

RAJESH D. KHOBRA GADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

Date :- 11/02/2020

SEARCH REPORT AND TITLE VERIFICATION

This is to certify that I have investigated the title of non agricultural land property lying, being and situate at Village- Manikpur, Tal- Vasai, Dist- Palghar, within the jurisdiction of Vasai Virar City Municipal Corporation, bearing following description:

<u>Sr. No.</u>	<u>Survey No.</u>	<u>Hissa No.</u>	<u>Area</u>	<u>Assessment</u>
----------------	-------------------	------------------	-------------	-------------------

(R.P.)

1	121	B	(Sq. Mtr) 1568	4.62
---	-----	---	-------------------	------

The abovementioned property is hereinafter referred to as "the said property". The said property is presently owned by M/s. Ideal Properties through its Proprietor Mr. Percival Paul Furtado.

That I have taken search from the office of sub-registrar Vasai, vide receipt No. 229/2017 dated 25/07/2013 for 62 years i.e. period from 1952 to 2013 and I have also taken search from the office of Sub - Registrar Vasai - 1 vide receipt No. 229/2017 dated 06/01/2017 for 5 years i.e. period from 2013 to 2017 and thereafter again for the year 2017 to 2019 vide online search receipt No. 1111671150 from Adv. Tushar Patil and thereafter vide online search for remaining period till date. The findings are as follows;

The findings are as follows;

<u>YEAR</u>	<u>REMARKS</u>
1952	NIL
1953	NIL
1954	NIL
1955	NIL

RAJESH D. KHOBRA GADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

1956	NIL
1957	NIL
1958	NIL
1959	ENTRY
1960	NIL
1961	NIL
1962	ENTRY
1963	ENTRY
1964	NIL
1965	NIL
1966	NIL
1967	NIL
1968	NIL
1969	NIL
1970	NIL
1971	NIL
1972	NIL
1973	NIL
1974	NIL
1975	NIL
1976	NIL
1977	NIL
1978	NIL
1979	NIL
1980	NIL
1981	NIL
1982	NIL
1983	NIL
1984	NIL
1985	NIL
1986	NIL
1987	NIL
1988	NIL
1989	NIL
1990	NIL
1991	NIL
1992	NIL
1993	NIL
1994	NIL
1995	NIL
1996	NIL
1997	NIL
1998	NIL
1999	NIL
2000	NIL

RAJESH D. KHOBRA GADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

2001	NIL
2002	NIL
2003	NIL
2004	NIL
2005	NIL
2006	NIL
2007	NIL
2008	NIL
2009	NIL
2010	NIL
2011	NIL
2012	NIL
2013	ENTRY
2014	ENTRY
2015	NIL
2016	NIL
2017	NIL
2018	NIL
2019	ENTRY
2020	NIL

My observation are as follows:

1. **MUTATION ENTRY NO. 190: Year 1927 :**

The said mutation entry reflects the adjustment of land through Kami-Jast patrak. Mutation Entry to that effect was registered and certified. From the said Mutation Entry it reflects that the land bearing survey No. 121 B is possessed and occupied by Mr. Bajya Duming.

2. **MUTATION ENTRY NO. 952:**

That Mr. Bajya Duming Damel died on 18/08/1948 and name of his legal heir Mr. Francis Bajya Damel(son) was recorded. Mutation Entry to that effect was registered and certified.

3. **MUTATION ENTRY NO. 386 :**

RAJESH D. KHOBRA GADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

That on 15/12/1960, Mr. Francis Bajya Damel got re-conveyance of mortgaged of the said land from 1) Mr. Mansukhlal Pereikh and 2) Mrs. Savita Mansukhlal Pereikh for the consideration of Rs.6,000/-. Mutation Entry to that effect was registered and certified. From registration record it appears that the property was mortgaged to 1) Mr. Mansukhlal Pereikh and 2) Mrs. Savita Mansukhlal Pereikh by mortgage deed dated 14/12/1956 which was registered on 15/06/1959. From mutation Entry effect of first mortgage is not reflecting.

4. MUTATION ENTRY NO. 1448:

That Mr. Francis Bajya Damel died on 28/05/1963, and he had following legal heirs.

Alex Francis D'mello (son) 2) Joseph Francis D'mello (son) ,3) Monika Francis(wife), 4) Monika Pereira(daughter), 5) Agnesh D'mello (daughter), 6) Gari Pereira(daughter) and 7) Margaret Mery (sister).

But as per the will prepared by Mr. Francis Bajya Damel, names of his two sons i.e. 1) Alex Francis D'mello (son) 2) Joseph Francis D'mello (son) only were muted on the 7/12 extracts of the said land. Mutation Entry to that effect was registered and certified.

