

ANIL VAIDYA
(B.Com.LL.B.)
ADVOCATE

A/307, Ajinkyatara Apartment,
Sinhgad Road, Dattawadi,
Pune-411030.

Ref. No.:

Date:

Date: 04.09.2023

TITLE AND SEARCH REPORT

To,

Kumar Properties Govind Shree Realtors LLP
2413, East Street, Camp, PUNE.

Subject: Scrutiny of title deeds and legal opinion in respect of right, title and interest in/to the immovable property described as under:-

1) Description of the Property:-

All that piece and parcel of land admeasuring 00 Hect. 43 Are i.e. 4300 sq. mtrs. Being part of Survey Number 270, Hissa No. 2, totally admeasuring 00 Hect. 72 Are plus potkharaba 00 Hect. 02 are totally admeasuring 00 Hect. 74 Are, which is situated at Village Bhugaon, Taluka: Mulshi, District: Pune, which is bounded by:

On or Towards East: Survey No. 270/3/4/C (Part)

On or Towards South: Survey No. 270/2 (Part) and Property of Mr. Rajendra Goyal.

On or Towards West: Survey No. 271

On or Towards North: Survey No. 270/2 (Part) Property of Mr. Gulab Laxman Sanas adjacent to Pune Paud Road.



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Alongwith right of access/way by North-South, 12 meter road from Survey No. 270/2 (Part), for permanent easementary purpose.

(For the sake of convenience, abovementioned property is hereinafter referred as 'The Said Property')

2) DESCRIPTION OF COPIES OF DOCUMENTS RECEIVED AND SCRUTINISED: - As per Annexure – A.

3) HISTORY & TITLE FLOW OF THE SAID PROPERTY:

From the perusal of the documents and papers above referred to information furnished and from the search caused of the record available in the Sub Registrar office Mulshi, the title to the said property mentioned above is traced as follows:

A. It appears that land interalia situate at Survey No. 270/2 of Bhugaon belonged to one MR. LaxmanHariSanas being his share in ancestral/inherited/HUF property. Certified Mutation Entry No. 1839 relates to recording of Pune District Co-op. Land Development (Bhuvikas) Bank Ltd. as owner due to mortgage loan availed by said Mr. LaxmanHariSanas from the said Bank.

B. Certified Mutation entry No. 1898 which is recorded consequent to death of LaxmanHariSanas on 31.12.1973 relates to recording of names of his sons Bhagwan, Janardan, Gulab (with each having 1/4th share as per



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'actual vahiwat') and other legal heirs in revenue records relating inter alia to S. No. 270/2. The said Mutation Entry No. 1898 also records that married daughters of late LaxmanHariSanas having voluntarily released their rights.

C. It further reveals from certified Mutation Entry No. 3026 dated 24.10.1980 that aforesaid mortgage loan of Pune District Co-op. Land Development Bank Ltd. was repaid. Related 7/12 extracts also reveal recording names of the aforesaid said Bhagwan, Janardan, Gulab and other legal heirs of late LaxmanHariSanas the owners/holders (on repayment of the said mortgage loan).

D. Mutation Entry No. 3030 sanctioned by circle officer on 28.12.1983 records partition of properties (received by Bhagwan, Janardan, Gulab and other legal heirs of late LaxmanHariSanas by legal heirs as aforesaid) as per the order of Tahsildar dated 8.12.1983 vide No. TALAM/WATAP/2/83, whereby property as captioned S. No. 270/2 of Bhugaon allotted to the exclusive share of Mr. GulabLaxmanSanas.

E. Certified Mutation Entry No. 3126 and 5119 relate to corrections consequent to correction as per the order dated 6.7.1987 of TahsildarMulshi and further revision/phalanibara as per order passed by office of District Inspector Land Record, dated 24.01.2003 (inequal to Mojani No. 307/2002) and both confirming Mr. GulabLaxmanSanas as owner/holder



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Of captioned S. No. 270/2 of Bhugaon totally admeasuring 00 Hect. 74 Ares
(Including 2 Arepotkharaba).

