

FORMAT - A

(Circular No. 28/2021)

To,

Date : 21/07/2023

MAHARERA,

Aundh, Pune.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to lands bearing (A) Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Potkharaba i.e. total 13 Are, (B) Survey No. 34/3 (old Survey No. 859/3) admeasuring 12 Are + 2 Are Potkharaba i.e. total 14 Are and (C) Survey No. 34/4 (old Survey No. 859/4) admeasuring 41 Are + 4 Are Potkharaba i.e. total 45 Are, situated at revenue village Chovisawadi (Old Charholi Budruk), Taluka Haveli, District Pune, hereinafter all three properties/lands are referred as the "Said Properties/ Said Lands".

I have investigated the title of the Said Properties on the request of Mr. Abhijit Shirish Bhamre a partner of M/s. Chaurang Ventures, a registered partnership, having office at Ground floor, behind Kotak Mahindra Bank, Thermax Chowk, Chinchwad, Pune-4110019 hereinafter referred as "Developer" and following documents i.e. :-

1. **Description of the Properties:** All that piece and parcel of land bearing (A) Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Potkharaba i.e. total 13 Are, (B) Survey No. 34/3 (old Survey No. 859/3) admeasuring 12 Are + 2 Are Potkharaba i.e. total 14 Are and (C) Survey No. 34/4 (old Survey No. 859/4) admeasuring 41 Are + 4 Are Potkharaba i.e. total 45 Are, situated at revenue village Chovisawadi (Old Charholi Budruk), Taluka Haveli, District Pune, along with all the rights and benefits attached thereto, hereinafter all

J. W. Mhaiskar



three properties/lands are referred as the "Said Properties/ Said Lands" and singularly referred as Said "Property/Land".

2. The documents of allotment of Said Properties/Lands.

I have received photocopies the following title papers /documents to verify the title as below-

- a) Sale Deed date 19/03/1981 between Anna Dagdu Tapir to Tukaram Sakharam Tapkir.
- b) Development Agreement and Power of Attorney executed and registered on 24/05/2023 between Chaurang Ventures and Smt. Kantabai Tukaram Tapkir and others.
- c) Order of Tahasildar Haveli bearing No. HN/Vatap/SR/3/2013 dt 26/04/2013 as a partition between Subhash, Medha & Harshad in respect of their lands particularly Survey No. 34/3 of village Chovisawadi.
- d) Two Release Deeds of sisters namely Mrs. Sunita Shashikant Zanzurane & Mrs. Vandana Abhay Ghule registered of Sub-Registrar Haveli No. 20 at serial No. 7432/2011 & 7433/2011.
- e) Development Agreement and Power of Attorney dated 22/05/2023 executed and registered at Sub-Registrar Haveli No.18 at serial No. 9841/2023 and 9847/2023 between M/s. Chaurang Ventures through its partners and Medha Subhash Tapkir, Subhash Annasaheb Tapkir and Others.
- f) Zone Certificate dated 24/01/2023.

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3. 7/12 extracts issued by the concern revenue authority and Mutation entries:

- a) Survey No.34/2, (old Survey No. 859/2 at old village Charholi Budruk.) which is new revenue village Chovisawadi, Taluka Haveli Dist. Pune. - From 1951 to 2023 i.e. upto 10/02/2023.
- b) Survey No. 34/3, (Old Survey No. 859/3) at village Charholi Budruk, which is new revenue village Chovisawadi - From 1951 to 2023 i.e. upto 10/02/2023.
- c) Survey No.34/4 (old Survey No. 859/4) at village Charholi Budruk, which is new revenue village Chovisawadi - From 1951 to 2023 i.e. upto 10/02/2023.
- d) Mutation Entries No. 2127, 2261, 3862, 4329, 4912, 8121, 8190, 8381, 8444 8782, 8789 and 10286 of Village Charholi Bkudruk and Mutation Entries No.1, 2394, 2766, 5581 and 6130 of new Village Chovisawadi, Pune.

4. Search Report : I have taken search for 30 years since 1994 -2023 of the said lands bearing Survey No. 34/2, 34/3 and 34/4, Village Chovisawadi, Taluka Haveli, Dist. Pune and issued Report on 09/02/2023 by paying search fees to Govt. vide Challan No. MH014952363202223E dated 07/02/2023 and Receipt No. 1112766489 dated 07/02/2023 with the office of Joint District Registrar PND - 1 Urban and I did not find any adverse entry of any transaction in respect of these three Properties/ Lands.

5. On perusal of the above mentioned documents and all other relevant documents relating to title of the said Properties/Said Lands, I am of the opinion that the title of the following owners and Developer are having clear, marketable title and the said properties are free from all encumbrances.

