

पावती क्र.

नोंदणी ३९ म
Regn. 39 m

दस्तावेजाचा/अर्जाचा अनुक्रमांक १७७५/२२

दिनांक २६ डिसेंबर सन २०१२

दस्तावेजाचा प्रकार-

शोध अर्ज.

सादर करणाराचे नाव-

अॅड. एस्. पी. चिहरे

खालीलप्रमाणे फी मिळाली:-

श. चिपखण

नोंदणी फी

मौजे १६६८००

नक्कल फी (फोसिओ

) ना. चिपखण

पृष्ठांकनाची नक्कल फी

गर नं. १५५०

टपालखर्च

नकला किंवा जापने (कलम ६४ ते ६७)

शोध किंवा निरीक्षण

सन १९८३ ते २०१२

दंड-कलम २५ अन्वये

कलम ३४ अन्वये

प्रमाणित नकला (कलम ५७) (फोसिओ

३० वर्षे)

इतर फी (मागील पानावरील) बाब क्र.

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(सादर पत्राक माफ)

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७५०-००

७५०-००

दस्तावेज

नक्कल

रोजी तयार होईल व

नोंदणीकृत डाकेने पाठवली जाईल

या कार्यालयात देण्यात येईल.

दुय्यम निबंध

दस्तावेज खाली नाव दिलेल्या व्यक्तीच्या

नावे नोंदणीकृत डाकेने पाठवावा.

हवाली करावा.

१७

दुय्यम नि

श्रेणी - १

Sudhir P. Chitale

B. A., LL.B.

ADVOCATE, HIGH COURT

"PRABHU PAKHAR" WAD NAKA, CHIPLUN - 415 605.
DIST. RATNAGIRI. TEL.: (02355) 252246, M - 9423047646

31/12/2012

TO WHOM IT MAY CONCERN

Dear Sir,

Sub : Title Report on the landed property from village Dalwatne, Taluka Chiplun, District Ratnagiri. It is located within the territorial limits of Dalwatne Grampanchayat.

At the request of the concerned party I, on the basis of original Title Deed forwarded to me pertaining to the said immovable property and other information submitted by concerned party, have conducted a detailed search and investigation & submit my report as under :

1) *Names and Addresses of the titleholders :*

GROUP "A"	GROUP "B"
Nirmala Anant Shetye	Rajesh Chintaman Shetye
Manoj Anant Shetye	Suvidha Sunil Khatu
Pramod Anant Shetye	They together have ½ share
They together have 8 anas shares	

2) *Title Deed in original seen by me :*

Nil

3) *Description of Immovable property :*

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The land is located & situated within the territorial limits of Dalwatne Grampanchayat. It is an agricultural piece of land. These parcel of land is bearing following description :

Gat No.	Area H.-R.-P.	Assessment Rs.Ps.
1550	0-03-0	0.03

Along with the all Rights, Title and Interest therein.

The entire plot is bounded as under :

On the East	:	Gat No. 1548, 1549
On the West	:	Gat No. 1382
On the South	:	Gat No. 1552
On the North	:	Part of Gat No. 1548

It is within the limit of Dalvatne, Tahasil Chiplun, District Ratnagiri.

DOCUMENTS RELIED UPON :

All the relevant documents of title and other relevant documents were placed before me for my consideration. They were in the form of original/certified copies/true copies documents. I have verified and tallied these documents from the Records of Registrar of documents or from the records of appropriate authority. They are as under :

Sr. No.	Name & nature of document	Whether original/certified/true copy or photo state
1)	7X12 extract of the concerned land	True Copy

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2)	Relevant Mutation Entries	True Copy
3)	Khata Extracts	True Copy
4)	Extract from consolidation office	True Copy
5)	Map from T. I. L. R, Chiplun	True Copy

ORAL INFORMATION :

The requisite and necessary information was collected and gathered from the interrogatories administered to the concerned party.

SPECIAL OBSERVATIONS :

The observations and findings contained in the report are based on the documents supplied to me and the information given by the concerned party. It primarily and mainly covers the period of 30 years.

I have personally inspected the original document submitted to me. It is properly executed and stamped. It is a legal and valid document.

RESULT OF THE SEARCH :

I have taken the search of records of Sub-Registrar's office at Chiplun from Inspection Book No. I, Index No. II and other relevant records from last thirty years by paying the necessary search fee of Rs. 750/-, vide receipts No. 0044208. The original search fee receipt is enclosed herewith. It is dated 26/12/2012.

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Nothing objectionable has transpired or revealed during Search operation.

HISTORY AND JOURNEY OF THE TITLE :

At the outset it is necessary & relevant to mention that Gat No. 1550 is formed of Survey No. 122, Hissa No. 4.

The concern revenue record makes us to know that the landed property under consideration was initially owned & possessed by Mr. Anant Kashiram Shetye and Mr. Chintaman Kashiram Shetye. They had acquired title on the strength of inheritance. They succeeded to the estate of deceased Kashiram Balshet Shetye as legal heirs. M. E. No. 1462 & 479 are relevant on this point.

Mr. Anant Kashiram Shetye died intestate on 30/04/1992. The heirship inquiry was conducted by revenue authority. He was survived by following legal heirs.

