

DATTATRAY DESHMUKH

Advocate

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Ref: DD/03/2022

Date: 12/02/2022

LEGAL TITLE REPORT

To,
MahaRERA

Sub:- Title clearance certificate with respect to the all that piece and parcel of Plot/land S. No. 134 Hissa No. 3 (having its old S. No. 134, Hissa No. 3+4+5AB) (having its old S. No. 742, Hissa No. 3+4+5AB), admeasuring about 01 H. 08 Ares + 00 H. 79 Ares, total area admeasuring 01 H. 87 Ares, situated at village Wadmukhwadi, Tal: Haveli, Dist: Pune and same is the within the limits of the Pimpri Chinchwad Municipal Corporation and same is within the jurisdiction of Sub Registrar Haveli No. I to XXVII. (Hereinafter referred as “the said Plot”)

I. I have investigated the title of the said plot on the request of M/s Shubh Ganesh Properties Having its office & place of business at: Sr. No. 134, Near Balaji Temple ,Behind Gokhale Mala, Pune- Alandi Road, Wadmukhwadi , Pune-412105 through its partners 1) AALP Buildcraft Pvt. Ltd. Through its Authorized Director Mr. Alpesh Arvindbhai Patel, 2) Mr. Sham Dattatray Adhav, 3) Mr. Sandip Sonyabapu Shinde. (Hereinafter referred as “the said Owner/Developer”) and following documents i.e.

- 1. Description of property:** all that piece and parcel of Plot/land S. No. 134 Hissa No. 3 (having its old S. No. 134, Hissa No. 3+4+5AB) (having its old S. No. 742, Hissa No. 3+4+5AB), admeasuring about 01 H. 08 Ares + 00 H. 79 Ares, total area admeasuring 01 H. 87 Ares, situated at village Wadmukhwadi, Tal: Haveli, Dist: Pune and same is the within the limits of the Pimpri Chinchwad Municipal Corporation and same is within the jurisdiction of Sub Registrar Haveli No. I to XXVII.
- 2. The documents pertaining to the property are as under:**
 - 7/12 Extract of S.No. 134 Hissa No. 3
 - Mutation Entry No. 9453, 9877, 9878, 1, 246,436, 571, 1400, 2281,3693, 4425, 4640
 - Sale Deed dt. 08/04/2011, Haveli No. XIX at Sr. No. 3637/2011.
 - Sale Deed dt. 06/03/2013, Haveli No. XVIII at Sr. No. 1980/2013.
 - Correction Deed dt. 14/08/2013, Haveli No. VI at Sr. No. 9114/2013.



f. Mortgage Deed dt. 24/10/2020, Haveli No. XXI at Sr. No. 10299/2020

3. Xerox copy of the Search Report in respect of the said property.

II. Based on the above referred documents and subject to the terms and conditions contained therein and further subject to what is stated in my Title Certificate dt. 12/02/2022 enclosed herewith as Annexure A, in my opinion **M/s Shubh Ganesh Properties** being the owner and Developer has a clear and marketable title to the property without any encumbrances except mentioned in Title Certificate.

III. The owner of **M/s Shubh Ganesh Properties** is the true and lawful owner of property.

IV. The flow of title of promoter to the property is mentioned in my Title Certificate enclosed herewith as "Annexure-A"

Encl: Annexure 'A'

Dattatray Deshmukh
Advocate



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Advocate

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Annexure - A

FLOW OF THE TITLE OF THE SAID LAND

To,

M/s Shubh Ganesh Properties
A registered Partnership Firm
Having its office at: Sr. No. 134,
Near Balaji Temple, Behind Gokhale Mala,
Pune-Alandi Road, Wadmukhwadi,
Pune-412105

Through its partners

- 1) AALP Buildcraft Pvt. Ltd.**
Through its Authorized Director
Mr. Alpesh Arvindbhai Patel,
- 2) Mr. Sham Dattatray Adhav,**
- 3) Mr. Sandip Sonyabapu Shinde.**

Sub: S.No. 134 Hissa No. 3 (having its old S. No. 134, Hissa No. 3+4+5AB) (having its old S. No. 742, Hissa No. 3+4+5AB), admeasuring about 01 H. 08 Ares + 00 H. 79 Ares, total area admeasuring 01 H. 87 Ares, situated at village Wadmukhwadi, Tal: Haveli, Dist: Pune and same is the within the limits of the Pimpri Chinchwad Municipal Corporation and same is within the jurisdiction of Sub Registrar Haveli No. I to XXVII (Hereinafter referred to as "Said Property").