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Owners of the Said Properties/ Said Lands

(1) The Property/Land (A) bearing Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Potkharaba i.e. total 13 Are, i.e. owners Smt. Kantabai Tukaram Tapkir, Sakharam Tukaram Tapkir and as a natural guardian of master Ayush, Mrs. Asha Sakharam Tapkir, Sujit Sakharam Tapkir, Mr. Sumit Sakharam Tapkir, Mrs. Gajarabai@ Laxmi Suresh Ambale, Mrs. Vaishali Somnath Walke, Mr Kaluram Sakharam Tapkir, Mrs. Indumati Kaluram Tapkir, Mr. Sandeep Kaluram Tapkir, Mrs. Manisha Sandeep Tapkir, Mr. Sahil Sandeep Tapkir, Miss Shravani Sandeep Tapkir, Mrs. Madhuri@ Anuradha Thopte.

(2) The Properties/Lands (B) and (C) bearing Survey No. 34/3 & 34/4 admeasuring 14 Are and 45 Are situated at Village Chovisawadi, Tal. Haveli, Dist. Pune, own and belong to Mrs. Medha Subhash Tapkir for Survey No. 34/3 areas 14 Are and Mr. Subhash Annasaheb Tapkir for Survey No. 34/4 area 45 Are and their children namely Mr. Harshad Subhash Tapkir and natural guardian of Rugved and Spruha and Mrs. Pradnya Abhijeet Taware and Mrs. Supriya Harshad Tapkir, hereinafter all the owners mentioned in above two paras are together referred as "Owners".

(3) Further I state that subsequently M/s. Chaurang Ventures, a registered partnership firm through its partners namely Abhijit Shirish Bhamre, Mr. Chirayu Ishwar Jain and Mr. Bhavin Paras Bhamboli is having good, clear, marketable title for the said Properties/Lands bearing **(A)** Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Potkharaba i.e. total 13 Are, **(B)** Survey No. 34/3 (old Survey No. 859/3) admeasuring 12 Are + 2 Are Potkharaba i.e. total 14 Are and **(C)** Survey No. 34/4 (old Survey No. 859/4) admeasuring 41 Are + 4 Are Potkharaba i.e. total 45 Are, situated at revenue village Chovisawadi (Old Charholi

Budruk), Taluka Haveli, District Pune in view to develop, construct and sale the constructed premises subject to plan sanctions and as per the terms and conditions mentioned in Development Agreement and Power of Attorney dated 24/05/2023, which are registered on 30/05/2023 at Sub Registrar Haveli No. 18 at Serial No. 10144/23 and 10145/23 and another Development Agreement and Power of Attorney dt. 22/05/2023, which are registered at the Sub Registrar Haveli No. 18 at Serial No.9841/23 and 9847/23 executed in favour of the M/s. Chaurang Ventures by the respective owners mentioned therein.

6. The report reflecting the flow of the title of the Owners and Developer on the Said Properties/Said Lands is enclosed herewith as annexure.

Encl : Annexure

Pune

Date : 21/07/2023

J. W. Mhaiskar

Jayant Waman Mhaiskar

Advocate



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FLOW OF THE TITLE OF THE SAID PROPERTIES/ SAID LANDS.

Sr.No.

- 1) **7/12 extracts as on date of application for registration.**
 - a) Survey No.34/2, (old Survey No. 859/2 at old village Charholi Budruk.) which is new revenue village Chovisawadi, Taluka Haveli Dist. Pune. - From 1951 to 2023 i.e. upto 10/02/2023.
 - b) Survey No. 34/3, (Old Survey No. 859/3) at village Charholi Budruk, which is new revenue village Chovisawadi - From 1951 to 2023 i.e. upto 10/02/2023.
 - c) Survey No.34/4 (old Survey No. 859/4) at village Charholi Budruk, which is new revenue village Chovisawadi - From 1951 to 2023 i.e. upto 10/02/2023.
- 2) **Mutation Entries No. 2127, 2261, 3862, 4329, 4912, 8121, 8190, 8381, 8444, 8782, 8789 and 10286 of Village Charholi Bkudruk and Mutation Entries No.1, 2394, 2766, 5581 and 6130 of new Village Chovisawadi, Pune.**
- 3) **Search Report for 30 years from 1994 - 2023 taken from Sub-registrar' offices :** I have taken search for 30 years of the said lands bearing Survey No. 34/2, 34/3 and 34/4, Village Chovisawadi, Taluka Haveli, Dist. Pune and issued Report on 09/02/2023 by paying search fees to Govt. vide Challan No. MH014952363202223E dated 07/02/2023 and Receipt No. 1112766489 dated 07/02/2023 with the office of Joint District Registrar PND - I Urban and I did not find any adverse entry of any transaction in respect of these three Properties/ Lands as mentioned in my search report on 09/02/2023.

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- 4) At the instance of M/s. Chaurang Ventures, a registered partnership firm through its partner Mr. Abhijit Shirish Bhamre having office at Ground Floor, behind Kotak Mahindra Bank, Thermax Chowk, Chinchwad, Pune-411019. I have taken the search and verified the title documents, provided for my inspection and perusal in respect of the above mentioned three properties /lands as follows :

Flow of the title :-

- 5) I have gone through the documents as 7/12 extracts and mutation entries in respect of the Properties/Lands (A) bearing Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Potkharaba i.e. total 13 Are, (B) the Property /Land bearing Survey No. 34/3 (old Survey No. 859/3) admeasuring 12 Are + 2 Are Potkharaba i.e. total 14 Are, (C) the Property /Land bearing Survey No. 34/4 (old Survey No. 859/4) admeasuring 41 Are + 4 Are Potkharaba i.e. total 45 Are, All above three (A, B & C) properties / lands situated at revenue village Chovisawadi (Old Charholi Budruk), Taluka Haveli, District Pune, hereinafter all lands together referred as the said "Properties/Lands" and singularly referred as Said "Property/Land".

