

# AMIT V. DEVKAR

## ADVOCATE

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**Mob.** 9881077381

**Resi.:** Flat No. 303, J.J. Complex,  
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**E-mail:** amitdevkar3@gmail.com

### FORMAT A (Circular No :- 28/2021)

To,  
Maha RERA

#### LEGAL TITLE REPORT

**SUB:** Title clearance Certificate with respect to portion of S. No. 68/3 admeasuring 02 H. 27 R. i.e. 22700 Sq. mtrs. situated at Village- Lohegaon, Tal. -Haveli, District -Pune situated within the limits of Pune Municipal Corporation and within the jurisdiction of Sub registrar, Haveli , Pune (hereinafter referred to as the “said Land”)

I have investigated the title of the subject Land on the request of **M/S. KATE MOZZE ASSOCIATES**, a registered Partnership Firm, and having its registered office at S. no. 48, Kate Puram, Pimple Gurav, Pune 411 061.

**1. Description of the property:** S. No. 68/3 admeasuring 02 H. 27 R. i.e. 22700 Sq. mtrs. situated at Village- Lohegaon, Tal. -Haveli, District – Pune and situated within the limits of Pune Municipal Corporation and within the jurisdiction of Sub registrar, Haveli, Pune hereinafter referred to as the ('Subject Land') and bounded as follows:

On or towards EAST	:: By S. No. 67.
On or towards SOUTH	:: By S. No. 69 of Mr. Shah.
On or towards WEST	:: By Gaothan and beyond road.
On or towards NORTH	:: By S. No. 68/2 (part) of Mr. Khandve.

**2. The documents of allotment of subject Land:**

Copy of Sale Deed dated 10/02/2011 executed by Shivaji Narayan Khandve and other land owners in favour of M/s. Kate Moze Associates registered with the Sub- Registrar Haveli no. 19, at sr. no. 1536/2011.



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**3.** 7/12 Extract for Survey No. S. No. 68/3 from the years 1991 till 14/01/2023

**4.** Online Index II search from 2002 to 2023 till date (both inclusive), of the documents registered in the offices of the Sub-Registrar of Assurances at Pune, on the official website <http://www.igrmahastra.com> and the detailed Search Notes are annexed hereto at "Annexure B". On perusal of the above mentioned documents, search and all other relevant documents relating to title of the Said lands, I am of the opinion that, the said lands are clear, marketable and without any encumbrances and As per Sale Deed dated 10/02/2011 registered with the Sub- Registrar Haveli no.19, at sr. no. 1536/2011, M/s. Kate Mozze Associates is the owner of the said land and has a right to develop the said property and to sell shops/flats/offices/basements etc. to any tentative purchaser/s to enter into agreement/s and to receive amount/s thereto..

On the perusal of the above mentioned documents and all other relevant documents relating to the title of the said land I am of the opinion of the title of M/s. Kate Mozze Associates is clear, marketable and without any encumbrances.

**Owner of the Land:**

M/s. Kate Mozze Associates

- (1) Survey No. S. No. 68/3
- (2)Qualifying comments/remarks, if any: NA

**5. Any other relevant title:** Not Applicable

**6. Litigation if any:** It appears that the certified copy of order below Exh.1 in Spl. Civil Suit No. 704/2013 passed by Hon. 4<sup>th</sup> Addl. Judge, Small Causes Court & Jt. Civil Judge, Sr. Dn., Pune on dated 27/09/2019 wherein ordered that the suit stands dismissed as withdrawn by the plaintiff.



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It appears that by online copy of WRIT PETITION NO.11353 OF 2015, wherein ordered that the said writ petition is rejected by the Hon'ble High Court Bombay.

**7.** The Report reflecting the flow of the title of the (owner/ promoter/ developer/company) on the said property is enclosed herewith as annexure.

As per the 7/12 extract of S. No. 68/3 admeasuring 02 H. 27 R. i.e. 22700 Sq. mtrs. situated at Village- Lohegaon, Tal. -Haveli, District -Pune, since the year 1991-92 it appears that the said land previously stood in the names of 1) Shahaji Narayan Khandve, 2) Shivaji Narayan Khandve, 3) Rajaram Narayan Khandve, 4) Sambhaji Narayan Khandve, 5) Ramesh Narayan Khandve, 6) Suresh Gulabrao Khandve, 7) Lilabai Gulabrao Khandave , 8) Shobha Prakash Khandve.

It appears from Mutation Entry no. 1771 dt. 26/11/1935 that, M/s. D.E.S.O. Land Record's Order no. M.S.L.S.R. 143 dt. 19/11/1935, the New Sub-division of S. no. 68 was amended in three parts viz. S. no. 68/1, 68/2 & 68/3 and the name of Narhar Balwant Nagarkar was entered as the owner occupier column in the 7/12 extract of the said land.

