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इतर पावती

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Monday, 25 February 2019 7:07 PM

नोंदणी क्र. :39म

Regn.:39M

पावती क्र.: 2923 दिनांक: 25/02/2019

गावाचे नाव:

दस्तऐवजाचा अनुक्रमांक: पवल2-0-2019

दस्तऐवजाचा प्रकार :

सादर करणाऱ्याचे नाव: अॅड दिसी दाभाडे

वर्णन शोध अर्ज क्र. 340/19, मीजे करंजाडे, ता. पनवेल, जि. रायगड येथील प्लॉट नं. 30, सेक्टर 4, सन 1990 ते 2019, 30 वर्षे

SEARCHFEE

₹. 750.00

एकूण:

₹. 750.00

Joint by Panvel 2

1); देयकाचा प्रकार: eChallan रक्कम: ₹.750/-

सीडी/घनादेश/पे ऑर्डर क्रमांक: MH012343457201819E दिनांक: 25/02/2019

बँकेचे नाव व पत्ता:

सह दुय्यम निबंधक वर्ग-२  
(पनवेल-२)



**ADV. DIPTI KSHITIJ DABHADE**  
**ADVOCATE HIGH COURT**

Add.:- Office No.501, B-wing, Neelkanth Park CHS Ltd., Plot No.18, Sector-06, Khanda Colony,  
New Panvel (W), Navi Mumbai-410206.

**SEARCH REPORT**

Date- 25/02/2019

To,

M/s. Rudra Realtors through its partners

- 1) Mr. Nathabhai Bhimabhai Isasariya,
- 2) Mr. Hira Pancha Vavia,
- 3) Mr. Narendra Bhinji Isasariya &
- 4) Mr. Khoda Pancha Vavia.

Ref: - Investigation of the title of Property bearing on Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad.

**Name of the Owner/s : M/s. Rudra Realtors and M/s. Aaditya Construction**

Dear Sir,

As per your instruction, I have carried out searches in respect of the above-mentioned property for the last 30 years (i.e. from 1990 to 2019) at the sub registrar of assurances at Panvel vide its Ref. No.2923 dated 25/02/2019 and I have gone through the available record at concerned office and I have examined the Index-II in respect of the above-mentioned property and I have found the following entries to have been made in thereof during the course of search.

**Manual & Computer Records Sub-Registrar office at Panvel (30 years) :-**

1990:-Nil

1991:-Nil





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...2...

1992:- Nil

1993:-Nil

1994:-Nil

1995:-Nil

1996:-Nil

1997:-Nil

1998:-Nil

1999:-Nil

2000:-Nil

2001:-Nil

2002:-Nil

2003:-Nil

2004:-Nil

2005:-Nil

2006:-Nil

2007:-Nil

2008:-Nil

2009:-Nil





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...3...

2010:-ENTRY

- (i) Deed of Confirmation dated 18/06/2010 executed between CIDCO To 1) Smt. **Sunanda Subhash Phadke**, 2) Mr. **Janardan Subhash Phadke**, 3) Mr. **Hanumant Subhash Phadke** & 4) Miss. **Rekha Subhash Phadake**, registered with Sub-Registrar Panvel-2 under Sr. No.06117/2010 dated 18/06/2010.

(Schedule: Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad.)

- (ii) Tripartite Agreement dated 08/07/2010 executed between CIDCO. 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake To M/s. **Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar**, registered with Sub-Registrar Panvel-2 under Sr. No.06780/2010 dated 08/07/2010.

(Schedule: Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad.)

2011:-Nil

2012:-Nil

2013:-Nil

2014:-Nil

2015:-Nil





**ADV. DIPTI KSHITIJ DABHADE**  
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...4...

2016:-Nil

2017:- ENTRY

- (i) Tripartite Agreement dated 20/12/2017 executed between CIDCO, M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar To M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia, registered with Sub-Registrar Panvel-4 under Sr. No.14632/2017 dated 21/12/2017


(Schedule: 50% shares in the Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad.)

2018:-Nil

2019:-Nil

**NOTE:** - Kindly note that the search report is subject to (1) Some Pages of the Index - II, Nil and mutilated, unready and unavailable, (2) Some of the index - II taken by the offices for binding and re-writing so not produced before us and some of the index-II are under computer.