(I) (A) Property /land bearing Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Potkharaba i.e. total 13 Are at Chovisawadi, Taluka Haveli, Dist. Pune :

The land bearing Survey No. 34/2 (old Survey No. 859/2) admeasuring 11 Are + 2 Are Pot Kharaba, i.e. total area 13 Are assessed at Rs.00.50 Paise, situated at Village Chovisawadi (Old Charholi Bk. village,) Tal. Haveli, Dist. Pune, which is herein after referred as the said Property/Land, which is presently stands in 7/12 extract as revenue record in the names of Smt. Kantabai Tukaram Tapkir, Sakharam Tukaram Tapkir, Gajrabai Suresh Ambale, Vaishali Somnath Walke, Kaluram Sakharam Tapkir as owners and possessors.

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I have received photocopies of the following title papers /documents to verify the title as below-

(a) 7/12 extracts from 1951 to 2023 of Survey No.34/2, (old Survey No. 859/2 at old village Charholi Budruk.) which is new revenue village Chovisawadi, Taluka Haveli Dist. Pune.

(b) Mutation Entry No. 2127, 3862, 8121, 8381, 10286 of Village Charholi Bk. and Mutation Entries No.1, 2394, 2766, 6130 of new village Chovisawadi, Pune

(c) Zone Certificate dated 24/01/2023,

(d) Sale Deed date 19/03/1981 between Anna Dagdu Tapir to Tukaram Sakharam Tapkir.

(e) Development Agreement and Power of Attorney executed and registered on 24/05/2023 between Chaurang Ventures and Smt. Kantabai Tukaram Tapkir and others.

As per above title papers, I have prepared the Title flow of the Owners as below:-

- 1) I have perused the 7/12 extracts of Survey No. 34/2, Chovisawadi, Tal. Haveli, Dist. Pune of the year since 1951 upto 10/02/2023, which land bearing Survey No. 859/2, area 13 Are of Charholi Bk. Originally belonged to Mr. Sakharam Kushaba Tapkir as per Mutation Entry No. 2127 dated 03/09/1934 and his name was appeared in 7/12 extract in ownership and possession column.
- 2) Further as per Mutation Entry No. 3862 dt. 10/02/1952, it appears that, Mr. Sakharam Kushaba Tapkir died leaving behind his son namely Tukaram Sakharam Tapkir as Manager of his family (both the mutation 2127 and 3862, there is no name of village, at the top

of Certified copy). Thus Tukaram Sakharam Tapkir became the owner of said property since 1952.

- 3) As per Mutation Entry No. 8121 it shows that as per weight and measurement Act, the Survey Number converted in Dashman Paddhat.
- 4) Thereafter as per Mutation Entry No. 8381 dt. 13/08/1971, it appears that, Tukaram Sakharam Tapkir sold the said land 859/2 to Mr. Anna Dagdu Tapkir by executing a sale deed dt. 23/06/1970 for consideration Rs. 600/-, hence the name Anna Dagdu Tapkir's name appeared in 7/12 extract as per Mutation No. 8381 as owner and possessor. The said sale deed is not given for my perusal and verification, hence I relied on Mutation Entry No. 8381.
- 5) Then it appears from the Mutation Entry No. 10286 dt. 23/09/1989, that Mr. Anna Dagdu Tapkir Sold the said land 859/2, area 13 Are to Mr. Tukaram Sakharam Tapkir by executing a sale deed dt. 19/03/1981, which is registered on 16/06/1981 at serial No. 2234 of office Sub Registrar, Haveli No. 1 for the consideration Rs. 600/- but in the Mutation Entry No. 10286 consideration was shown Rs. 6000/- that is not correct. The sale deed xerox copy shows that the consideration Rs. 600/- only. However once again the name of Tukaram Sakharam Tapkir appeared on 7/12 extract as owner and possessor by the sale deed executed on 19/3/1981 (16/06/1981) and by Mutation Entry No. 10286 dt. 23/09/1989. (Which both mutation entries certified copies has also no name of village mentioned at the top).
- 6) As per Mutation Entry No.1 carried on 01/08/1991, it appears that the old revenue village Charholi Budruk was bifurcated, hence out of that, the new revenue village as Chovisawadi was formed and old

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Survey No. 859/2 was converted as Survey No. 34/2, hence thereafter in respect of the said land new Mutation were carried out as per new revenue village Chovisawadi Tal. Haveli, Dist. Pune.