- 1) Manoj (Son)
- 2) Pramod (Son)
- 3) Smt. Nirmala (Wife)

Thus, on the strength of inheritance these legal heirs became joint owners of the estate of deceased Anant Kashiram Shetye which included his $\frac{1}{2}$ undivided share in the landed property

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under consideration. Mutation Entry No. 787 is relevant on this point.

Mr. Chintaman Kashiram Shetye died on 09/05/1996. The heirship inquiry was conducted by revenue authority. He was survived by following legal heirs.

- 1) Rajesh (Son)
- 2) Mrs. Suvidha Sunil Khatu (Married Daughter)

Thus, on the strength of inheritance they become joint owners of estate of deceased Chintaman Kashiram Shetye his $\frac{1}{2}$ undivided share in the landed property under consideration. Mutation Entry No. 907 is relevant on this point.

SPECIAL OBSERATION :

In the old revenue record the name of Tukaram Yesu Gamre was appearing in other rights column as a Tenant. However the record reveals that his name was wrongly recorded in revenue record & it was deleted by due process of law. The certificate issued under the consolidation scheme also does not reveal & disclose the existence of Mr. Gamre as a Tenant.

FINDINGS AND OBSERVATIONS :

My findings and observations are based on the available information and documents supplied to me. They are as under :

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- 1) I am satisfied that the landed property is heritable and transferable and the transferor had right to transfer.
- 2) The occupants of the landed property of the landed property under consideration or their predecessor-in-title have not entered into or executed any agreement or writing for the benefit of the Government, the Grampanchayat or any Public or Private Body or Corporation affecting the property or any interests therein. There is no claim against the property under consideration for right of way, right of occupation, right of maintenance, right of residence or right of easement. There is no restrictive covenant affecting the property. The occupants of the landed property and their successor-in-interest of the landed property have not any time before this entered into any agreement of sale, mortgage or lease of the property or any part thereof.
- 3) No notice has been issued so far or served upon the occupants of the landed property of the property and their successor-in-interest for acquisition, requisition or otherwise for any purpose whatsoever in respect of the landed property under consideration. There is no claim which may adversely affect the landed property under consideration. The landed property under consideration is not similarly subject to any attachment or process of

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Court. I have also confirmed from Government and Public Land Acquisition Authorities that the property under consideration is not the subject matter of any acquisition.

- 4) No drainage, sewer, water pipe or gas pipe of any adjoining landed property passes through or under the landed property which is the subject matter of the present Search Report. The property under consideration is not subject to any nuisance. There are no easements, quasa easements, restrictive covenants, water courses or other rights or servitude affecting the property. There are no circumstances indicating or even suggesting any cloud on the title of the purchaser of the landed property or his successor-in-interest of the property.
- 5) The occupants of the landed property have not received any notice under the Maharashtra Agricultural Lands (Ceiling on Holdings) Act 1961. The property under consideration has not been reserved for public purpose by State Government or Central Government. The property under consideration or any portion thereof has not been notified under the Land Acquisition Act for public purpose.
- 6) It has been ascertained from the Civil Court having pecuniary and territorial jurisdiction that :

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- A) No receiver has been appointed with respect to the property under consideration.
- B) There is no injunction order in connection with the property or against the owner.
- C) There is no money suit pending, affecting the title of the owner.
- D) There is no proceeding pending in any Court or before any authority for realization of arrears of revenue, rent, local dues etc. in respect of the property or against the owner.
- 7) There is no proceeding pending in the Court of Executive Magistrate under Section 145 of Criminal Procedure Code involving the property under consideration or any order under Section 146 attaching the property under consideration.
- 8) There is no proceeding pending in the office of Tahasildar or A.L.T. pertaining to the property in question.
- 9) There are no Government dues. There is complete payment of land revenue and other charges.

- 10) The landed property under consideration does not fall within the clutches of Agricultural Land (Ceiling on Holding) Act 1961.

CONCLUSION :

Having regard to the discussion above I, hereby, opine that :

- 1) Revenue Record discloses proper effect of change of ownership in sequence.
- 2) The conveyance under consideration contains all the necessary and requisite recitals to convey the Right, Title & interest and also includes an important aspect of reimbursement clause.
- 3) No encumbering transaction in any nature, is found to have been registered during the search period in the record of registration Authority.
- 4) No third party claim, right, interest, easement, charge were found in the Revenue Record.
- 5) Mr. Rajesh Chintaman Shetye & Mrs. Suvidha Sunil Kharu have acquired clear & marketable title to the landed property under consideration.

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- 6) Their title to the landed property under consideration is not susceptible to or prone to any legal defect or flaw. It is clear, unambiguous. The property is saleable.
- 7) There is no charge or encumbrance of any kind and in any form on the same. It is free from all encumbrances.
- 8) The owners of the property under consideration have sufficient title and legal capacity to contract for creation of mortgage.
- 9) The original deed was made available to me. It is scrutinized by me. It is duly executed/stamped and registered. There is no doubt/suspicion as to its existence and genuineness.

CERTIFICATE

I hereby certify that, I have personally searched and verified the information furnished in this report. The statements and other information given in the report are correct and true. I certify that, Mr. Rajesh Chintaman Shetye & Mrs. Suvidha Sunil Kharu have got a valid, absolute and marketable title over the landed property shown above.

(S.P. CHITALE)

Advocate,
Chiplun