

NIKTE AND NIKTE

ADVOCATES

Pune : Office No. 201,
Amelia, 2nd Floor, CTS No. 1102/A/6,
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Pune : Court Chambers :

B-3 / B-6, Lawyers Chamber,
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Shivaji Nagar, Pune - 411005

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TITLE HISTORY:

- A. All that piece and parcels of the entire land property bearing Survey no. 135/1/1 admeasuring 100.33 R situated at revenue village – Pashan, Taluka – Haveli, District – Pune, within the local limits of Pune Municipal Corporation was originally owned by Mr. Venu Tukaram Dalvi from the year 1934 vide mutation entry no.108.
- B. That Mr. Venu Tukaram Dalvi expired on 13/02/1939 and after his death his legal heirs as follow – a. Mr. Shripati Venu Dalvi, b. Mr. Piraji Venu Dalvi, c. Mr. Ganpat Venu Dalvi and names of legal heirs were recorded on 7/12 extract vide mutation entry no.840.
- C. That Mr. Shripati Venu Dalvi expired on 19/08/1986 and after his death his legal heirs as follow – a. Mr. Chintamani Shripati Dalvi (son), b. Mrs. Yamunabai Kaluram Jadhav (daughter), c. Mrs. Kalpanabai Mhadu Landge (daughter), d. Mrs. Sundarabai Maruti Godambe (daughter), e. Late. Piraji Venu Dalvi (brother)



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and f. Mr. Ganpat Venu Dalvi (brother) and names of legal heirs were recorded on 7/12 extract vide mutation entry no.2831.

D. That by Release Deed dated 07/12/2001 registered at office of Sub- Registrar office 04 Haveli – 15 at serial no. 14499/2001 that Mrs. Sundarabai Maruti Godambe had released her 1/3rd share from the said land in favour of Mr. Chintamani Dalvi vide mutation entry no.5098.

E. That by Release Deed dated 20/12/2006 registered at office of Sub – Registrar office Haveli – 11 at serial no. 10009/2006 that Mrs. Kalpanabai Mhadu Landge had released her share in favour of Mr. Chintamani Dalvi and effect of the same is given on 7/12 extract vide mutation entry no.5726.

F. That Yamunabai Kaluram Jadhav expired on 24/03/2000 and after her death her legal heirs as follows – a. Mr. Jalindar Kaluram Jadhav (son), b. Mr. Vishwanath Kaluram Jadhav (son), c. Mrs. Kanta Popatrao Murkute (daughter) and Mrs. Sangita Rohidas Gholap (daughter) were recorded as legal heirs and effect of the same is given on 7/12 extract vide mutation entry no. 5899.



- G. That Mr. Jalindar Kaluram Jadhav and Mr. Vishwanath Kaluram Jadhav had released their share in said land in favour of Mr. Chintamani Dalvi through Release Deed 04/04/2009 registered at office of Sub – Registrar office Haveli – 15 at serial no. 2021/2009 and effect of the same is given on 7/12 extract vide mutation entry no.5900.
- H. That by an Agreement to Sale dated 26/02/2008 registered at office of Sub – Registrar office Haveli – 11 at serial no. 2147/2008 that Mr. Chintamani Dalvi, Mr. Sachin Chintamani Dalvi and Mr. Madhukar Chintamani Dalvi had given land admeasuring 1858.73 sq. mtrs. out of totally land admeasuring 00H 100.33R. situated at S.no. 135/1/1 to M/s Kumar Company for Development.
- I. That daughters of Mr. Chintamani Dalvi as follow – a. Mrs. Jayshri Sambhaji Murhe, b. Mrs. Vaishali Chintamani Dalvi had released their rights and share in said property in favour of a. Mr. Chintamani Dalvi, b. Mr. Sachin Chintamani Dalvi and Mr. Madhukar Chintamani Dalvi through Release Deed dated 17/05/2006 registered at office of Sub – Registrar office Haveli – 11 at serial no. 3820/2006.