- 7) Further as per Mutation Entry No. 2394 dt.25/08/2003 of village Chovisawadi that Mr. Tukaram Sakharam Tapkir died on 12/07/2003 leaving behind his legal heirs namely Smt. Kantabai Tukaram Tapkir (wife), Sakharam Tukaram Tapkir (son), Gajrabai Suresh Ambale, Vaishali Somnath Walke (daughters) and their names appeared in 7/12 extract as owners and possessors.
- 8) Then it appears from the Mutation Entry No. 2766 dated 09/10/2006 of Chovisawadi, that as per the order of Tahasildar Haveli, bearing order No. hno/kavi/3217/06 dt.04/08/2006, Mr. Kaluram Sakharam Tapkir applied to enter his name in 7/12 extract of Survey No.34/2 as a legal heir of Sakharam Kushaba Tapkir and his name was entered in 7/12 extract along with the other legal heirs of Late Tukaram Sakharam Tapir namely Smt. Kantabai Tukaram Tapkir (wife), Sakharam Tukaram Tapkir (son), Gajrabai Suresh Ambale, Vaishali Somnath Walke (daughters). However the above five persons names appeared in 7/12 extract as owners and possessors and they are having undivided share in the said property of the land Survey No. 34/2.
- 9) As per Mutation Entry No.6130 it shows that as per E Mutation project, the 7/12 extract and area of the land were exactly matched as per computer system and made the amendment therein. hence Survey No. 34/2 was correctly shown in 7/12 extract.
- 10) However the present 7/12 extract dt. 10/02/2023 shows that, the persons namely Smt. Kantabai Tukaram Tapkir, Sakharam Tukaram Tapkir, Gajrabai Suresh Ambale, Vaishali Somnath Walke and

Kaluram Tukaram Tapkir are the owners and in possession of the said land Survey No. 34/2 area 13 Are at Chovisawadi, Tal. Haveli, Dist. Pune as their ancestral property / land.

- 11) Further Smt. Kantabai Tukaram Tapkir, Sakharam Tukaram Tapkir for himself and as a natural guardian of master Ayush, Mrs. Asha Sakharam Tapkir, Sujit Sakharam Tapkir, Mr. Sumit Sakharam Tapkir, Mrs. Gajarabai @ Laxmi Suresh Ambale, Mrs. Vaishali Somnath Walke, Mr Kaluram Sakharam Tapkir, Mrs. Indumati Kaluram Tapkir, Mr. Sandeep Kaluram Tapkir, Mrs. Manisha Sandeep Tapkir, Mr. Sahil Sandeep Tapkir, Miss Shravani Sandeep Tapkir, Mrs. Madhuri @ anuradha Thopte have executed a Development Agreement dt. 24/05/2023, which is registered on 30/05/2023 at Sub Registrar Haveli No. 18 at Serial No. 10144 and Power of attorney dated 24/05/2023 registered on 30/05/2023 at serial No. 10145/23, in respect of S.No.34/2 area 13 Are situated at Chovisawadi, Tal. Haveli, Dist.Pune, in favour of M/s. Chaurang Ventures, registered partnership firm, through its partner Mr. Abhijit Shrish Bhamare, Mr. Chirayu Kishor Jain, Bahvin Paras Bhamboli. having office at Ground Floor, behind Kotak Mahindra Bank, Thermax chowk, Chinchwad Pune-411019, for development and construction and sale of constructed premises therein for the consideration mentioned therein.
- 12) However M/s. Chaurang Ventures have received the development, construction and sale of premises rights, title in the said property land S.No.34/2 and having good clean, marketable title of the property / land bearing Survey. No.34/2 area 13 Are situated at Chovisawadi, Tal. Haveli, Dist.Pune as discussed above.

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(II) (B) Property /land bearing Survey No. 34/3 (old Survey No. 859/3) admeasuring 12 Are + 2 Are Potkharaba i.e. total 14 Are and

(II) (C) Survey No. 34/4 (old Survey No. 859/4) admeasuring 41 Are + 4 Are Potkharaba i.e. total 45 Are both lands (B +C) are situated at Chovisawadi, Taluka Haveli, Dist. Pune:

The property land bearing Survey 34/3 (old Survey No. 859/3) admeasuring 12 Are + 2 Are Pothkharaba i.e. total 14 Are assessed 0.56 paise and Survey 34/4 (old Survey No. 859/4) admeasuring 41 Are + 4 Are Pothkharaba i.e. total 45 Are assessed Rs.1.81 paise, both lands situated at village Chovisawadi (old Charholi Budruk village) Taluka Haveli, Dist. Pune, which presently stands in 7/12 extract as revenue record in the names of Medha Subhash Tapkir and Subhash Annaso Tapkir as owner and possessor.

I have received photocopies of the following title papers /documents to verify the title as below-

(a) 7/12 extracts of Survey No. 34/3, (Old Survey No. 859/3) and survey No.34/4 (old Survey No. 859/4) at village Charholi Budruk, which is new revenue village Chovisawadi - 7/12 since 1951 to 2023 i.e. upto 10/02/2023.

(b) Mutation Entries 2127, 2261, 4329, 4912, 8121, 8190, 8444 8782, 8789 of Charholi Budruk and Mutation Entry No.1, 5581, 6130 of new village Chovisawadi, Pune.

