik**, Tal. & Dist. Nashik and lis-Pendance filed at Sr. no. 6098/2008 on 18/06/2008 regarding same. Therefore, remark of "RCS No. 212/2008 is pending" is recorded to other right column of 7/12 Extract of said land bearing **Survey No. 409/1, 408/3A, 412**. Accordingly, M.E. No. 61862 was made & certified.
- 4) It appears by M. E. No. 66927 Dt. 05/03/2010 that as per pursis filed by parties, said Suit i.e. Reg. Civil Suit no. 212/2008 is finally decided on 15/02/2010. Therefore, remark of "RCS No. 212/2008 is pending" is deleted from other right column of 7/12 Extract of said land bearing **Survey No. 409/1, 408/3A, 412**. Accordingly, M.E. No. 66927 was made & certified.
- 5) It appears by M. E. No. 86727 Dt. 23/10/2012 that as per Order from Assistant Collector and Competent Authority, ULC Nashik bearing No. ULC/C-1/394/2012 Dt. 07/09/2012 and Order from Tahsildar Nashik bearing No. Jama/2/Kavi/570/2012 Dt. 24/09/2012, land area adm. 10950.00 Sq. Mtrs., out of Survey No. 412+409/1 declared as Excess Land and approved Housing Scheme on such Excess Land. Therefore, as per the terms and conditions of Order, remark of "it is obligatory to give/handover 11 Units/flats adm. 40.00 Sq. Mtrs., each to

Government' recorded to other right column of 7/12 extract of land bearing **Survey No. 412** and Survey No. 409/1p. Accordingly M.E. No. 86727 was made and certified.

- 6) It appears by M. E. No. 86728 Dt. 23/10/2012 that It appears by M. E. No. 86727 Dt. 23/10/2012 that as per Order from Assistant Collector and Competent Authority, ULC Nashik bearing No. ULC/C-1/394/2012 Dt. 07/09/2012 and Order from Tahsildar Nashik bearing No. Jama/2/Kavi/570/2012 Dt. 24/09/2012, land area adm. 10950.00 Sq. Mtrs., out of Survey No. 412+409/1 declared as Excess Land and approved Housing Scheme on such Excess Land. But time limit of said Housing Scheme got over. Hence, Government granted permission for extension of time for one year along with Penalty. Therefore, remark of "Extension of time for one year along with Penalty of Rs. 5,89,329/-" recorded to other right column of 7/12 extract of land bearing **Survey No. 412** and Survey No. 409/1p. Accordingly M.E. No. 86728 was made and certified.
- 7) It appears by M. E. No. 87035 Dt. 26/11/2012 that as per Order from Assistant Collector and Competent Authority, ULC Nashik bearing No. ULC/C-1/394/2012 Dt. 07/09/2012, remark of "it is obligatory to give/handover 11 Units/flats adm. 40.00 Sq. Mtrs., each to Government' recorded to other right column of 7/12 extract of land bearing **Survey No. 412** and Survey No. 409/1p, to the extent share owned by Smt. Kiranbai Kisanlal Sarda, Rameshwar Devkisan Sarda and Vikram Devkisan Sarda . Accordingly M.E. No. 87035 was made and certified.
- 8) It appears by M. E. No. 87036 Dt. 26/11/2012 hat as per Order from Assistant Collector and Competent Authority, ULC Nashik bearing No. ULC/C-1/394/2012 Dt. 07/09/2012, remark of "Extension of time for one year along with Penalty of Rs. 5,89,329/-" recorded to other right column of 7/12 extract of land bearing **Survey No. 412** and Survey No. 409/1p to the extent share owned by Smt. Kiranbai Kisanlal Sarda, Rameshwar Devkisan Sarda and Vikram Devkisan Sarda. Accordingly M.E. No. 87036 was made and certified.
- 9) It appears by M. E. No. 90274 Dt. 10/08/2013 that as per Order of Tahsildar Dt. 08/08/2013, remark of "Forfeiture recorded as per Order Dt. 07/07/2019 passed in Darkhast No. 389/37" is deleted from other right column of 7/12 extract of Survey No. 408/3A, **Survey No. 412** and Survey No. 409/1. Accordingly M.E. No. 90274 was made and certified.
- 10) It appears by M. E. No. 94539 Dt. 26/08/2014 and partition Deed registered at Sr. No. 5659/2004 on 29/06/2004 at Nashik-1 that Rampyaribai Vastiram Sarda, Devkisan Bastiram Sarda, Kamalabai Devkisan Sarda, Rameshwar Devkisan Sarda, Kiranbai Kisanlal Sarda, Rameshwar Devkisan Sarda, Vikram Devkisan Sarda and others made partition between themselves in respect of Landed property i.e. **Survey No. 409/1** and **Survey No. 408/3/A**, **Survey No. 412** situated at Village **Nashik**, Tal. & Dist. Nashik, as per. As per said Partition, Land bearing Survey No. 412 area adm. 9300.00 Sq. Mtrs. situated at Village Nashik, Tal. & Dist. Nashik went to the share of Devkisan Bastiram Sarda, Rameshwar Devkisan Sarda, Vikram Devkisan Sarda, Janak Rameshwar Sarda, Shobha alias Kalpana Ashokkumar Karwa, Sangita Ajay Soni, Kamalabai Aasaram Bihani, Nandkishor Aasaram Bihani, Jagalkishor Aasaram Bihani, Mandabai Ashokkumar Muchhal, Satyendra Ashokkumar Muchhal. Accordingly, M.E. No. 94539 was made & certified.
- 11) It appears by M. E. No. 97957 Dt. 04/07/2015 that as names of Shobha alias Kalpana Ashokkumar Karwa, Sangita Ajay Soni, Kamalabai Aasaram Bihani, Nandkishor Aasaram Bihani, Jagalkishor Aasaram Bihani, Mandabai Ashokkumar Muchhal, Satyendra Ashokkumar Muchhal deleted from 7/12 extract of Survey No. 408/3A, Survey No. 409/(1)3, Survey No. 412, as such names were poklist. Accordingly M.E. No. 97957 was made and certified.
- 12) It appears by M. E. No. 304712 Dt. 28/02/2023 that as per Order of Assistant Collector and Competent Authority, ULC bearing no. ULC/ATP/C-1/kavi/71/2022 Dt. 22/08/2022, remark of "Talegaon Dabhade Scheme as per Sec. 20 of ULC Act 1976" deleted from other right column and remark of "To construct units/flats area adm. 80.00 Sq. Mtrs. on said land"