F. Subsequently as per the sale deed dated 8.5.2003 which is registered with Sub Registrar Mulshi, at Sr No. 2190/2003, the said Mr. GulabLaxmanSanas (with his family members joining as consenting parties) sold defined portion of land admeasuring 20 R out of captioned S. No. 270/2 of Bhugaon to Mr. MadhavKashinathKirloskar. In view thereof Mr. GulabLaxmanSanas thereafter continued to retain as owner/holder only the balance land admeasuring 54 Are (including 2 Arepotkharaba) out of captioned S. No. 270/2 of Bhugaon. Mutation Entry No. 5172 certified by Circle Officer relates to recording of name of Mr. MadhavKashinathKirloskar.

G. In related to Revenue records in sequence to the aforesaid sale transaction entries Nos. 5177, 5495, 5686 and 5726 relate to recording of change of citizen Cooperative Bank Ltd. (on the land so purchased) as security for loan availed by said Mr. MadhavKirloskar from said Bank and subsequent deletion of the charge of the said Bank on repayment of the said loan, and those do not relate to and/or relevant for this report on subject property. Similarly Mutation Entry No. 5668 relates to subsequent sale of the aforesaid land admeasuring 20 Are by Mr. MadhavKirloskar to



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Mr. RajendraKishorilalGoyal and consequent recording of the name of said purchaser, which also does not relate to and/or relevant for this report on

Subject property. The said transaction is mutated by passing Mutation Entry No. 5668. Incidentally, perusal of Mutation entries Nos. 2027, 2072 and 5456 reveals that those do not relate to S. No. 270/2 of Bhugaon.

H. The said Mr. GulabLaxmanSanas and members of his family have executed Development Agreement dated 6.11.2017 with KedarVanjape Realty LLP (a limited liability Partnership having its registered office at 302, Arc Mestro, Ghole Road, Shivjainagar, Pune: 411004 through its designated partner Mr. Amit RajendraBahirat) in respect of the said property, which is duly registered with Sub Registrar Mulshi at Sr No. 3584/2017. In furtherance of the said Development agreement, Mr. GulabLaxmanSanas and his family members have executed Power of Attorney in favour of KedarVanjape Realty LLP, which is registered with Sub Registrar Mulshi at Sr No. 3585/2017. A correction deed dated 03.12.2018 to the aforesaid Development Agreement is also executed with Sub Registrar, Mulshi at sr No. 490/2018 for recording correct boundaries of the subject property.

I. Incidentally, it also reveals that Mrs. Varsha Vilas Choundhe (married daughter of GulabLaxmanSanas) has executed Release Deed in favour of her father Mr. GulabLaxmanSanas and brothers Umesh and Ramesh, which is registered with Sub Registrar Mulshi – 2 at Sr. No. 658/2018.



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J. Thereafter Mr. GulabLaxmanSanas and members of his family have executed Deed of Cancellation dated 27.09.2021 with KedarVanjape Realty LLP (a limited liability Partnership having its registered office at 302, Arc Mestro, Ghole Road, Shivjainagar, Pune: 411004 through its designated partner Mr. Amit RajendraBahirat) in respect of the said property, which is duly registered with Sub Registrar Mulshi at Sr No. 8522/2021.

K. Then thereafter said Mr. GulabLaxmanSanas and members of his family have executed Development Agreement dated 8.10.2021 with Kumar Properties Govind Shree Realtors LLP, having office at 2413, East Street Camp Pune through its designated partner Mr. Amit RajendraBahirat& others in respect of the said property, which is duly registered with Sub Registrar Mulshi at Sr No. 8523/2021. In furtherance of the said Development agreement, Mr. GulabLaxmanSanas and members of his family have executed Power of Attorney in favour of Kumar PropertiesGovind Shree Realtors LLP, which is registered with Sub Registrar Mulshi at Sr No. 8524/2021.

L. By the said Development agreement the possession of the said property also stands delivered to Kumar PropertiesGovind Shree Realtors LLP. As per the said Development Agreement 35% of total FSI of proposed construction on the said property is retained by said Mr. GulabLaxmanSanas and members of his family and in consideration of construction thereof by



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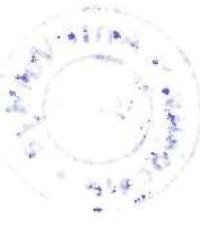
KumarPropertiesGovind Shree Realtors LLP for the said owners, and KumarPropertiesGovind Shree Realtors LLP are entitled to balance 65% of the FSI of proposed construction (in the proposed scheme of joint development as more particularly detailed in the said Development Agreement dated 8.10.2021).