Yours truly,

  
(Adv. Dipti Kshitij Dabhade)  
(Advocate High Court)

Enclosure: - Original search receipt for Rs. 750/- only.

**Adv. DIPTI K. DABHADE**  
B.COM,LL.B.  
Advocate High Court  
Off:-501/B, Neelkanth Park, Plot - 18, Sec-6,  
New Panvel (w), Navi Mumbai-410 408  
Mob. 8693855515





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Date: 25/02/2019

**TITLE REPORT**

On the basis of documents submitted by M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia and search taken by me in the office of Sub-Registrar Panvel conducted for 30 years from 1990 to 2019 in Sub-Registrar Panvel vide its Ref. No.2923 dated 25/02/2019, I hereby giving opinion of immovable property bearing Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad as under:

**WHEREAS:**

The CITY & INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LIMITED, a Company incorporated under the Companies Act, 1956 (1 of 1956) and having its registered office at Nariman, 2<sup>nd</sup> floor, Nariman Point, Mumbai-400021 (hereinafter referred to as "CIDCO") is the New Town Development Authority declared for the area designated as a site for the new town of Navi Mumbai by Government of Maharashtra in exercise of its powers under Sub-Section 1 and 3A of Section 113 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966).

The State Government in pursuant to Section 113(A) of the said MRTP Act, 1966, acquiring the lands described therein and vesting such lands in the CIDCO for development and disposal.





**ADV. DIPTI KSHITIJ DABHADE**  
ADVOCATE HIGH COURT

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New Panvel (W), Navi Mumbai-410206.

...2...

The CIDCO has acquired the land owned by 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake for the development of land for the purpose of town planning project.

1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake were entitled/eligible to get plot of land to be allotted by CIDCO under 12.5% Gaothan Expansion Scheme.

It appears that CIDCO vide its Allotment Letter allotted **Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad (hereinafter referred to as "said plot")** under 12.5% Gaothan Expansion Scheme to 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake.

CIDCO vide its Possession Receipt dated 13/10/2008 handed over possession of the said plot to Smt. Sunanda Subhash Phadke & 3 others.

By an Agreement to Lease dated 22/10/2008 executed between CIDCO as the Corporation of one part and 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake as the Licensees of other part, the CIDCO granted the lease of the said plot to the licensees on terms & conditions mentioned therein.

Since, the said Agreement to Lease dated 22/10/2008 was not duly registered therefore, by Deed of Confirmation dated 18/06/2010 executed between CIDCO as the Corporation of one part and 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant





**ADV. DIPTI KSHITIJ DABHADE**  
ADVOCATE HIGH COURT

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Subhash Phadke & 4) Miss. Rekha Subhash Phadake as the Licensees of other part, the said Agreement to Lease dated 22/10/2008 is duly registered with Sub-Registrar Panvel-2 under Sr. No.06117/2010 dated 18/06/2010.

1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake applied to CIDCO for grant of permission to transfer of the said plot in favor of M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar.

Accordingly, CIDCO vide its Transfer Permission dated 06/07/2010 vide its Ref. No.CIDCO/VASAHAT/SATYO/KARANJADE/386/2010 granted permission to transfer of the said plot from 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake to M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar.

By Tripartite Agreement dated 08/07/2010 executed between CIDCO as the Corporation of one part and 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake as the Original Licensees of second part and M/s. **Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar** as the New Licensees of third part, registered with Sub-Registrar Panvel-2 under Sr. No.06780/2010 dated 08/07/2010, the original licensees sold, transferred & conveyed all their rights, interest & title in the said plot to the New Licensees.

CIDCO vide its Final Transfer Order dated \_\_\_/07/2010 vide its Ref. No. CIDCO / VASAHAT / SATYO / KARANJADE – PANVEL / 386 /2010 transferred the said plot in favor of M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar.







**ADV. DIPTI KSHITIJ DABHADE**  
ADVOCATE HIGH COURT

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Further, M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar applied to CIDCO for grant of permission to transfer of his 50% shares in the said plot in favor of M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia

Accordingly, CIDCO vide its Transfer Permission dated 14/12/2017 granted permission to transfer of 50% shares in the said plot from M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar to M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia.