Thereafter it appears from Mutation Entry no. 3586 dt. 13/05/1950 that, Narhar Balwant Nagarkar expired on in January 1950 leaving behind his legal heirs namely sons- 1) Krishna Narhar Nagarkar, 2) Narayan Narhar Nagarkar, 3) Vasant Narhar Nagarkar, 4) Mahadeo Narhar Nagarkar and 5) Sham Narhar Nagarkar and accordingly the name of Krishna Narhar Nagarkar as Manager of H.U.F. was entered upon the 7/12 extract interalia of the entire said land and the name of Narhar Balwant Nagarkar was deleted interalia from the 7/12 extract of the said land.

Thereafter it appears from Mutation Entry no. 3694 dt. 12/10/1953 that, the name of Narayan Dhondiba Khandve was recorded as tenant in the said land.

Thereafter it appears from Mutation Entry no. 4136 dt. 12/10/1958 that, 1) Krishna Narhar Nagarkar, 2) Narayan Narhar Nagarkar, 3) Vasant



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Narhar Nagarkar, 4) Mahadeo Narhar Nagarkar and 5) Sham Narhar Nagarkar executed release deed in favour of Smt. Laxmibai Narhar Nagarkar on 14/06/1958 subject to the rights of tenant in the said land.

Thereafter it appears from mutation entry no. 4177 dt. 02/08/1959 that, Narayan Dhondiba Khandve had taken a loan of Rs. 2,000/- on 21/07/1959 from Lohagaon Vi. Ka. S. Society , Pune and accordingly the name of the said society was entered in the other rights column of the 7/12 extract of the said land showing the charge of the said society

Thereafter it appears from mutation entry no. 4356 dt. 20/10/1962 that Hon. 1<sup>st</sup> Agricultural Land Tribunal and 5<sup>th</sup> Additional Tahsildar vide its order no. ALT/Lohagaon/17/61 of dated 17/04/1971 fixed the market value of the said land which was deposited by the tenant within stipulated period laid down under the order and till then the name of owner Mr. Krishna Narhari Nagarkar (HUF) was entered in other right column of 7/12 extract and the name of tenant Mr. Narayan Dhondiba Khandve i.e. prospective purchaser was entered in owner's column of 7/12 extract.

Thereafter it appears from mutation entry no. 4531 dt. 15/12/1966 that, Narayan Dhondiba Khandve expired on 28/11/1966 leaving behind his legal heirs namely sons- 1) Shahaji Narayan Khandve, 2) Gulab Narayan Khandve, 3) Shivaji Narayan Khandve, 4) Rajaram Narayan Khandve, 5) Sambhaji Narayan Khandve, 6) Ramesh Narayan Khandve, daughters- 1) Sushila Waman Galande, 2) Baby Dattatraya Kalbhor , 3) Nalinabai Sathe, 4) Alka Rajaram Taras, 5) Shalini Narayan Khandve, 6) Malini Narayan Khandve, and widow - Smt. Bhimabai Narayan Khandve. And accordingly the name of Shahaji Narayan Khandve as Manager of H.U.F. was entered upon the 7/12 extract interalia of the entire said land and the name of Narayan Dhondiba Khandve was deleted interalia from the 7/12 extract of the said land.

Thereafter it appears from mutation entry no. 4561 that the provisions of Weight and Measurement Act,1958 of State Government and Indian Coin Act 1956 were made applicable.

It appears from Mutation Entry no.4724 dt. 30/11/1970 that, Canara Bank Lohagaon granted loan on 12/11/1970 to Shahaji



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Narayan Khandve under Lohagaon, Dhanori Lift Irrigation Scheme and accordingly the charge of the said bank was shown in the other rights column of the 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 4887 dt. 06/09/1972 that Shahaji Narayan Khandve had entered into Ikrar for Rs. 800/- on 30/08/1972 with the Lohagaon Vi.Ka.S. Society Ltd. and accordingly the charge of the said society was shown in the other rights column of the 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 6049 dt. 03/07/1975 that the original tenant Narayan Dhondiba Khandve being expired, the then Agricultural Lands Tribunal and Additional Tahsildar Haveli granted certificate of purchase under section 32-M of the Bombay Tenancy and Agricultural Lands Act 1948 in favour of legal heirs of late Narayan Dhondiba Khandve on 17/01/1975 vide no.32-G/Lohagaon/17/61. That the tenants deposited the amount of Rs. 9006/- only in the Govt. treasury. Accordingly the names of 1) Shahaji Narayan Khandve, 2) Gulab Narayan Khandve, 3) Shivaji Narayan Khandve, 4) Rajaram Narayan Khandve, 5) Sambhaji Narayan Khandve, 6) Ramesh Narayan Khandve were entered in record of rights for 2 Ana 8 Pai share each subject to the provisions of sec. 43 of B.T. & A.L. Act, 1948 in other right column of 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 7015 dt. 21/10/1975 that, as per order of Tahsildar, Haveli, the Vairan Tagai was recorded in other right column of 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 7074 dt. 01/07/1976 that, Shahaji Narayan Khandave had entered into Ikrar for Rs. 1000/- on 25/06/1976 with the Lohagaon Vi. Ka. S. Society Ltd. and accordingly the charge of the said society was shown in the other rights column of the 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 9606 dt. 01/12/1980 that, Shahaji Narayan Khandave had entered into Ikrar for Rs. 15000/- on 20/09/1980 with the Lohgaon Vi. Ka. S. Society Ltd. and