I have prepared this opinion on the title of **M/s Shubh Ganesh Properties** Having its office & place of business at: Sr. No. 134, Near Balaji Temple ,Behind Gokhale Mala, Pune- Alandi Road, Wadmukhwadi , Pune-412105 **through its partners** 1) **AALP Buildcraft Pvt. Ltd.** Through its Authorized Director **Mr. Alpesh Arvindbhai Patel**, 2) **Mr. Sham Dattatray Adhav**, 3) **Mr. Sandip Sonyabapu Shinde** to the property on the basis of papers/documents (as listed herein below) and the information provided by my clients viz. **M/s Shubh Ganesh Properties** and based on the same I am to opine as follows:

- I) On perusal of 7/12 extract it appears that Mr. Shantaram Haribhau Kate preferred the application before the Tahasildar Haveli for partition of the landed property as mentioned in the present mutation entry as per Sec. 85 of the M.L.R.C. Code 1966 and the said authority after considering the



application and taking the statement of the concerning parties has allowed the partition the said properties by their order bearing No. THO/VATAP/99/84 and has given of the same to the said properties and name of the owners has been recorded to the respective properties / the person who has allotted the area from the same and accordingly necessary mutation entry bearing no. 9453 has been effected in the village record and same has been certified by the Concerned Officer.

- 2) It further appears from the record that Mr. Popat Haribhau Kate has obtained the loan from Shri Savata Mali Vikas Seva Sahakari Society on 25/11/1987 by mortgaging the land bearing S. No. 134 (having its old S. No. 742/A/1+5) Hissa No. 3+4+5 & other properties to the said society and executed Ekarar in favour of the said society and as per letter issued by the said society the liability of the same has been recorded in the other right column of the 7/12 extract of the said landed property and accordingly necessary mutation entry bearing no. 9877 has been effected in the village record and same has been certified by the Concerned Officer.
- 3) It further appears from the record that Mr. Shantaram Haribhau Kate has borrowed loan from Shri Savata Mali Vikas Seva Sahakari Society on 25/11/1987 by mortgaging the land bearing S. No. 134 (having its old S. No. 742/A/1+5) Hissa No. 3+4+5 & other properties to the said society and executed Ekarar in favour of the said society and as per letter issued by the said society the liability of the same has been recorded in the other right column of the 7/12 extract of the said landed property and accordingly necessary mutation entry bearing no. 9878 has been effected in the village record and same has been certified by the Concerned Officer;
- 4) It further appears from the record that as per the order passed by the Tahasildar Haveli, bearing No. THT/23/1989, dated -23/01/1989 red the letter issued by the Collector Pune (Tenancy branch), bearing No. PKP/Government/24/2, dated 12/01/1989, the Tagai loan granted to the respective land owners, has been waived by the Govt. of Maharashtra in respect of the landed properties as mentioned in the present mutation entry and accordingly necessary mutation entry bearing no. 10113 has been effected in the village record and same has been certified by the Concerned Officer;
- 5) It further appears from record that State of Maharashtra, by their order, declared the Wadmukhwadi as independent village and same has been separated from its original village Charholi Budruk, Tal. Haveli, Dist. Pune and necessary order as regard the same has been issued by Collector Pune bearing No. Administration/Washi/2346/4 and read with order no. Administration/ ADM/SR/17/75 read with order of the Government Revenue & Forest Department bearing No. TLC/1076/63923 and original Survey Number has been changed due to separation of the village new number was



given to the land situated in the said village and details of the same have been shown in the present mutation entry and necessary mutation entry bearing no. 1 has been recorded in the village record and same has been certified by the Concerned Officer.