(c) Zone Certificate dt 24/01/2023

(d) Order of Tahasildar Haveli bearing No. HN/Vatap/SR/3/2013 dt 26/04/2013 as a partition between Subhash, Medha & Harshad in respect of their lands particularly Survey No. 34/3 of village Chovisawadi.

(e) Two Release Deeds of sisters namely Mrs. Sunita Shashikant Zanzurane & Mrs. Vandana Abhay Ghule registered of Sub-Registrar Haveli No. 20 at serial No. 7432/2011 & 7433/2011.

(f) Development agreement and power of attorney dated 22/05/2023 executed and registered at Sub-Registrar Haveli No.18 at serial No. 9841/2023 and 9847/2023 between M/s. Chaurang Ventures through its partners and Medha subhash Tapkir, Subhash Annasaheb Tapkir and Others. Hence as per above title papers, I have prepared title flow of the owners title as below:-

(B) Survey No.34/3 (Old Survey No. 859/3) area 14 Are, situated at Chovisawadi, Pune.

- 1) I found that as per mutation entry No. 2127 dt. 3/9/1934 that Survey No. 859 was sub-divided (Phalani) in four Hissas i.e. Survey No. 859/1, 859/2, 859/3, 859/4. In the said mutation it was shown that Suvery No. 859/3 area 14 Gunthas, was in the name and in possession of Mr. Dagadu Bhoju Tapkir. (on mutation No. 2127 there is no name of village mentioned at the top of Certified copy)
- 2) It appears from the mutation entry No. 2261 dt. 17/05/1935 that Mr. Dagadu Bhoju Tapkir and Namdeo Bhoju Tapkir had mortgaged said Survey No. 859/3 and other lands to Mr. Vishnu Ramkrishna Kulkarni and his name appeared in other rights column of 7/12 extract of land Survey No. 859/3 as mortgagee.
- 3) Further as per mutation entry No. 4329 dt. 03/12/1955, it appears that Mr. Dagadu Bhoju Tapkir died before 10 years back and having son Anna Dagadu Tapkir and brother Namdeo Bhoju Tapkir, hence their names appeared in 7/12 extract of Suvey No.859/3 area 14 gunthas as owners and in possession column.

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- 4) Then as per Mutation entry No. 8121 dt. 01/02/1969 it appears that in the year 1969, as per weight & measurement Act, the area of the Lands of Charholi Budruk was implemented in Dashman, hence the old Survey No. 859/3 was shown as 14 Are and that was made effective since 1969.
- 5) Now the mutation entry No. 8190 dt. 29/10/1969 shows that Mr. Namdeo Bhoju Tapkir died 28/01/1969 & he had legal heirs as Mr. Kisan Namdeo Tapkir and 7 others & Mr. Kisan Namdeo Tapkir's name as Manager of HUF appeared in 7/12 extract for their shares Properties/land.
- 6) Then as per mutation entry No. 8444 dt. 23/02/1973 that it appears that Mr. Anna Dagadu Tapkir and Kisan Namdeo Tapkir as Manager HUF had partitioned their land between themselves and Survey No. 859/3 area 14 Are was allotted and given to Mr. Anna Dagadu Tapkir as per partition, for which order was passed by Tahasildar Haveli on 21/02/1973 but the said order of Tahasildar was not given for my perusal but mentioned in the mutation entry No. 8444.
- 7) As per mutation entry No. 8782 dt. 12/12/1977, it appears that few persons including Mr. Vishnu Ramkrishna Kulkarni's loan were already repaid by Dagadu Bhoju Tapkir and Namdeo Bhoju Tapkir, hence the names of Mr. Vishnu Ramkrishna Kulkarni & others are void in other rights column, hence deleted from 7/12 extract.

All above mutation entries of Charholi Bk. village given for my inspection and verification are in such conditions that, no name of Village, Taluka, District are given at the top of mutation entries, hence can not understand the name of village and no explanation from my client or Government office is given why name of village

etc. is not given and not appeared in certified copy of mutation entries.

- 8) Then mutation entry No. 8789 dt. 10/03/1978 shows that the owner Mr. Annasaheb Dagadu Tapkir had partitioned his lands between himself and his two sons and wife including Survey No. 859/3 and 859/4, hence the lands Survey No.859/3 area 14 Are and 859/4 area 45 Are & other lands allotted and given to Mr. Subhash Annasaheb Tapkir, the son of Annasaheb Tapkir, for which Tahasildar Haveli had passed an order dt. 09/02/1978, for partition hearing order no. 5/1977 dt. 09/02/1978, which order of partition of the said order was not given for my inspection & verification. hence Mr. Subhash Annasaheb Tapkir is owner and possessor of Survey No. 859/3 area 14 Are as his ancestral property.
- 9) However the name of Mr. Subhash Annasaheb Tapkir has appeared in 7/12 extract for the land Survey No. 859/3 areas 14 Are and Survey No. 859/4 area 45 Are as owner and possessor, since partition on 09/02/1978 as his ancestral property as per mutation entry No.8789.
- 10) Then as per mutation entry No. 1 dt, 01/08/1991, it appears that Chharholi Budruk Revenue village was divided and out of that one separate Revenue village namely Chovisawadi was converted & formed, hence old Survey No. 859 was converted as new Survey No.34, therefore Survey No. 34/3 areas 14 Are and Survey No. 34/4 area 45 Are were/are in the name of the Mr. Subhash Annasaheb Tapkir,
- 11) As per mutation entry No.5581 dt. 04/12/2014 it appears that Mr. Subhash Annasaheb Tapkir had partitioned his some properties and land (out of his all properties /land) received by him in partition