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accordingly the charge of the said society was shown in the other rights column of the 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 11069 dt. 21/07/1986 that Gulab Narayan Khandve expired on 21/12/1984 leaving behind his legal heirs namely widow - Smt. Leelabai Gulabrao Khandve sons -Suresh Gulabrao Khandve & Mr. Prakash Gulabrao Khandve , daughter Vandana Shivaji Kunjir and accordingly the names of Leelabai Gulabrao Khandve ,Suresh Gulabrao Khandve & Mr. Prakash Gulabrao Khandve were entered upon owners occupiers column & Vandana Shivaji Kunjir was entered upon other rights column of the 7/12 extract of the said land and the name of Gulab Narayan Khandve was deleted from the 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 12554 dt. 24/02/1989, that the Government Tagai loans have been waived with interest, as per circular no. PKP. Shasan/24.29 dt. 12/01/1989 of the Hon. Collector (Kulkayada branch) and circular no. THT/23/1989 dt. 23/01/1989 of Tahasil Office.

Thereafter it appears from mutation entry no. 13698 dt. 02/05/1991 that, Shivaji Narayan Khandve had repaid the loan amount due and payable by him to Canara Bank , Lohagaon branch, Pune as was evident from the letter of the said bank to that effect and accordingly the name of the said bank was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 24781 dt. 16/10/2006 that, Prakash Gulabrao Khandve expired on 18/07/2003 leaving behind his only legal heir wife Smt. Shobha Prakash Khandve and accordingly her name was entered on upon the 7/12 extract of the said land and the name of Prakash Gulabrao Khandve was deleted from the 7/12 extract of the said land.

Thereafter it appears from mutation entry no. 25934 dt. 20/02/2008 that, that Shahaji Narayan Khandve expired on 12/11/2006 leaving behind his legal heirs namely widow- Smt. Jijabai Shahajirao Khandve, sons- Chandrakant Shahajirao Khandve & Shashikant Shahajirao Khandve, daughters - Vijaya Chandrakant Parande, Mangal Rohidas Shinde & Jaishree



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Ramdas Tapkir and accordingly their names were entered on upon the 7/12 extract of the said land and the name of Shahaji Narayan Khandve was deleted from the 7/12 extract of the said land.

Thereafter it appears from mutation entry no. 30363 dt. 08/04/2010 that Sambhaji Narayan Khandve expired on 24/05/2004 leaving behind his legal heirs namely son- Santosh Sambhaji Khandve, daughters- Sunita Eknath Khule , Sangita Shivaji Wathekar & Vidhya Ramakant Valhekar and widow- Smt. Hirabai Sambhaji Khandve and accordingly theirs names were entered upon the 7/12 extract of the said land and the name of Sambhaji Narayan Khandve was deleted from the 7/12 extract of the said land.

Thereafter it appears from mutation entry no. 30663 dt. 13/05/2010 is not related to said land.

Thereafter it appears from mutation entry no. 32056 dt. 01/10/2010 that Shahaji Narayan Khandve had repaid the loan amount due and payable to Lohagaon Vi. Ka. S. Society Ltd. as was evident from the letter of the said society to that effect and accordingly the name of the said society was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 32057 dt. 01/10/2010 that Shivaji Narayan Khandve had repaid the loan amount due and payable to Lohagaon Vi. Ka. S. Society Ltd. as was evident from the letter of the said society to that effect and accordingly the name of the said society was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 32058 dt. 01/10/2010 that Rajaram Narayan Khandve had repaid the loan amount due and payable to Lohagaon Vi. Ka. S. Society Ltd. as was evident from the letter of the said society to that effect and accordingly the name of the said society was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 32059 dt. 01/10/2010 that Sambhaji Narayan Khandve had repaid the loan amount due and payable to Lohagaon Vi. Ka. S. Society Ltd. as was evident from the letter of the said society to that effect and accordingly the name of the said society was deleted from the other rights column of the said land.



