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पावती क्र.: 4045 दिनांक: 13/07/2016

गावाचे नाव: दळवटणे

दस्तऐवजाचा अनुक्रमांक: चपल-0-2016

दस्तऐवजाचा प्रकार :

सादर करणाऱ्याचे नाव: अॅड. एस.पी.चितळे, वडनाका चिपळूण
वर्णन गट नंबर 1341ब, सन 1987 ते 2016. 30 वर्ष.

SEARCHFEE

रु. 750.00

एकूण:

रु. 750.00

Sub Registrar Chiplun

1); देयकाचा प्रकार: By Cash रक्कम: रु 750/-

दुस्यम निबंधक
श्रेणी - १ चिपळूण

Sudhir P. Chitale

B. A., LL.B.

ADVOCATE, HIGH COURT

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

25/7/2014

TO WHOM SO IT MAY CONCERN

Subject : Title opinion on the Landed property from village Dalvatne, Taluka Chiplun, Dist. Ratnagiri. It is located within the territorial limits of Dalvatne Grampanchayat.

1) Name and Address of the concern party :-

- 1] Mr. Ajay Ashok Salvi
- 2] Mr. Rajendra Chandrashekhar Manohar
- 3] Mr. Anil Vasant Pisal

R/o. B - 301, Nakshatra Apartment
Erandawane, Pune - 411 004.

2) Title Deeds in original seen by me :-

1] Registered Agreement for Sale dated 30 Oct. 2012, registered at Sr. No. 4234/2012 in the office of Sub-Registrar, Chiplun.

2] Registered Sale-deed dated 26/4/2013, registered at Sr. No. 1503/2013 in the office of Sub-Registrar, Chiplun.

Description of immovable property :-

Gat No.	Sub-division	Area H - R - P	Assessment Rs. Ps.
1341	(2)	3-20-0	1.00

The said landed property is of "Khalsa" tenure.
Along with all Rights, Title and Interest therein.

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Advocate
S. P. Chitale

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The landed property is bounded as under :

On the East : Gat No. 1340, 1341(A), 1377, 1378,
1379, 1380

On the West : Gat No. 1335

On the South : Gat No. 1334, 1381, 1380

On the North : Gat No. 1336, 1337, 1340

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

OTHER DOCUMENTS RELIED UPON AND SCRUTINIZED :

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.	Type and nature of Documents	Original / certified copy
1]	7x12 extract of the concerned land	True Copy
2]	Relevant Mutation Entries	True Copy
3]	Khata Extracts	True Copy
4]	Map from T.I.L.R.	True Copy
5]	Approved Layout Plan	Original
6]	Order by the office of Collector sanctioning approved Layout Plan dated 27/5/2016	Original
7]	9/3, 9/4 extract from T.I.L.R.	Original

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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 document 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 documents submitted to me. They are properly executed and stamped. They are legal and valid documents.

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 receipt No. 4045. The original search fee receipt is enclosed herewith. The receipt is dated 13/7/2016.

Nothing objectionable has transpired or revealed during Search operation.

ORAL TRANSACTION :

As one/some of transaction/s is/are, hence a document in the form of duly sworn affidavit before the Executive Magistrate containing no objection and affirming the existence of oral transactions has also been obtained from the concerned party and is/are duly supported by the relevant records.

HISTORY AND JOURNEY OF TITLE :

At the outset it is necessary & relevant to mention that, the landed property under consideration is a part of the landed property comprised in Gat No. 1341. It is further important to note that Gat No. 1341(A) & 1341(B) were their right from the formation of scheme under Consolidation Act.

After change in the revenue record regarding the descrip-

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tion of Hissa No, Landed property comprised in 1341(B) came to be number as 1341(2).

It is further pertinent to know that Gat No. 1341(B) is formed of Survey No. 95 Hissa No. 14.