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- J. That Mrs. Kanta Popatrao Murkute and Mrs. Sangita Rohidas Gholap had released their share in said land in favour of Mr. Chintamani Dalvi through Release Deed 21/05/2008 registered at office of Sub – Registrar office Haveli – 15 at serial no. 3523/2008.
- K. Further it appears as per order issued by Tehsildar vide NA/A/SR/15/2018 dated 17/01/2018 the new 7/12 extract was formed for the area admeasuring 00H 100.33R owned by Mr. Chintamani Shripat Dalvi.
- L. That by Sale deed dated 26/12/2020 registered at office of Sub – Registrar office Haveli – 16 at serial no. 14208/2020 that Mr. Chintamani Dalvi, Mr. Sachin Chintamani Dalvi and Mr. Madhukar Chintamani Dalvi and /s Kumar Company as consenting party sold area admeasuring 1858.73 sq. mtrs. out of totally land admeasuring 00H 100.33R situated at S.no. 135/1/1 which is now known as CTS no. 2311 to M/S. Aaryan Housing A regd. Partnership Firm having office at – CTS No. 11, Plot No A, Amar Avinash Corporate City, Office No. 7, 4th Floor, Bund Garden Road, Above HSBC Bank, Near Inox, Pune – 411001 (Hereinafter referred to as “Developer”) and effect of the same is given on 7/12 extract vide mutation entry no.6964.



M. That by Sale deed dated 27/09/2022 registered at office of Sub - Registrar office Haveli - 16 at serial no. 16695/2022 that Mr. Chintamani Dalvi, Mr. Sachin Chintamani Dalvi and Mr. Madhukar Chintamani Dalvi sold land admeasuring 1858.73 sq. mtrs. out of totally land admeasuring 00H 100.33R situated at S.no. 135/1/1 which is now known as CTS no. 2311 to Developer and effect of the same is given on 7/12 extract vide mutation entry no.7069

N. That by Development Agreement dated 18/04/2023 registered at office of Sub - Registrar office Haveli - 10 at serial no. 9175/2023 that Mr. Chintamani Dalvi, Mr. Sachin Chintamani Dalvi and Mr. Madhukar Chintamani Dalvi had given development rights in favour of Developer for an area admeasuring 2000 sq. mtrs. out of totally land admeasuring 00H 100.33R situated at S.no. 135/1/1 which is now known as CTS no. 2311 on terms and conditions mentioned there in.

O. Thus by virtue of deeds and documents, the Developer became an owner of 3717.46 sq.mtrs out of the said land and have acquired development rights of 2000 sq.mtrs. thus the developer is entitled to 5717.46 sq.mtr and the Mr. Chintamani Dalvi is entitled to



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remaining 4315.87 sq.ft. out of entire land property bearing S. no. 135/1/1 which is now known as CTS no. 2311.

- P. As per further terms of agreement dated 18.04.2023 Developer is entitled to develop and construct under scheme/project name Unique Skylinks and sell tenements of Wing/Plinth No. A, B, C, E, and I (commercial building) and their share in Wing D (i.e. Mhada Building), and Mr. Chintamani Dalvi is entitled to develop and construct and sell tenements in Building F, G, H and their share in Wing D (Mhada Building) by using all basic FSI, Paid FSI and ancilliary FSI / TDR and construction potential in proportionate to their respective share in the entire land.
- Q. The permission for non agricultural use of the portion admeasuring 8985.30 Sq.mtrs. (excluding the portion under road widening & green belt) has been obtained from the Collector vide Order bearing NoPMC/NOC/SR/35/2023 dated 04/12/2023.

SEARCH:



I have caused to take search for the period 30 years i.e. till date of issuance of this report; No any entry contrary to the

title of present owner and developer is found. The search receipts bearing its No. MH013738533202324E dated 10.1.2024 is annexed herewith for your reference.

CONCLUSION:

Considering all, I am of the opinion that, by virtue of aforesaid deeds and documents, the Developer is owner of 3717.46 sq.mtrs out of the said land and have acquired development rights of 2000 sq.mtrs. thus the developer is entitled to 5717.46 sq.mtr and the Mr. Chintamani Dalvi is entitled to remaining 4315.87 sq.ft. out of entire land property bearing S. no. 135/1/1 which is now known as CTS no.2311 and their title to the property is free and marketable and they both are entitled to develop the said property as their agreed terms in Development Agreement.


Adv. Shrihari Nikate

For Nikte and Nikte