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from his father Annasaheb Tapkir, between his family members as himself, wife, Mrs. Medha and son Harshad vide order of Tahasildar as per section 85 of the land revenue code on 26/04/2013 (in order name of Suresh wrongly appeared in first para of order) and Survey No.34/3 area 14 Are was allotted and given to Mrs. Medha Subhash Tapkir as owner and possessor, hence her name appears in 7/12 extract of Survey No. 34/3 Area 14 'R' as owner & possessor since there from till today as per mutation entry No. 5581.

- 12) Further mutation entry No. 6130 dt. 21/01/2017, it appear that the area of Survey number were matched & mutation 8782 was deleted from other rights column.

(C) Survey No.34/4 (Old Survey No. 859/4) area 45 Are, situated at Chovisawadi, Pune.

- 1) It appears from 7/12 extract & mutation entry no. 2127 dt. 03/09/1934 of old Survey No. 859/4 area 1 Acre and Four Gunthas i.e. 44 Gunthas at Charholi Budruk village belonged to Mr. Devram Rama Tapkir as per phalnihara and his name appeared in 7/12 extract as per mutation entry no. 2127. I have not received previous 7/12 extract of said survey No. 859/4.

- 2) It is clear that Mr. Devram Ram Tapkir's name appeared in 7/12 extract as owner but later on his name was bracketed and deleted and since the year 1959 the name of Anna Dagdu Tapkir was shown in ownership column as owner as per mutation entry No. 4912 dt. 23/03/1959 and the name of Anna Dagadu Tapkir and Namdev Bhoju Tapkir were shown in possession column as possessor/cultivator of Survey No.859/4 but later on since the year 1955-56 the name of Anna Dagadu Tapkir only appeared in ownership and possession column for Survey No. 859/4.



- 3) Further it appears from mutation entry No. 4912 dt 23/03/1959 that Anna Dagadu Tapkir had applied that the names of Hari Rama Tapkir and Devram Tapkir were nominal and be deleted and the name of Anna Dagadu Tapkir be entered in 7/12 extract as per proceeding order No. TNC/W.S/II/458/59 dt.10/3/1959 of Mamledar Haveli, Pune . Hence as per Mutation entry No. 4912, the names of Hari and Devram Tapkir were deleted from 7/12 extract of old Survey No. 859/4 and the name of the Mr. Anna Dagadu Tapkir was entered in 7/12 extract in ownership column and in possession column. I have not received the proceeding / order No. TNC/W.S/II/458/59 dt. 10/03/1959 of Tahasildar Haveli, Pune for verification and perusal and cannot ascertain that what was that order but since 23/03/1959, name of Mr. Anna Dagadu Tapkir appeared in 7/12 extract of old Survey No. 859/4 area one Acre Four Gunthas i.e. 44 Gunthas as owner and possessor as per Mutation No.4912 dt. 23/03/1959.
- 4) Then as per Mutation entry No. 8121 of February 1969 it appears that in the year 1969, weight & measurement Act, the area of the Lands of Charholi Budruk was implemented in Dashman and was made effective since 1969 and area of the said Survey number got changed to and corrected and become 45 Ares.
- 5) Further as per Mutation Entry No. 8789 dt. 10/03/1978 that Annasaheb Dagadu Tapkir had partitioned his all lands between himself, his wife and two sons including the Survey No.859/3 area 14 Are and 859/4 area 45 Are and this two Survey Numbers as 859/3 area 14 Are and 859/4 area 45 Are, which were allotted & given to the share of Mr. Subhash Annasaheb Tapkir as per said partition order No. partition/5/1977 dt. 09/02/1978, which order of Partition was not given for my inspection and verification. Thus the

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partition between Annasaheb Dagadu Tapkir, his two sons Suresh and Subhash and wife Janabai were made effective in 7/12 extract. However Mr. Subhash Annasaheb Tapkir's name appeared in 7/12 extract of old Survey No. 859/3 area 14 R and old Survey No. 859/4 area 45 Are as owner and possessor since the year 1978 in 7/12 extract as his ancestral property, having the rights of his son and daughter therein.