- 6) It further appears from the record that Mr. Shantaram Haribhau Kate has borrowed loan from Shri Savata Mali Vikas Seva Sahakari Society on 22/06/1992 by mortgaging the land bearing S. No. 134, Hissa No. 3+4+5 and as per letter issued by the said society the liability of the same has been recorded in the other right column of the 7/12 extract of the said landed property and accordingly necessary mutation entry bearing no 246 has been effected in the village record and same has been certified by the Concerned Officer.
- 7) It further appears from the record that Mr. Dattatray Haribhau Kate, died on 08/04/1992 leaving behind Mr. Ramdas Dattatray Kate, Mr. Rohidas Dattatray Kate as sons, Mrs. Bebi Ramchandra Undre, Mrs. Kamal Tukaram Waghire & Mrs. Shashikala Namdeo Gaware as married daughters and Smt. Narmada Dattatray Kate as widow and names of heirs has been recorded to the above said landed property and accordingly necessary mutation entry bearing no. 436 has been effected in the village record and same has been certified by the Circle Officer Kalas:
- 8) It further appears from the record that Mr. Pandit & Ulhas Haribhau Kate have executed Mortgage Deed in favour of Bank of Maharashtra, branch- Charholi Budruk, in respect of the said landed property & other properties on 01/08/1995 and created third party interest in favour of the said bank and accordingly necessary mutation entry bearing no. 571 has been effected in the village record and same has been certified by the Concerned Officer.
- 9) It further appears from the record that Mrs. Beby Ramchandra Undre, Mrs. Kamal Tukaram Waghire & Mrs. Shashikala Namdeo Gaware have executed Release Deed, in favour of Mr. Ramdas Dattatray Kate & Mr. Rohidas Dattatray Kate in respect of the land bearing S. No. 134, Hissa No. 3+4+5AB, on 23/08/1998 and released all their right, title & interest in favour of their brothers and said document has been registered before the Sub-Registrar Haveli No. Vill at serial no. 3418/1998 and accordingly necessary mutation entry bearing no. 1400 has been effected in the village record and same has been certified by the Concerned Officer,
- 10) It further appears from the record that the Tahsildar Saheb Haveli by their order bearing No. HNO/Kavi/668/2004, dated-24/01/1975 has changed the Survey Number of the said village and accordingly the old survey numbers and its new survey numbers have been mentioned in the present mutation entry and effect of the same has been given to the village record and



accordingly necessary mutation entry bearing no. 2281 has been effected in the village record and same has been certified by the Concerned Officer;

- 11) It further appears from the record that the previous owners of the above said landed property, Mr. Shantaram Haribhau Kato, Mr. Popat Hari Kate, Mr. Panditrao Hari Kate, Mr. Ulhas Hari Kate, Mr. Ramdas Dattatray Kate, Mr. Rohidas Dattatray Kate & Smt. Narmada Dattatray Kate have executed duly registered Sale Deed, on 08/04/2011 in respect of the land bearing S. No. 134 (3+4+5AB)/3 admeasuring about 01 H. 87 Ares from village Wadmukhwadi, Tal Haveli, Dist. Pune in favour of M/s. Nisarg Developers, a registered partnership firm, having is office & place of business at - Wadgaon Maval, Tal. Maval, Dist. Pune, through its partners Mr. Sunil Ganesh Dhore, Mr. Sahebrao Anandrao Kashid & Mr. Parag Prabhakar Merukar and said document has been registered before the Sub-Registrar Haveli No. XIX at serial no. 3637/2011 and names of the purchasers have been recorded in the 7/12 extract of the said property as owners & occupier thereof and accordingly necessary mutation entry bearing no. 3693 has been effected in the village record and same has been certified by the Circle Officer Kalas;
- 12) It further appears from the record that the previous owners of the above said landed property, M/s. Nisarg Developers, a registered partnership firm, having is office & place of business at - Wadgaon Maval, Tal. Maval, Dist. Pune, through its partners Mr. Sunil Ganesh Dhore, Mr. Sahebrao Anandrao Kashid & Mr. Parag Prabhakar Merukar have sold the said landed property to Mr. Ganesh Bhiku Dhore & Mr. Sunil Ganesh Dhore by virtue of the duly registered Sale Deed, dated 06/03/2013 and said document has been registered before the Sub-Registrar Haveli No. XVIII at serial no 1980/2013,
- 13) It further appears from the record that the above said previous owners & purchasers of the said landed property have executed Correction Deed on 14/08/2013 in respect of the name of the purchasers of the said property and effect of the same has been given to the above said registered Sale Deed, dated 06/03/2013 and by virtue of the said Correction Deed, the name of the purchasers has been corrected as Shubh Ganesh Properties, through its partners, Mr. Ganesh Bhiku Dhore & Mr. Sunil Ganesh Dhore (instead of Mr. Ganesh Bhiku Dhore & Mr. Sunil Ganesh Dhore) and said document has been registered before the Sub Registrar Haveli No. VI at serial no. 9114/2013 and names of the purchasers have been recorded in the 7/12 extract of the said property as owners & occupier thereof and accordingly necessary mutation entry bearing no. 4425 has been effected in the village record and same has been certified by the Circle Officer Kalas;
- 14) It further appears from the record that Shubh Ganesh Properties, through its partner Mr. Sunil Ganesh Dhore preferred the application on 04/06/2014 to Upper Tahsildar Karyalaya, Pimpri Chinchwad, Tal. Haveli, Dist. Pune