5. MUTATION ENTRY NO. 1754 :

This mutation entry is pursuant to Indian Coinage Act 1955 and has no relation with the title of said land.

RAJESH D. KHOBRA GADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

6. **MUTATION ENTRY NO. 4290 :**

That on 31/03/2003, Mr. Alex Francis D'mello prepared a release deed, Registration No. 1978 in the name of his brother Mr. Joseph Francis D'mello pursuant to the said land, and therefore name of Mr. Alex Francis D'mello was removed from 7/12 extracts. Mutation Entry to that effect was registered and certified.

7. **Mutation Entry No. 5110 :** This Mutation Entry shows that Mrs. Judwell Norbert Bar filed Civil Suit being R.C.S. No. 192/2014 and thereafter she registered notice of lis-pendense with the Registrar of Assurance Vasai-6. The said Mutation Entry is registered and effected in the year 2014.

8. **Mutation Entry No. 5483 :** the said Mutation Entry reflects that as per the order passed by sub divisional officer Vasai in R.T.S. Appeal No. 40/2016 Mutation Entry No. 5110 is cancelled and accordingly the said mutation Entry is registered and certified in the year 2019.

9. **Mutation Entry No. 5487 :** This mutation entry is with regard to conversion of Non Agricultural Tax by Revenue Officer. Vide this Mutation Entry the effect of Conversion Tax paid is effected.

10. **Mutation Entry No. 5499 :** This Mutation Entry is with regard to recording of legal heirs of late Mr. Joseph Francis D'mello namely Mr. Lendon Joseph D'mello and Mr. Levelin Joseph D'mello.

RAJESH D. KHOBRADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

11. MUTATION ENTRY NO : 5561 :

By Deed of Conveyance dated 24/12/2019 which is registered on 24/12/2019 under document No. 7046/2019 the present owner M/s Ideal Properties through its proprietor Mr. Percival Paul Furtado purchased the said property from Mr. Lendon Joseph D'mello and ors. for consideration amount mentioned inter alia.

12. DEVELOPMENT AGREEMENT DATED 02/08/2013.

That Mr. Joseph Francis D'mello entered into Development Agreement with M/s Ideal Properties through its proprietor Mr. Percival Paul Furtado, on 02/08/2013 vide registration no. 9241 dated:- 02/08/2013

13. POWER OF ATTORNEY

With regard to above mentioned development agreement Mr. Joseph Francis D'mello prepared a Power Of Attorney in the name of Mr. Percival Paul Furtado regarding the development rights vide registration no. 9242 dated:- 02/08/2013.

14. DEED OF CONVEYANCE :

By Deed of Conveyance dated 24/12/2019 which is registered on 24/12/2019 under document No. 7046/2019 the present owner M/s Ideal Properties through its proprietor Mr. Percival Paul Furtado purchased the said property, from Mr. Lendon Joseph D'mello and ors. for consideration amount mentioned inter alia.

RAJESH D. KHOBRAGADE

Advocate High Court

003, A- Wing, Annapurna, Bhabola Naka, Papdy , Vasai (W), 401 207.

During the relevant year i.e. from 2013 till 2017, I did not find any other registered encumbrance on the said property. I have already given Search Report & Title Verification dated 01/10/2013 with regard to the said property for 62 years being 1952 to 2013. Therefore I repeat my earlier observations given in Search Report & Title Verification dated 01/10/2013. The flow of the title is proper and legal. The Development agreement with Mr. Percival Paul Furtado AND Power of Attorney given pursuant to it is culminated in execution of Deed of Conveyance. I did not find any registered encumbrance on the said property. However Mutation Entry No. 5110 shows that daughter of Mr. Alex D'mello has filed case against Mr. Alex D'mello, Mr. Joseph D'mello and M/s. Ideal Properties bearing R.C.S. No. 192/2014. The parties herein are Christian. The concept of Ancestral Property is not applicable to Christians. Mr. Alex D'mello has relinquished his rights be registered Deed and therefore his daughter has no right to challenge the said Deed. From record provided by the Developer it appears that Smt. Judwell N. Bar did not proceed with the Application for Temporary Injunction and therefore the same is kept alongwith suit. In short there is no interim relief granted to Mrs. Judwell bar. Therefore on the basis of Title deeds and search as provided by the search clerk, I am of the opinion that the title of the said property in favour **M/s Ideal Properties through its proprietor Mr. Percival Paul Furtado, is clear, marketable and free from any registered encumbrance (The title report is issued based on current legal situation and is subject to outcome of decision in R.C.S. No. 192/2014)**

Rajesh Khobragade.

RAJESH D. KHOBRAGADE
ADVOCATE & NOTARY
(GOVT. REGISTRATION NO. RA)
A/003, ANNAPURNA, BHABOLA,
VASAI - 401207.