

ADV. ANIL T. TAMBE

(B.Com. LL.B. D.L.L & L.W.)

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FORMAT - A
Circular No. 28/2021

To,
Maha RERA

LEGAL TITLE REPORT

Sub : Title clearance certificate with respect of S. NO. 435/2 situated at Revenue village Charholi Bk., Tal. Haveli, Dist. Pune (Hereinafter referred as the said Property).

I have investigated the title of the said Property on the request of M/s. Malhar Promoters & Land Developers LLP and following documents i.e.

1) DESCRIPTION OF THE PROPERTY:-

All those pieces and parcels of contiguous land falling in Residential Zone bearing New S. No. 435/2, an area admeasuring 00 H. 38 R. + Pot Kharaba 00 H. 2 R. i.e. total 00 H. 40 R (3993.55 Sq.m out of 4000 Sq.m) situate at Revenue Village CHARHOLI BK., within the Registration Sub-District of Taluka Haveli, District Pune and within the limits of the Pimpri Chinchwad Municipal Corporation Pimpri which is bounded as under:

ON OR TOWARDS THE

East : By Property of Mr. Patilbuva Ramkrushna Kalaje & Others out of S. No. 435/4

South : By Property of Mr. Milani out of New S. NO. 435/2 & 18 Mtrs. D.P. Road

West : By Property of S. No. 434

North : By Property of Mr. Satish Rajaram Kalaje, Mr. Sangit Pralhad Kalaje & Others

2) The documents of allotment of Plot.

3)

1	Copy of Handwritten 7/12 Extract of Old S. NO. 491/2 since 1934-35 to 1950-51
2	Copy of Handwritten 7/12 Extract of Old S. NO. 491/2 since 1951-52 to 1967-68
3	Copy of Handwritten 7/12 Extract of Old S. NO. 491/2 since 1953-54 to 1963-64
4	Copy of Handwritten 7/12 Extract of Old S. NO. 491/2 since 1968-69 to 1982-83
5	Copy of Handwritten 7/12 Extract of Old S. NO. 491/2 since 1983-84 to 1990-91
6	Copy of Handwritten 7/12 Extract of New S. NO. 435/2 since 1991-92 to 2008-09
7	Copy of Computerized 7/12 Extract of New S. NO. 435/2 since 2017 to 2019
8	Copy of Computerized 7/12 Extract dated 04/02/2021 of New S. NO. 435/2 since 2019 to 2020
9	Mutation Entry No's. : 1930, 5398, 8121, 10723, 10825, 12406, 12407, 12408, 12409, 12410, 16450, 18627, 22114
10	Copy of Development Agreement dated 31/12/2014 executed by Smt. Suman Rajaram Kalaje & Others (Land Owners) in favour of M/s. Malhar Promoters & Land Developers LLP (Developer) which is duly registered before Jt. Sub. Registrar Haveli No. 18 at Sr. No. 523/2015 on 19/01/2015
11	Copy of Irrevocable Power of Attorney dated 31/12/2014 executed by



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	Smt. Suman Rajaram Kalaje & Others (Executants) in favour of M/s. Malhar Promoters & Land Developers LLP (Power of Attorney Holder) which is duly registered before Jt. Sub. Registrar Haveli No. 18 at Sr. No. 524/2015 on 19/01/2015
12	Notarized Indemnity Bond dated 17/09/2020 executed by Mrs. Krushnabai Sudam Kalaje & Others in favour of Chinchwad Devasthan Trust
13	Notarized Declaration dated 17/09/2020 executed by Mrs. Krushnabai Sudam Kalaje & Others
14	Letter dated 14/10/2020 issued by Chinchwad Devasthan Trust bearing No. 73/2020
15	Copy of Commencement Certificate issued by Pimpri Chinchwad Municipal Corporation under No. BP/ Charholi/127/2022 dated 28/12/2022.
16	Copy of Sanctioned Building Plans under Commencement Certificate issued by Pimpri Chinchwad Municipal Corporation under No. BP/ Charholi / 127/2022 dated 28/12/2022.
17	Copy of NA Order by Office of the Tahasildar Pimpri Chinchwad bearing No. Land/NA/SR/234/2023 dated 26/04/2023.
18	Copy of Paper Notice dated 31/01/2014 published by Adv. Rajesh K. Jadhav & Adv. Kishor N. Patil in daily Newspaper "Prabhat" (Marathi Edition)

4) Search Report for 30 Years from 1993 to 2023 till date.

