

# GEORGE L. FARGOES

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## ADVOCATE

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AGF/Search Report/083/2014

January 8<sup>th</sup>, 2014

### SEARCH REPORT AND TITLE VERIFICATION

This is to certify that I have investigated the title of NA Land bearing Survey No. 65/1, area admeasuring 0-28-17 H-R-P (i.e. 3370.0 Sq.Var), assessment Rs. 27.87 paise, situated at Village - Navghar, Tauka - Vasai, Dist - Thane within the limits of Talathi Saza Navghar and Vasai-Virar Municipal Corporation, within the jurisdiction of sub-registrar of Vasai. The property of land is hereinafter referred to as the "said property".

As the search provided by the search clerk about the said property from the office of Sub-Registrar Vasai for the years from 1984 to 2013, i.e. for 30 years. The findings are as follows:



YEAR	REMARK
1984	TORN
1985	NIL
1986	NIL
1987	NIL
1988	NIL
1989	TORN
1990	NIL
1991	NIL
1992	NIL
1993	NIL
1994	NIL
1995	NIL
1996	NIL
1997	NIL
1998	NIL
1999	NIL
2000	ENTRY
2001	NIL
2002	NIL
2003	ENTRY
2004	NIL
2005	NIL
2006	NIL



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2007	NIL
2008	NIL
2009	NIL
2010	ENTRY
2011	NIL
2012	ENTRY
2013	NIL (Index not ready)

**A) DOCUMENTS SUBMITTED FOR MY OPINION:-**

1. Copy of 7/12 extract.
2. Copy of Mutation Entry No. 163, 2413, 2751 and 2779.
3. Search Report taken from Sub-Registrar office dated 02/01/2014 for the period of 1984-2013.
4. Search Receipt dated 01/01/2014.

**B) DESCRIPTION OF THE SAID PROPERTY:-**

NA Land bearing Survey No. 65/1, area admeasuring 0-28-17 H-R-P (i.e. 3370.0 Sq.Var), assessment Rs. 27.87 paise, situated at Village - Navghar, Tauka - Vasai, Dist - Thane



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within the limits of Talathi Saza Navghar and Vasai-Virar Municipal Corporation, within the jurisdiction of sub-registrar of Vasai.

And, the other rights column of 7/12 extract contains a conditional entry, which states that the owners have obtained loan of Rs. 53,00,000/- (Rupees Fifty Three Lakhs Only) from Bassein Catholic Co-operative Bank Ltd. Manikpur Branch.

**C) FLOW OF TITLE TO THE SAID PROPERTY AS PER MUTATION ENTRIES AND SEARCH REPORT :-**

By perusal of Mutation Entry No. 163 dated 10/4/1957 it appears that the said plot was recorded as NA Plot as per the order no. KJP/SR/34 dated 23.3.1957 from Hon'ble D.E.L.R., Thane vide KJP No. 12/1953 through K.J.P. of Hon'ble Superintendent of Land Records, Surat.

By perusal of Mutation Entry No. 2413 dated 18/11/2002 it appears that Shri. Kantilal Manohardas



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Shah has expired on 26/10/1969 leaving behind the following legal heirs:

- |                          |   |        |          |
|--------------------------|---|--------|----------|
| 1) Sushila Kantilal Shah | - | Wife - | 25 years |
| 2) Dayalal Kantilal Shah | - | Son -  | 47 years |
| 3) Mahesh Kantilal Shah  | - | Son -  | 43 years |
| 4) Anil Kantilal Shah    | - | Son -  | 38 years |

Thus, the deceased has the above 4 legal heirs and does not have any other legal heirs and therefore his name has been deleted from the revenue record and the above 4 names have been added in the revenue records.

By perusal of Mutation Entry No. 2751 dated 16/11/2011 it appears that Smt. Sushila Kantilal Shah has expired on 3/9/2010 leaving behind the following legal heirs:

- |                               |   |                 |          |
|-------------------------------|---|-----------------|----------|
| 1) Late Dayalal Kantilal Shah | - | Son -           | 47 years |
| 1/1) Bina Dayalal Shah        | - | Daughter in Law |          |
| 1/2) Kunal Dayalal Shah       | - | Grand son       |          |



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- 1/3) Purvi Himanshu Shah - Married Grand Daughter  
2) Mahesh Kantilal Shah - Son - 50 years  
3) Anil Kantilal Shah - Son - 48 years

Thus, the deceased has the above 5 legal heirs and does not have any other legal heirs and therefore his name has been deleted from the revenue record and the above 5 names have been added in the revenue records.