- 6) Then as per mutation entry No. 1 dt, 01/08/1991, it appears that Charholi Budruk Revenue village was divided and out of that one separate Revenue village namely Chovisawadi was converted & formed, hence old Survey No. 859 was converted as new Survey No.34.
- 7) Further, I have received two Release Deed dt. 11/10/2011 and 10/10/2011, which two Release Deeds are executed and Registered at Sub Registrar Haveli No. 20 at Serial No. 7432/2011 and 7433/2011 between Mr. Suresh Annasaheb Tapkir, Subhash Annasaheb Tapkir and their sisters namely Sunita Shashikant Zanjurne, Mrs. Vandana Abhay Ghule as they have released all their rights, title and interest in various property as daughter of Annasaheb Dagdu Tapkir in favor of Mr.Suresh and Mr. Subhash Annasaheb Tapkir but there is no mention of Survey No. 34/3 and 34/4 and no 7/12 extract annexed to that document, but both the sister namely Mrs. Sunita Shashikant Zanjurne, Mrs. Vandana Abhay Ghule admitted the partition done by Mr. Annasaheb Tapkir and his wife and two sons and both have admitted that they no objection to the partition and admitted the partition as mentioned in both Released Deed. In the both Release Deeds for leaving and releasing all the rights in all the properties, both the sisters have

accepted huge amount in view to love and affection for Suresh and Subhash Tapkir, and their names never appeared in revenue record.

- 8) However Survey No. 34/3 admeasuring 14 Are and Survey No.34/4 admeasuring 45 Are situated at Village Chovisawadi, Tal. Haveli, Dist. Pune, own and belong and in possession of the owners Mrs. Medha Subhash Tapkir and Mr. Subhash Annasaheb Tapkir, as their ancestral properties/ land.
- 9) The said owners namely Mrs. Medha Subhash Tapkir and Subhash Annasaheb Tapkir and their two children namely Harshad Subhash Tapkir for himself and natural guardian of Rugved and Spruha and Pradnya Abhijeet Taware and Mrs. Supriya Harshad Tapkir of the properties land Survey No. 34/3 area 14 Are and Survey No. 34/4 area 45 Are situated at Chovisawadi Tal. Haveli, Dist. Pune, have agreed to sell and transfer for development construction and sale the constructed premises upon the said properties /lands to M/s. Chaurang Ventures, a registered partnership firm through its partners namely Abhijit Shirish Bhamre, Mr. Chirayu Ishwar Jain, Mr. Bhavin Paras Bhamboli by executing and registering the Development agreement dated 22/05/2023 and Power of Attorney dated 22/05/2023, which Development Agreement and POA are registered at the Sub Register Haveli No. 18 at Serial No.9841 & 9847 of 2023. However the present owners namely Mrs. Medha Subhash Tapkir and Subhash Annasaheb Tapkir and subsequently M/s. Chaurang Ventures as mentioned above, having good clear marketable title over the said properties / lands Survey No. 34/3 area 14 Are and Survey No. 34/4 area 45 Are situated at Chovisawadi Tal. Haveli, Dist. Pune as per terms and conditions of Development Agreement dated 22/05/2023 as discussed above.



- 6) **Zone Certificate:-** I have received the zone certificate dt. 24/01/2023 being No. NRV/KV/ZD/07/76/2022, which shows that the said land Survey No. 34 is in Residential zone and affected by some part by 24 and 18 meters Road. I am told Survey No. 34/2 admeasuring 13 Arc. 34/3 admeasuring 14 Arc and 34/4 admeasuring 45 Arc are in Residential zone and some part is affected by Road, Hence it is clear that above three lands are in Residential zone, having potential to develop and construct as per Rules / Regulations & plan to be sanctioned by Pimpri Chinchwad Municipal Corporation.
- 7) **ULC Provisions & Agriculture land holding & BTAL Act :-** I have not received any papers in respect of Urban land (C & R) Act 1976 of the said three Properties /lands, therefore I cannot assess that whether the owners had filed any Returns under ULC Act or Agriculture (ceiling and holding) Act. I am told that they had not filed such Returns as said the land Survey No. 34/2, 34/3 and 34/4 were in Agricultural Zone and not declared as excess under ULC Act & Agriculture ceiling on holding Act or any other Act. Further it is told that there was no tenant in the said three lands and there is no proceeding pending before any Revenue Authority or Government Authority and further told these three properties /lands are free from any litigation of Civil or Revenue litigation.
- 8) **Public Notice:-** (a) The public notice in daily Prabhat was published through an Advocate on 09/02/2023 in respect of the said property / land Survey No. 34/2 calling the objections from any body and yet not received any objection from any body in respect of the said property/land.
- (b) Then a further public notice was published through an Advocate in daily "Prabhat" on 25/01/2023 in respect of the property/land S.No. 34/3 & 34/4 calling the objections from public and an objection dtd. 31/01/2023 from one Adv. namely Sai S. Deshmukh, having address Pathare Complex, Sub Registrar office No. 7, Chandan

*J.W. Mhaiskar*

Nagar, Pune-411014 was received for and on behalf of Mr. Dattatray Kisan Tapkir and Prakash Bapu Tapkir stating that their share and the above lands were not partitioned and area measured correctly and boundaries are not fixed between themselves, hence they have objection for transfer the said land till measurement of the land but later on 14/02/2023, Adv. Sai S. Deshmukh has withdrawn the said objection and given no objection letter on behalf of his clients namely Mr. Dattatray Kisan Tapkir and Prakash Bapu Tapkir, that, they are withdrawing their objection as settled between themselves and they were satisfied their queries, hence except that there is no any other objection received from anybody in respect of the said land.