On perusal of the above mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of M/s. Malhar Promoters & Land Developers LLP is clear, marketable and without any encumbrances.

Owners of the land Property owned by Smt. Suman Rajaram Kalje, Mr. Satish Rajaram Kalje, Mrs. Kavita Satish Kalje, Mr. Sanjay Rajaram Kalje, Mrs. Sharda Sanjay Kalje, Mrs. Vaishali Bajrang Kad, Smt. Krishnabai Sudam Kalje, Mr. Dadasaheb Sudam Kalje, Mrs. Seema Dadasaheb Kalje, Mrs. Sharda Maruti Matore, Mrs. Nanda Sayaji Kanhurkar, Mrs. Kunda Navnath Aadhalrao, Mrs. Baidabai Pralhad Kalje, Mr. Sangit Pralhad Kalje, Mrs. Jayashree Sangit Kalje, Mr. Ramdas Pralhad Kalje, Mrs. Chaya Ramdas Gavhane, Mrs. Mangal Rajendra Gilbile, Mrs. Ms Swarupa Satish Kalje, Ms. Shradha Satish Kalje, Ms. Samruddhi Satish Kalje, Mr. Krishna Satish Kalje, Ms. Ravina Dadasaheb Kalje, Mr. Rohit Dadasaheb Kalje, Mrs Lilabai Yashwant Kad 00 H 40 R. out of S. NO. 435/2, 436/2 situated at revenue village Charholi Bk. Tal. Haveli Dist. Pune

The Report reflecting the flow of the title of the M/s. Malhar Promoters & Land Developers LLP on the said land is enclosed herewith as annexure.

Encl : Annexure.

Date : 03/05/2023

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FORMAT 'A'

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FLOW OF THE TITLE OF THE SAID LAND.

I. HISTORY AND FLOW OF TITLE TO S. NO. 435/2:

- i. After perusal of land revenue record i.e. 7/12 extract of Old S. No. 491/2 of Revenue Village Charholi Bk. since 1934-35 onwards it reveals that, S. NO. 491/2, an area admeasuring 00 Acer 37 Gunthe + Pot Kharaba 00 Acer 02 Gunthe i.e. total area 00 Acer 39 Gunthe was originally owned and possessed by Mr. Maruti Ganpati Kalaje as his absolute ownership Property & accordingly name of Mr. Maruti Ganpati Kalaje recorded in Kabjedar Column of 7/12 extract & name of Mr. Lalchand Gulabchand Marwadi recorded in Other Right Column of 7/12 Extract for Charge of Mortgage for Rs. 300/- dated 20/03/1933;
- ii. After perusal of **M. E. No. 1930** it reveals that, Phalani Namuna No. 12 has been effected to the S. No. 491 & accordingly New Pot Hissa of 7/12 extract of Old S. NO. 491, Hissa No. 2 for an area admeasuring 00 Acer 37 Gunthe + Pot Kharaba 00 Acer 02 Gunthe i.e. total area 00 Acer 39 Gunthe has been opened in the name of Mr. Maruti Ganpati Kalaje by aforesaid mutation which came to be certified on 09/04/1935;
- iii. After perusal of 7/12 extract of Old S. No. 491/2 of Revenue Village Charholi Bk. since 1934-35 to 1950-51 it reveals that, name of Mr. Lalchand Gulabchand Marwadi recorded in Other Right Column of 7/12 Extract for Charge of Mortgage for Rs. 300/- on 20/03/1933 by Mutation Entry No. 2821. However the said mutation entry is not available for our perusal;
- iv. After perusal of 7/12 extract of Old S. No. 491/2 of Revenue Village Charholi Bk. since 1951-52 to 1966-67 it reveals that, name of "Shri Dev Sanshan Chinchwad La.Ni." recorded in Other Right Column of 7/12 Extract by Mutation Entry No. 4321. However the said mutation entry is not available for our perusal;
- v. After perusal of **M. E. No. 5398** it reveals that, Mr. Maruti Ganpati Kalaje availed loan of Rs. 800/- on 05/12/1951 from Shree Savata Mali Vividh Karyakari Seva Society against S. No. 491/2 & certain another S. Nos. & accordingly Charge of said Society has been recorded in Other Right Column of 7/12 extract by aforesaid mutation which came to certified on or about 1952;
- vi. After perusal of **M. E. No. 8121** it reveals that, Government of Maharashtra has implemented Weights and Measurement Act 1958 & Indian Coinage Act 1955 and the area of land is converted into metric system from the Acre into Hector and the said effect has been given and