M. Thereafter Mr. GulabLaxmanSanas through POA holder Kumar Properties Govindshree Realtors LLP through Mr. Amit R. Bahirat applied for NA order to Collector office, Pune. After verification and scrutiny of documents Collector office, Pune vide its order No. NA/SR/49/2022 dated 7.10.2022 issued NA order for property admeasuring 4300 sq. meters land and as such they have paid NA challan of Rs. 6020/-.

N. Then thereafter, Mr. GulabLaxmanSanas through POA holder Kumar Properties Govind Shree Realtors LLP through Mr. Amit R. Bahirat applied to Pune Metropolitan Regional Development Authority (PMRDA) Pune, for necessary permissions. After verification of documents, PMRDA issued Development permission and commencement certificate on 1.8.2023, vide No. DP/BMU/Bhugaon/S. No. 270/2/PRK 74/23-24/3575.

O. Thereafter, Pune Metropolitan Regional Development Authority (PMRDA) issued Height Elevation Certificate dated 31.01.2023 vide No. PMRDA/BP/SEC/2831/2022.

Thus Mr. GulabLaxmanSanas is the owner of the said property having Suvey No. 270, Hissa No. 2 and Mr. Sanas joined hands with Kumar Properties



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Govindshree Realtors LLP having its registered office, East Street, Pune are sized and possessed of and otherwise well and sufficiently entitle for carrying the joint development of the said property and construction of buildings thereon with their shares in FSI in proposed construction as aforesaid.

In the circumstances said M/s. Kumar Properties GovindShree Realtors LLP is absolutely entitled to implement ownership flats scheme on the above captioned land more particularly described in para 1 having survey No. 270, Hissa No. 2 admeasuring area 4300 sq. mtrs. Situate at Village: Bhugaon Taluka: Mulshi, District: Pune and dispose of Flat/Unit/Shop/Office to the intending buyers on ownership basis.

4) OPINION ON LAND RELATED PERMISSIONS:

Zone Certificate:

I have perused zone certificate of the abovementioned Gat Number which is issued by Pune Metropolitan Regional Development Authority (PMRDA), Pune vide no. PMRDA/Bhugaon/Mulshi/Pune/270/12997/dated 05/04/2017. The said property comes into agriculture no development zone.

From the Zone certificate it reveals that S. No. 270 of Bhugaon is in Agriculture and No Development Zone and affected by proposed roads. I have also been furnished measurement plans (Demarcation) vide No. 307/2002 and 19281/2018 relating to S. No. 270/2 and 270/5 of Bhugaon.



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From the perusal of the said record it seems that, the subject property is not affected. The access/way by North South 12 mtrs road (through property of GulabLaxmanSanas adjacent to Pune Paud Road in S. No. 270/2) is also available to the subject property under the provisions of aforesaid Development agreement. Urban Land Ceiling and Regulation Act, 1976 now stands repealed and even otherwise not applicable while in force to the instant agriculture land.

Property Tax/Grampanchayat Tax:-

Property/Grampanchayat tax assessments are raised in the name of Mr. GulabLaxmanSanas for the year 2021-22.

5). OPINION ON PHYSICAL SEARCH / ENCUMBRANCE CERTIFICATES:

Search of Index II registers with respect to the above said property has been carried out by me and my colleague Advocate for the last 30 years i.e. from 1993 to 2023 till date at the Offices of the Joint Sub Registrar Mulshiand also initiated online search for the period between 2002 to 2023. The search was conducted vide Receipt No. MH 011063736202122E and MH 006646162202324E.

For the year 1993 to 2001, some registers are not in good condition and many pages of these registers are in torn condition and not readable and a number of pages are missing. Apart from these registers, registers for the other years were not traceable and hence could not be checked.



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As per available and readable pages, I have not found any adverse transaction in respect of the said property.

6). PUBLIC NOTICE:

The Public Notice in respect of the said property is published in Daily Prabhat on 22/6/2017 which is published by Advocate Sunil V. Zunjarrao, Pune. In response to the said public Notice no one has taken any objection in the given period. As such Advocate Sunil V. Zunjarrao has given No objection letter dated 17/03/2018.

7). OPINION ON REVENUE RECORDS WITH LAND AREA:

All available revenue records are in proper sequence and are in the name of Mr. GulabLaxmanSanas.