By perusal of Mutation Entry No. 2779 dated 11/12/2012 and Search Report dated 02/10/2014 it appears that Mrs. Purvi Himanshu Shah gave her share of area admeasuring 0-03-13 H-R-P in the said property to her mother Smt. Bina Dayalal Shah and her brother Mr. Kunal Dayalal Shah by executing Release deed and the same has been registered with Sub-Registrar of Vasai-2 vide document no. 11756/012 dated 08/12/2012.



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By perusal of the Search Report dated 02/01/2014 it appears that Development Agreement was executed between Mr. Sachindanand Ganesh Tiwari, Mr. Sinhasani Janadan Mishra & Others And M/s. Charbhuj Builders & Land Developers through Partner Mr. Bhikamchand B. Sisodia in respect of area admeasuring 811.97 Sq.Mtrs. of the said property and the same was registered with Sub-Registrar of Assurances, Vasai-1 vide document no. 1380/2000 dated 17/06/2000.

By perusal of the Search Report dated 02/01/2014 it appears that No Cancellation Deed of Power of Attorney was executed between Mr. Sachindanand Ganesh Tiwari, Mr. Sinhasani Janadan Mishra & Others And M/s. Charbhuj Builders & Land Developers through Partner Mr. Bhikamchand B. Sisodia in respect of area admeasuring 811.97 Sq.Mtrs. of the said property and the same was registered with Sub-Registrar of



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Assurances, Vasai-1 vide document no. 1382/2000 dated 17/06/2000.

By perusal of the Search Report dated 02/01/2014 it appears that Mortgage Deed of Rs. 3,00,000/- was executed between M/s. Mahavir Realtors through Partner Mrs. Sushila Kantilal Shah, Mr. Dayalal Kantilal, Mr. Mahesh Kantilal Shah, Mr. Anil Kantilal Shah, Mr. Kunal Dayalal Shah & Mr. Sagar Mahesh Shah And Bassein Catholic Co-operative Bank Ltd., Vasai in respect of said property and the same was registered with Sub-Registrar of Assurances, Vasai-1 vide document no. 6498/2003 dated 30/12/2003.

By perusal of the Search Report dated 02/01/2014 it appears that Mortgage Deed of Rs. 50,00,000/- was executed between M/s. Mahavir Realtors through Partner Mrs. Sushila Kantilal Shah, Mr. Dayalal Kantilal, Mr. Mahesh Kantilal Shah, Mr. Anil Kantilal Shah, Mr. Kunal



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Dayalal Shah & Mr. Sagar Mahesh Shah AND Confirming Party M/s. Mahavir Trading Co. through Partner Mr. Anil K. Shah, Kunal D. Shah, Sushila K. Shah, & Kalpana M. Shah And Bassein Catholic Co-operative Bank Ltd., Vasai in respect of said property and the same was registered with Sub-Registrar of Assurances, Vasai-1 vide document no. 11756/2012 dated 08/12/2012.

**D) ENCUMBRANCE CERTIFICATE FOR THE LAST 30 YEARS:-**

Upon investigation and scrutiny of the documents, I observe that 1) Mr. Mahesh Kantilal Shah, 2) Mr. Anil Kantilal Shah, 3) Mrs. Bina Dayalal Shah and 4) Mr. Kunal Dayalal Shah have rights in the respect of the captioned property. I have taken the search of the property for 30 years and I have not found any registered encumbrances on the said property except Development Agreement dated 17/06/2000, Mortgage Deed dated 30/12/2003 and Mortgage Deed dated 10/03/2010.



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I therefore opine from the records available to me that  
1) Mr. Mahesh Kantilal Shah, 2) Mr. Anil Kantilal Shah,  
3) Mrs. Bina Dayalal Shah and 4) Mr. Kunal Dayalal  
Shah have rights in respect of the said property subject  
to Development Agreement dated 17/06/2000, Mortgage  
Deed dated 30/12/2003 and Mortgage Deed dated  
10/03/2010. I also state that the title of the said  
property is clear, marketable and free from  
encumbrances subject to rights created through  
aforesaid documents.

**Note:- This Search Report is subject to torn record and unready registers.**



**GEORGE L. FARGOES**  
Advocate