recorded to other right column of 7/12 extract of Survey No. 409/3 and Survey No. 412. Accordingly M.E. No. 304712 was made and certified.

4) Minor's Interest /HUF Property:

From the documents & papers presented before me, there does not appear to be minor's interest in the said property.

5) Mutation of the name of the owner in revenue records:

Names of the Title Holder/Seller is mutated on revenue records. Taxes appear to be paid.

6) Possession:

It appears from the papers that Possession of the property is with Title Holder/ Seller.

7) Payment of municipal/local taxes/cess etc.:

Municipal Taxes and other taxes appear to be paid.

8) Applicability of the Urban Land (Ceiling and Regulation) Act, 1976 (ULCRA):

The said Act is not applicable.

9) Applicability of Local Laws:

As per my knowledge this immovable property is not subject to any local laws which prevents for creation of mortgage.

10) Searches:

As per the documents produced before me, I am of the opinion that there is no encumbrance on the said property. I have taken online search on IGR website of the record available at that time for the year 1995 to 2024 (30 Years). Some Index-II entries may not be found due to non-availability of record on IGR website / due to technical issues / human error. Out of available record, as per my opinion, no adverse entry is found in respect of the said property. As per the documents produced before me, I am of the opinion that there is no encumbrance on the said property.

11) Documents Seen (Photocopies):

- a) Sale Deed registered at Sr. No. 4429/2008 on 14/05/2008 at Nashik 2 executed by Kiranbai Kisanlal SARda, Rameshwar Devkisan Sar da and others in favour of Mr. Prashant Arun Sangai in respect of Survey No. 409/01
- b) Sale Deed registered at Sr. No. 4553/2008 on 20/05/2008 at Nashik 3 executed by Kiranbai Kisanlal Sar da, Rameshwat Devkisan Sar da and others in favour of Mr. Ninad Shivajirao Patil, Nitul Shivajirao Patil, Manisha Sudarshan Pagar, Sushil Narayandas Agrawal and Yogesh Rameshchandra Agrawal in respect of Survey No. 409/01
- c) Partition Deed registered at Sr. No. 5659/2004 on 29/06/2004 at Nashik 1 executed by Smt. Rampyaribai Bastiram Sar da and others
- d) Sale Deed registered at Sr. No. 2588/1966 on 09/12/1966 at Nashik executed by Ramdas Sonu Unhale, Rakhamabai Sonu Unhale in favour of Smt. Kiranbai Kisanlal Sar da, Rameshwar Dev Kisan Sar da and Vikram Devkisan Sar da in respect of Survey No. 408, 409/1, 412
- e) Order by Deputy District Registrar Nashik bearing No. Najakama/ATP/C1/Kavi/71/2022 Dt. 22/06/2022
- f) N.A. Order by Collector of Nashik bearing No. Najama/ATP/C1/Kavi/71/2022 Dt. 22/06/2022
- g) N.A. Tax Receipt Dt. 05/05/2004

- h) Zoning Certificate Dt. 16/01/2013
- i) 7/12 Extract Dt. 12/12/2023

12) Certificate:

I certify that as per the documents and papers before me **Rameshwar Devkisan Sarada, Vikram Devkisan Sarada, Devkisan Bastiram Sarada and Janak Rameshwar Sarada** have a valid, clear and marketable title to the immovable property stated above, after registration Sale Deed in his favour.

Notes:-

As per latest 7/12 extract there is remark of

- a) It is obligatory to give/handover 11 Units/flats adm. 40.00 Sq. Mtrs., each to Government.
- b) Extension of time for one year along with Penalty of amount Rs. 5,89,329/-
- c) To construct units/flats area adm. 80.00 Sq. Mtrs. on said land,

appearing on other right column. Kindly consider the said remarks before purchase of the said property.

Thanking You,



Advocate
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