By Tripartite Agreement dated 20/12/2017 executed between CIDCO as the Corporation of one part and M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar as the New Licensee of second part and M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia as the Subsequent New Licensees of third part, registered with Sub-Registrar Panvel-4 under Sr. No.14632/2017 dated 21/12/2017, the New Licensee transferred his 50% shares in the said plot to the Subsequent New Licensees.

CIDCO vide its Final Transfer Order dated 01/03/2018 vide its Ref. No. CIDCO / VASAHAT / SATYO / KARANJADE / 386 / 2017 / 23617 transferred the said plot in favor of 1] M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar and 2] M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia **subject to the condition of pending civil suit bearing Special Civil**





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...5...

**Suit No.532/2010 filed by M/s. Swarup Construction through its prop. Mr. Sureshbhai D. Thesiya against Smt. Sunanda Subhash Phadke & others before the Civil Court Senior Division, Panvel.**

M/s. Swarup Construction through its prop. Mr. Sureshbhai D. Thesiya as plaintiff filed the said Special Civil Suit against Late. Subhash Chahu Phadke through his legal heirs 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake as defendants before the Civil Court Senior Division, Panvel bearing S.C.S. No.532/2010 for specific performance upon the terms & conditions mentioned in the Agreement dated 08/07/2005 which was made & executed between Plaintiff and Mr. Subhash Chahu Phadke who was the owner of the land bearing Survey/Hissa Nos.40/5, 37/2 (Unit Case No.86/82) and Survey/Hissa Nos.52/10 & 56/1+2 (Unit Case No.86/82B), situated at Village: Karanjade, Taluka: Panvel & District: Raigad which is acquired by CIDCO. After the death of Mr. Subhash Chahu Phadke, his legal heirs Smt. Sunanda Subhash Phadke & others failed to perform further acts which is described in Agreement dated 08/07/2005. Further, the CIDCO has acquired the said land owned by Late. Subhash Chahu Phadke for the project of Navi Mumbai and allotted the said Plot No.30 to 1) Smt. Sunanda Subhash Phadke, 2) Mr. Janardan Subhash Phadke, 3) Mr. Hanumant Subhash Phadke & 4) Miss. Rekha Subhash Phadake legal heirs of Late. Subhash Chahu Phadke. **The said Special Civil Suit is pending before the Civil Court Senior Division, Panvel.**

1] M/s. Aaditya Construction through its Proprietor Mr. Arvind Mahadev Sawlekar and 2] M/s. Rudra Realtors through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia entitled the title of the said Plot No.30 subject to the condition of said pending Special Civil Suit bearing No.532/2010 before the Civil Court Senior Division, Panvel.





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**M/s. Aaditya Construction & M/s. Rudra Realtors** submitted the plan of proposed building to be constructed on the said plot and CIDCO sanctioned the said plan of building.

CIDCO vide its Development Permission dated 21/02/2019 and Commencement Certificate dated 21/02/2019 vide its Ref. No.CIDCO/BP-16245/TPO(NM&K)/2019/4041 granted permission to construct a Building ( Ground + 7 upper floors) on the said plot comprising of 48 residential units and 6 commercial units.

On the basis of perusal of documents provided before us and investigated the search report conducted by me from last 30 years, I hereby opine that 1] **M/s. Aaditya Construction** through its Proprietor Mr. Arvind Mahadev Sawlekar and 2] **M/s. Rudra Realtors** through its partners 1) Mr. Nathabhai Bhimabhai Isasariya, 2) Mr. Hira Pancha Vavia, 3) Mr. Narendra Bhimji Isasariya & 4) Mr. Khoda Pancha Vavia entitled the title of the said **Plot No.30, adm. 1149.62 Sq. Mtrs. area, situated in Sector-04, at Village:Karanjade, Taluka: Panvel, District: Raigad** which is clear, free from encumbrances and marketable title except the pending **Special Civil Suit bearing No.532/2010** before the Civil Court Senior Division, Panvel.

**Note:**

- The title of the said plot is subject to the condition of pending suit as mentioned above and the order will be granted by the court is applicable/binding on the said plot and title holder herein.*

Place: Panvel.  
Date: 25/02/2019

  
(Adv. Dipti Kshitij Dabhade)  
Advocate High Court

**Adv. DIPTI K. DABHADE**  
B.COM,LL.B.  
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