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Thereafter it appears from mutation entry no. 32060 dt. 01/10/2010 that Ramesh Narayan Khandve had repaid the loan amount due and payable to Lohagaon Vi. Ka. S. Society Ltd. as was evident from the letter of the said society to that effect and accordingly the name of the said society was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 32061 dt. 01/10/2010 that Suresh Gulabrao Khandve had repaid the loan amount due and payable to Lohagaon Vi. Ka. S. Society Ltd. as was evident from the letter of the said society to that effect and accordingly the name of the said society was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 32669 dt. 30/12/2010 that, the name of Laxmibai Narhar Nagarkar was deleted from record of rights by certified in furtherance of order dated 07/09/2010 bearing no. TNC/SR/21/2010 by the Hon'ble Tahsildar, Haveli, Pune.

Thereafter it appears from mutation entry no. 33350 dt. 15/02/2011 that, the Hon'ble Sub-Division Officer, Pune has passed orders dated 26/11/2010 bearing no. 43/SR/32/2010 thereby grating permission u/s. 43 of the B.T. & A.L. Act, 1948 to transfer the property in favour of M/s. Kate Moze Associates, subject to the terms and conditions therein. And subsequently the property bearing S. No. 68/3 was sold, transferred and conveyed by Shivaji Narayan Khandve and others in favour of M/s Kate Moze Associates by virtue of Sale Deed dated 10/02/2011 which is duly registered with the office of Sub-Registrar Haveli 19, at Sr. No. 1537/2011. And accordingly the name of M/s Kate Moze Associates was entered upon the 7/12 extract of the said land and the names of Shivaji Narayan Khandve and others were deleted from the 7/12 extract of the said land.

Thereafter it appears from mutation entry no. 41120 dt. 01/09/2014 that, on 23/08/2014, M/s. Kate Moze Associates took loan from the Pavana Sahakari Bank of Rs. 1,50,00,000/- and mortgage S.no. 68/3 with the said bank.

Thereafter it appears from Mutation Entry no. 42012 dt. 12/06/2015 that, on 11/06/2015, M/s. Kate Moze Associates took loan from the Pavana Sahakari Bank of Rs. 3 Crores and mortgage 68/3 with the said bank.



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Thereafter it appears from mutation entry no. 43610 dt. 10/10/2017 that Rajaram Narayan Khandve expired on 23/06/2017 leaving behind his legal heirs namely widow- Kalavati Rajaram Khandve, Sons- Vilas Rajaram Khandave & Kailas Rajaram Khandve, daughter- Meena Ramesh Chondhe.

Thereafter it appears from Mutation Entry no. 44049, the Tahsildar Haveli , District Pune had order passed on 29/03/2018, as per the instructions given under in the Government Circular No. Ra. Bhu. A/Case no. 180/L -1 , dt. 07/05/2016 regarding the exact matching of manuscript and computerized rights records using the edit module under the E-Pherfar project, the computerized 7/12 extract has been amended.

Thereafter it appears from mutation entry no. 49628 dt. 10/12/2020 that , M/s. Kate Moze Associates had repaid the loan amount of Rs. 2,75,00,000/- and Rs. 1,50,00,000/- due and payable by them to Pavna Sahakari Bank Ltd. , Chinchwad branch as was evident from the letter of the said bank to that effect and accordingly the name of the said bank was deleted from the other rights column of the said land.

Thereafter it appears from mutation entry no. 50772 dt. 01/02/2021 that , M/s. Kate Moze Associates through Partner Vivek Chimanrao Kate and other 1 had repaid the loan amount of Rs. 3 Crores due and payable by them to Pavna Sahakari Bank Ltd. Pune as was evident from the letter no. Pavna/Wagholi/70/20-21of the said bank to that effect and also the said bank executed Deed of Redemption/Reconveyance of Mortgage property dt. 03/04/2018 registered with the office of Sub- registrar Haveli no. 26, Pune at sr. no. 3926/2018 in favour of M/s. Kate Moze release the property. And accordingly the name of the said bank was deleted from the other rights column of the said land.

It appears that the certified copy of order below Exh.1 in Spl. Civil Suit No. 704/2013 passed by Hon. 4<sup>th</sup> Addl. Judge, Small Causes Court & Jt. Civil Judge, Sr. Dn., Pune on dated 27/09/2019 wherein ordered that the suit stands dismissed as withdrawn by the plaintiff.

It appears that by online copy of WRIT PETITION NO.11353 OF 2015 , wherein ordered that the said writ petition is rejected by the Hon'ble High Court Bombay.



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### RIGHT OF THE OWNER :-

It appears from the Copy of Sale Deed dated 10/02/2011 executed by Shivaji Narayan Khandve and other land owners in favour of M/s. Kate Moze Associates registered with the Sub- Registrar Haveli no. 19, at sr. no. 1536/2011. As per said Sale Deed dated 10/02/2011 the M/s. Kate Moze Associates is the owner of the said land.

Pune  
dt. 12/04/2023



*Amit V Devkar*  
**Adv. Amit Vijay Devkar**  
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