stated therein that the name of Mr. Appa Raghaji Kate has been recorded in the other right column of the land bearing S. No. 134/3 (having its old S. No. 742/3) from village Wadmukhwadi, Tal. Haveli, Dist. Pune and the said authority has directed the said application to Circle Officer Bhosari for enquiry of the said application and he submit the report of the same and after considering the said report and the statement & document submitted by the applicant the name of Mr. Appa Raghaji Kate has been deleted from the other right column of the said property by their Order bearing No. HNO/155/SR/2014, dated-16/08/2014 and for the same the said authority has considered the application of the applicant, the mutation entries bearing no. 2241 & 2378 the statement of the applicant, dated-19/06/2014 and statement of Mr. Pandit Hari Kate & Mr. Ulhas Hari Kate, dated-10/06/2014 and the provisions u/s. 155 of M.L.R. Code, 1966,

15) It further appears from the record that the Additional Tahasildar Pimpri Chinchwad, Tal. Haveli, Dist. Pune by their order bearing no. HNO/155/SR/103/ 2014, dated-16/08/2014 directed the Lower Authority / Gaonkamgar Talathi to delete or remove the name of Mr. Appa Raghaji Kate from the other right column of the land bearing S. No. 134/3 and accordingly necessary mutation entry bearing no. 4640 has been effected in the village record and same has been certified by the Circle Officer Kalas

16) I am being informed by the client that, M/s Shubh Ganesh Properties have borrowed loan of Rs. 20,00,00,000/- from Capri Global Capital Limited, by mortgaging said land and unsold units vide Indenture of Mortgage dt. 24/10/2020 which is registered in the office of Sub registrar Haveli XXI at Sr. No. 10299/2020.

17) I have paid the necessary charges through the Grass system of Revenue Department, for search of the Index II record for Last 30 years. For which I have got the receipt bearing number MH013026240202122U. It is pertinent to note that, as the Search Receipt is system generated (online through internet for paid search) and there is only option to insert Survey Number / CTS Number / Gat Number; however, the particular Flat Number is not mentioned into the receipt of the online payment made for the search, and the same shows only one of the Gat/Survey Number. As per the instructions of client I am issuing the present Search report only in respect of the said Flat, as described above and not for the other Flat/Units from and of the Society. I have also conducted the Online Search (paid online search) for the Index II records. On perusal of the record available, of Index II, I have not found any adverse entry of Index II regarding the said 'Land', at the concerned offices of Sub-Registrar.

18) I also inquired with land owners/ the Promoters & Builders of the landed property as regard any charges created by them in respect of the said landed



property with any institution or any person/s and they assures me that they have not created any charges or encumbrances whatsoever in nature in and upon said landed property or not executed any deed/s and documents as regards said landed property except above entries. That I have not come across any entry in respect of sale or otherwise of said property and as per above said search there is no any entry pertaining to sell, mortgage, charge, lien etc. in respect of the landed property except mentioned above.

19) Litigation If any:- No.



Date: 12/02/2022

Dattatray Deshmukh
Advocate