The concern revenue record makes us to know that said landed property was originally owned and possessed by one Mr. Tukaram Yesa Gamre. He died intested on 19/5/1978. Consequently the heirship inquiry was conducted by the Revenue Authority. He was survived by the sole legal heir, his married daughter Sunita Madhukar Mohite. Thus, on the strength of inheritance she became the exclusive owner and occupant of the estate of deceased Tukaram, which included the landed property under consideration. Mutation Entry No. 454 is relevant on this point.

Subsequent Deals :-

Sunita Madhukar Mohite, the owner & occupant of the landed property under consideration sold out the same to Mr. Manohar Ramchandra Shinde by registered deed on 5/6/2012. The sale-deed was duly executed and registered. It was properly stamped. Thus, on the strength of this legal and valid sale-deed, Mr. Manohar Ramchandra Shinde became the owner & occupant of the same. His name as title holder came to be introduced in the revenue record vide mutation entry no. 1369. Same mutation entry is duly certified by competent revenue authority on 27/6/2012.

Manohar Ramchandra Shinde, possessing the requisite legal authority to deal with the landed property under consideration, sold out the same to one 1] Ajay Ashok Salvi, 2] Rajendra Chandrashekhar Manohar & 3] Anil Vasant Pisal by registered deed on 25/4/2013. The sale-deed is duly executed and registered. It is properly stamped. Thus, on the strength of this legal and valid sale-deed, the purchasers became joint owners of the same, is getting 1/3 share. No partition has been effected amongst them. The sale-deed is registered at Serial No. 1503/2013 in the office of Sub-Registrar, Chiplun. The name of the

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purchasers came to be introduced in the revenue record vide M. E. No. 1429.

Prior to the execution of the sale-deed there was registered agreement between the parties executed on 30/10/2012. It was relating to the proposed sale transaction between them. It was registered at Serial No. 4234/2012 in the office of Sub-Registrar, Chiplun. The sale-deed referred about was in pursuance of and towards the fulfilment of the said agreement.

Subsequent Development :-

The joint owners of the landed property under consideration submitted layout plan for approval and sanction to Collector Ratnagiri, on 19/4/2014 along with the necessary documents. The office of Collector obtained the necessary information and report from Town Planning Authority, T.I.L.R. Chiplun. Letter from Town Planning Authority giving temporary sanction dated 4/12/2014, Letter from Town Planning Authority dated 30/3/2016, recommending final sanction to the plan and after getting the relevant documents from other authorities, accorded sanction to the layout plan by its order dated 27/5/2016. The map showing the division of land into different plans was also approved and sanctioned by Collector Ratnagiri. The actual measurement of the various plans was done by the office of T.I.L.R. Chiplun. And the plots were finalized. This resulted in to the formation of as many as 92 plots. Each plot was given different numbers. The consequently charges in the revenue record were effected. Different 7/12 extracts came to be formed on the basis of this approved layout plan.

EVIDENCE OF POSSESSION :

The concern revenue record establishes possession of the party.

ENDINGS & OBSERVATION :

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

- 1) I am satisfied that the landed property is heritable and transferable and the transferors had right to transfer.

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- 2) The purchaser of the landed property or her predecessor-in-title have not entered into or executed any agreement of 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 not restrictive covenant affecting the property. The purchaser of the landed property has 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 purchaser of the landed property 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 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.
- 5) The purchaser of the landed property has 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 Govern-

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ment 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 :
 - 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) Each of the conveyance under consideration contains all the necessary and requisite recitals to convey the Right, Title and Interest and also includes an important

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- aspect of reimbursement clause.
- 3) No encumbrancing 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. Ajay Ashok Salvi & have acquired clear & marketable title to the landed property under consideration.
 - 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.
 - 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 joint owners of the landed property under consideration are in exclusive possession.
 - 9) The original deeds were made available to me. They are scrutinized by me. They are duly executed/stamped and registered. There is no doubt/suspicion as to their 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. Ajay Ashok Salvi & others have got a valid, clear, absolute and marketable title over the property shown above.

Chitale

(S. P. CHITALE)

Advocate

Chiplun

Sudhir P. Chitale 8

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