

To.

M/S. Raheja Infra Structures Pvt. Ltd

Mumbai.

LEGAL OPINION

REPORT ON TITLE

Description of Property -

An open plot of land of part of arazi nos 174(part), 175(part), 176(part) and 177, having area of 5538 sq.mts( be little more or less), situated at Mauza, Daulatpur, Pargana, Shivpur, Varanasi, commonly known as" land of DARIYA ASHRAM"( not officially mentioned in Revenue records)

(hereinafter referred to as "the said land"

Owned by

Mahanth Satyadev Das Satnami Chela Vishwanath Das.

List of the Documents Referred for furnishing prima facie option-

1. Certified copy of Khasara and Khatauni since 1360 Fasli
2. Certified Copy of latest Khatauni which shows the mutation of the name of above named Satya Dev Das, over the above mentioned land.

I have inspected the records and other documents of the said land which is situated under one boundary and in shape of a single plot of land and visited the site with Architecture and made an inspection of available records of S.R., Varanasi as well as VDA for the last 30 years, for legal opinion regarding the title and other aspects.

History of Ownership/Tracing of Title -

I have gone through the aforesaid documents as well as Revenue records that property in question was initially devolved upon one Harbhajan Das ,Chela ( disciple) of Narain Das, as Bhumidhar with

**KSM Tripathi & Associates**

Legal Consultants & Advocates ( A Multi Disciplinary Law Firm )

**DELHI :**

318, Pkt-D, Mayur Vihar, Phase-II,  
New Delhi-110091

Phones : 91-11-65426540, 22784263

Fax: 91-11-22777837, Mob. : 9818685007

e-mail : dashwani@indiatimes.com

**VARANASI :**

"Mani Bhawan" D. 56/10 A-4, Meerbagh  
Varanasi - 221010 (U.P.) INDIA

Phones : 91-542-2410706, 2410337

Fax: 91-542-240337, Mob. : 9415227459

e-mail : malikemt@vsnl.com

**AHMADABAD :**

33, 1st Floor, Vijay Plaza,  
Opp. Abad Dairy

Kankria Road, Ahmadabad (Gujrat)

Phone : 91-079-25454418

Mob. : 9825402224

Transferable rights, since 1360 Fasli year i.e. since 1951 and after his demise the entire property devolved upon his Chela Ramkripal Das. Said Ram Kripal Das died in the year of 1993 and after his death entire property came into ownership of his sole heir Satyadev Das, above named present owner, in the year of 1994 and since then his name is mutated over the property, as Bhumidhar with transferable rights, as owner in possession, who now willing to enter into a Developer agreement with M/S. Raheja Infrastructures Pvt. Ltd for construction of group Housing complex over the said part of land as well as commercial construction. It is to be noted here that entire land is an ancestral land and no formal sale deed is in existence, and same is mentioned in records, as non agricultural land..

By the perusal of Khasara and Khatauni since 1951, it is evident that above mentioned property has duly been mutated in the name of above named Mahanth Satyadev Das Chela Mahanth Satnami Vishwanath Das, as absolute and sole owner.

Said Satyadev das has now every rights and title, as absolute owner to do every thing with the above land including conveyance, agreement etc.

Hence, by the perusal of said documents and by above inspection of records of Revenue and appropriate authority it is clear that the present owner, above named holds the possession over the said property, is the absolute owner of the said property and has clear and marketable title to the said premises.

Records of Rights/Mutation Entries -

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By the perusal of the copy of Khatauni and Khasra and records of Revenue it is clear that the name of Satyadev Das, above named has been entered as a owner in the records of Revenue, as Bhumidhar and nature of property is non agricultural.

**Approval of Building Plan -**

No building is at present constructed over the property in question.

**Completion Certificate and Occupancy Certificate -**

Not applicable.

**Commercial Usage -**

To be approved by the VDA.

**Electricity, Water and Sewerage Connection -**

There is no electric connection in the said land and the and water or sewer connection.

**Status on Tax due -**

All the Revenue taxes are paid upto date.

**Encumbrance and Lien -**

The records of Revenue since 1951 and also by the perusal and inspection of S.R. office records it is evident that the above arazi is free from all sorts of encumbrances. During the inspection of records,, it is found that the property above mentioned is not charged, lien and encumbered in any manner what so ever. It is further made clear that no document is found registered with the Sub-Registrar, Varanasi regarding the said property. The best care has been taken in this regard.

**Litigation -**



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New Delhi-110091  
Phones : 91-11-65426540, 22784263  
Fax: 91-11-22777837, Mob. : 9818685007  
e mail : dschwani@indiatimes.com

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"Mani Bhawan" D. 56/10 A-4, Meerbagh  
Varanasi - 221010 (U.P.) INDIA  
Phones : 91-542-2410706, 2410337  
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By the perusal of the documents apparently there seems to be no litigation or dispute of any nature regarding the said land and to ascertain this fact the declaration in affidavit or clause to be incorporated in developer agreement that no dispute claim suit, or any other proceedings are pending before any court of law or before any other authority of State or local self Government regarding the said Land.

Conclusion/Recommendation -

I, Therefore of the opinion, that Satya Dev Das is the absolute owner in possession of the said property and is free to alienate, transfer, mortgage, pledge his property having a good and marketable title over the property above mentioned.

Hence in my opinion the said land , may be occupied for the construction of group housing/commercial complex, as discussed above

Sincerely

K.S. Mani Tripathi

Solicitor/Advocate

Dated : 11<sup>th</sup> Feb;2012 / 17/5/12

Place: Varanasi

PS : Hard copy of this opinion has already been sent and now copy of this mail with few minor changes is being sent through courier.

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Mob : 9995408884