- 9) **Conclusion :** However in view to verification and perusal and subject to available concern papers / documents such 7/12 extract mutations, other documents & subject to above discussion and relying upon above documents only as mentioned above in respect of -

(I) (A) (a) Survey No. 34/2 admeasuring 13 Are situated at Village Chovisawadi, Tal. Haveli, Dist. Pune, which owns and belongs and in possession of the owners namely Smt. Kantabai Tukaram Tapkir, Sakharam Tukaram Tapkir, Gajrabai Suresh Ambale, Vaishali Somnath Walke, Kaluram Sakharam Tapkir and their sons, daughters are having undivided shares therein as their ancestral property / land, and their title is clear, marketable and free from all encumbrances as discussed above.

(b) Further Smt. Kantabai Tukaram Tapkir, Sakharam Tukaram Tapkir for himself and as a natural guardian of master Ayush, Mrs. Asha Sakharam Tapkir, Sujit Sakharam Tapkir, Mr. Sumit Sakharam Tapkir, Mrs. Gajarabai @ Laxmi Suresh Ambale, Mrs. Vaishali Somnath Walke, Mr Kaluram Sakharam Tapkir, Mrs.

Indumati Kaluram Tapkir, Mr. Sandeep Kaluram Tapkir, Mrs. Manisha Sandeep Tapkir, Mr. Sahil Sandeep Tapkir, Miss Shravani Sandeep Tapkir, Mrs. Madhuri @ Anuradha Thopte have executed a Development Agreement dt. 24/05/2023, which is registered on 30/05/2023 at Sub Registrar Haveli No. 18 at Serial No. 10144 and Power of attorney dated 24/05/2023 registered on 30/05/2023 at serial No. 10145/23, in respect of S.No.34/2 area 13 Are situated at Chovisawadi, Tal. Haveli, Dist.Pune, in favour of M/s. Chaurang Ventures, registered partnership firm, through its partner Mr. Abhijit Shrish Bhamare, Mr. Chirayu Kishor Jain, Bahvin Paras Bhamboli. having office at Ground Floor, behind Kotak Mahindra Bank, Thermax chowk, Chinchwad Pune-411019, for development and construction and sale of constructed premises therein for the consideration mentioned therein.

(c) However M/s.Chaurang Ventures have received the development, construction and sale of premises rights, title in the said property land S.No.34/2 and having good clean, marketable title of the property / land bearing Survey .No34/2 area 13 Are situated at Chovisawadi, Tal. Haveli, Dist.Pune as discussed above.

- 10) **Conclusion : (II) (B & C) (a)** Further Survey No. 34/3 & 34/4 admeasuring 14 Are and 45 Are situated at Village Chovisawadi, Tal. Haveli, Dist. Pune, own and belong and in possession of the owners Mrs. Medha Subhash Tapkir for Survey No. 34/3 areas 14 Are and Mr. Subhash Annasaheb Tapkir for Survey No. 34/4 area 45 Are as their ancestral properties/ land and their children namely Mr. Harshad Subhash Tapkir and Mrs. Pradnya Abhijit Taware are having undivided shares therein as their ancestral properties / land as mentioned above and their title is clear, marketable and free from all encumbrances as discussed above.




(b) Development Agreement & Power of Attorney : The said owners namely Mrs. Medha Subhash Tapkir and Subhash Annasaheb Tapkir and their two children namely Harshad Subhash Tapkir for himself and natural guardian of Rugved and Spruha and Pradnya Abhijeet Taware and Mrs. Supriya Harshad Tapkir of the properties land Survey No. 34/3 area 14 Are and Survey No. 34/4 area 45 Are situated at Chovisawadi Tal. Haveli, Dist. Pune, have agreed to sell and transfer for development construction and sale the constructed premises upon the said properties /lands to M/s. Chaurang Ventures, a registered partnership firm through its partners namely Abhijit Shirish Bhamre, Mr. Chirayu Ishwar Jain, Mr. Bhavin Paras Bhamboli by executing and registering the Development agreement dated 22/05/2023 and Power of Attorney dated 22/05/2023, which Development Agreement and POA are registered at the Sub Register Haveli No. 18 at Serial No.9841 & 9847 of 2023. However the present owners namely Mrs. Medha Subhash Tapkir and Subhash Annasaheb Tapkir and subsequently M/s. Chaurang Ventures as mentioned above, having good clear marketable title over the said properties / lands Survey No. 34/3 area 14 Are and Survey No. 34/4 area 45 Are situated at Chovisawadi Tal. Haveli, Dist. Pune as per terms and conditions of Development Agreement dated 22/05/2023 as discussed above.

- 11) **Litigation if any** – I am told that by the Owners and Developer that there is no litigation pending and such documents of litigation, etc is not provided to me with respect of the Said Properties/Lands.

Pune

Date : 21/07/2023


Jayant Waman Mhaikar
Advocate