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- separate Akarbandh and Hissa Form No. 12 is prepared by Special District Inspector Land Record (Dashman) by aforesaid mutation which came to be certified on or about 1969;
- vii. After perusal of **M. E. No. 10723** it reveals that, as per the Provisions of Maharashtra Land Revenue Code 1966 the revenue areas under the village Charholi Bk. i.e. Vadmukhwadi & Chovisawdi has been separated as new revenue villages were created and hence the Old Survey Number of the village Charholi Bk. has been assigned New Survey Number and accordingly the Old Survey No. 491/2 of village Charholi Bk. has been changed as New S. No. 435/2 of village Charholi Bk. as per the separate Akarbandh & Hissa Form;
- viii. After perusal of **M. E. No. 10825** it reveals that, Mr. Maruti Ganpat Kalaje died intestate on 03/06/1987 leaving behind his legal heirs Sons (1) pre-deceased son Mr. Sudam Maruti Kalaje (died on 30/01/1986) through legal heirs Son Mr. Dadasaheb Sudam Kalaje & Married Daughters Mrs. Sharda Maruti Matere, Mrs. Nanda Sayaji Kanhurkar & Miss. Kunda Sudam Kalaje & Wife Smt. Krushanabai Sudam Kalaje, (2) Mr. Pralhad Maruti Kalaje, (3) Mr. Rajaram Maruti Kalaje & Married Daughter Mrs. Lilabai Yashwant Kad & accordingly name of his legal heirs has been recorded in Kabjedar Column to 7/12 extract by aforesaid mutation which came to be certified on or about 1992;
- ix. After perusal of **M. E. No. 12406** it reveals that, Mrs. Lilabai Yashwant Kad availed loan of Rs. 25,000/- on 20/09/2006 from Savata Mali Vividh Karyakari Seva Society against S. No. 435/2 & certain another S. Nos. & accordingly Charge of said Society has been recorded in Other Right Column of 7/12 extract by aforesaid mutation which came to certified on 14/10/2006;
- x. After perusal of **M. E. No. 12407** it reveals that, Mrs. Suman Rajaram Kalaje availed loan of Rs. 25,000/- on 20/09/2006 from Savata Mali Vividh Karyakari Seva Society against S. No. 435/2 & certain another S. Nos. & accordingly Charge of said Society has been recorded in Other Right Column of 7/12 extract by aforesaid mutation which came to certified on 14/10/2006;
- xi. After perusal of **M. E. No. 12408** it reveals that, Mr. Sanjay Rajaram Kalaje availed loan of Rs. 25,000/- on 20/09/2006 from Savata Mali Vividh Karyakari Seva Society against S. No. 435/2 & certain another S. Nos. & accordingly Charge of said Society has been recorded in Other Right Column of 7/12 extract by aforesaid mutation which came to certified on 14/10/2006;