CONCLUSION/FINAL TITLE CERTIFICATE

I have gone through the documents / title deeds relating to the said property and I hereby certify, the documents of title referred to with respect of Survey No. 270/2admeasuring 00 Hect. 43 Are i.e. 4300 sq. mtrs. being part of Survey Number 270, Hissa No. 2, totally admeasuring 00 Hect. 72 Are plus potkharaba 00 Hect. 02 are totally admeasuring 00 Hect. 74 Are, which is situated at Village Bhugaon, Taluka: Mulshi District: Pune is evidence of title and having clear and clean title.

I further hereby certify that:-

- 1) The said property is having clean, clear and marketable title.



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2) I hereby certify that Mr. GulabLaxmanSanas is the owner of the said property and GulabLaxmanSanas and others entered Development Agreement and Power of Attorney with M/s. Kumar Properties Govind Shree Realtors LLP for development of residential project.



ANNEXURE A

DESCRIPTION OF COPIES OF DOCUMENTS RECEIVED AND SCRUTINIZED:

For the purpose of investigation of the title of the said landed property, photocopies of the following documents were made available:

1. Copy of Sale Deed registered at Sr. No.2190/2003, Sub Registrar Mulshi Dated 8/5/2003 executed between MadhavKashinathKirolskar and Mr. GulabLaxmanSanas, admeasuring area 00 Hect. 20 are.
2. Copy of Development Agreement registered at Sr. No.3584/2017, Sub Registrar Mulshi Dated 6/11/2017 executed between Mr. GulabLaxmanSanas & others And KedarWanje Realty LLP, admeasuring area 00 Hect. 43 Are.



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3. Copy of Power of Attorney registered at Sr. No.3585/2017, Sub Registrar Mulshi Dated 6/11/2017 executed between Mr. GulabLaxmanSanas& others And KedarWanjpe Realty LLP, admeasuring area 00 Hect. 43 Are.
4. Copy of Release Deed registered at Sr. No.658/2018, Sub Registrar Mulshi-2 Dated 11/01/2018 executed between Varsha Vilas Chondhe and Mr. GulabLaxmanSanas.
5. Copy of Deed of Cancellation at Sr. No.8522/2021, Sub Registrar Mulshi - Poud Dated 27/09/2021 executed between Mr. GulabLaxmanSanas& others And KedarWanjpe Realty LLP, admeasuring area 00 Hect. 43 Are.
6. Copy of Deed of Correction registered at Sr. No. 490/2018Sub Registrar Mulshi Dated 03/02/2018 executed between Mr. GulabLaxmanSanas& others And KedarWanjpe Realty LLP, admeasuring area 00 Hect. 43 Are.
7. Copy of Development Agreement registered at Sr. No.8523/2021, Sub Registrar Mulshi Dated 8/10/2021 executed between Mr. GulabLaxmanSanas& others And Kumar Properties GovindshreeRealtors LLP, admeasuring area 00 Hect. 43 Are.
8. Copy of Power of Attorney registered at Sr. No.8524/2021, Sub Registrar Mulshi Dated 8/10/2021 executed between Mr. GulabLaxmanSanas& others And Kumar Properties Govind Shree Realtors LLP, admeasuring area 00 Hect. 43 Are.



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9. 7/12 Extracts from 1993 to 2023.
10. All Mutation Entries.
11. Copy of Grampanchayat Tax receipt in the name of Mr. GulabLaxmanSanas.
12. Copy of Government Demarcation dated 6/8/2014 vides M. R. No. 19281/2018.
13. Copy of Zone certificate vide no. PMRDA/Bhugaon/Mulshi/Pune/270/12997/dated 05/04/2017.
14. Copy of N.A. order issued by Collector office, Pune dated 7.10.2022 vide its No. NA/SR/49/2022.
15. Copy of NA Challan paid to Government on 30.10.2022 amounting to Rs. 6020/-.
16. Height Elevation Certificate issued by Pune Metropolitan Regional Development Authority, Pune dated 31.01.2023 vide No. PMRDA/BP/SEC/2831/2022.
17. Copy of Public Notice issued by Adv. Sunil Zunjarao and No Objection Certificate issued by Adv. Zunjarao.
18. Copy of Title Opinion issued by Adv. R. M. Samudra, Pune dated 17/03/2018.