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- xii. After perusal of **M. E. No. 12409** it reveals that, Mrs. Vaishali Bajrang Kad availed loan of Rs. 25,000/- on 20/09/2006 from Savata Mali Vividh Karyakari Seva Society against S. No. 435/2 & certain another S. Nos. & accordingly Charge of said Society has been recorded in Other Right Column of 7/12 extract by aforesaid mutation which came to certified on 14/10/2006;
- xiii. After perusal of **M. E. No. 12410** it reveals that, Mr. Satish Rajaram Kalaje availed loan of Rs. 25,000/- on 20/09/2006 from Savata Mali Vividh Karyakari Seva Society against S. No. 435/2 & certain another S. Nos. & accordingly Charge of said Society has been recorded in Other Right Column of 7/12 extract by aforesaid mutation which came to certified on 14/10/2006;
- xiv. After perusal of **M. E. No. 16450** it reveals that, Mr. Pralhad Maruti Kalaje died intestate on 18/06/2014 at Charholi Bk. leaving behind his legal heirs sons Mr. Sangit Pralhad Kalaje and Mr. Ramdas Pralhad Kalaje and married daughters Mrs. Mangal Rajendra Gilbile, Mrs. Chhaya Ramdas Gavhane and wife Smt. Bayadabai Pralhad Kalaje and accordingly name of his legal heirs has been recorded in kabjedar of 7/12 extract by aforesaid mutation which came to be certified on 12/09/2014;
- xv. After perusal of **M.E. No. 18627** it reveals that, as per Specification of Government Notification bearing No. Ra.Bhu.A./Pra.Kra. 180/L-1, dated 07/05/2016 along with Oder passed by Hon'ble Tahsildar Haveli, Dist. Pune dated 16/05/2017 the correction to the Computerized 7/12 has been rectified under E-Mutation Edit Module and to reconcile hand written 7/12 extract with Computerized 7/12 extract and to match the record correctly by aforesaid mutation which came to certified on 16/05/2017;
- xvi. After perusal of **M.E. No. 22114** it reveals that, as per Order dated 08/01/2021 passed by Hon'ble Additional Tahsildar bearing Order No. Ha.No./155/SR/15/2021, remark of "Shri Dev Sanshan Chinchwad La.Ni." has been deleted from other right column of 7/12 extract of New S. NO. 435/2, 436/2 situated at revenue village Charholi Bk. Tal. Haveli Dist. Pune by aforesaid mutation which came to be certified on 03/02/2021.
- xvii. Thus, an area admeasuring 00 H. 38 R. + Pot Kharaba 00 H. 2 R. i.e. total 00 H. 40 R. owned and possessed by Mr. Dadasaheb Sudam Kalaje and others as their absolute ownership property and having legal valid and enforceable title for the same.
- xviii. After perusal of Development Agreement dated 21/12/2014 it reveals that, (1) Smt. Suman Rajaram Kalaje and others 28 (Land Owners) granted development right of New S. NO. 435/2, 00 H. 38 R. + Pot Kharaba 00 H. 2 R. i.e. total 00 H. 40 R. in favour of M/s. Malhar Promoters & Land



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Developers LLP (Limited Liability Partnership) through Designated Partners Mr. Viraj Vishwanath Lande and others by virtue of Development Agreement coupled with Irrevocable Power of Attorney both dated 31/12/2014 which was duly registered before Jt. Sub. Registrar Haveli No. 18 at Sr. No. 523/2015 & 524/2015 respectively on 19/01/2015 on the terms & conditions and the consideration mentioned therein.

Thus, M/s. Malhar Promoters & Land Developers LLP through Designated Partners Mr. Viraj Vishwanath Lande and others hold the legal, valid and enforceable rights to develop the said lands i.e. an area admeasuring 00 H. 40 R out of New S. NO. 435/2 by virtue of Development Agreement & Irrevocable Power of Attorney.

- 1) 7/ 12 extract of New S. NO. 435/2 as on date of application for registration.
- 2) Copy of Mutation Entries bearing Nos. 1930, 5398, 8121, 10723, 10825, 12406, 12407, 12408, 12409, 12410, 16450, 18627, 22114
- 3) Search report for 30 years from 1993 to 2023 Taken from Sub-Registrar office at Haveli No. III, Pune.
- 4) Any other relevant title -
 - a) Copy of Commencement Certificate issued by Pimpri Chinchwad Municipal Corporation under No. BP/ Charholi/127/2022 dated 28/12/2022.
 - b) Copy of Sanctioned Building Plans under Commencement Certificate issued by Pimpri Chinchwad Municipal Corporation under No. BP/ Charholi / 127/2022 dated 28/12/2022
 - c) Copy of NA Order by Office of the Tahasildar Pimpri Chinchwad bearing No. Land/NA/SR/234/2023 dated 26/04/2023
- 5) Litigations if any - No Litigation.

Date : 03/05/2023

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