



SEARCH AND TITLE INVESTIGATION REPORT

I. INTRODUCTION :

M/s. J and J Associates, a Partnership firm incorporated under Indian Partnership Act, 1932, having its office at Final Plot No. 564/2B, CTS No. 1199A/2, Ghole Road, Shivajinagar, Pune-411004, through its Partner **Mr. Kamlesh Bahadursing Jhala**, has requested me to scrutinize & examine the marketable title of the property described in Para No.II herein below mentioned.

II. DESCRIPTION OF THE PROPERTIES:

All that well defined carved out portion of land admeasuring area about 01 Hector 29 Ares out of property bearing Survey No.39 Hissa No.1 totally admeasuring 09 Hector 53 Ares, assessment Rs.16.05, area admeasuring 00 Hector 73 Ares out of property bearing Survey No.39 Hissa No.2 totally admeasuring 05 Hector 09 Ares, assessment Rs.8.57 and area admeasuring 00 Hector 16 Ares out of property bearing Survey No.40 Hissa No.1 totally admeasuring 00 Hector 63 Ares, assessment Rs.3.00, **TOTAL LAND ADMEASURING AREA ABOUT 02 HECTOR 18 ARES i.e. 21800 SQ.MTRS.** situated at Village Mhalunge, Taluka Mulshi, District Pune and which area admeasuring 02 Hector 18 Ares collectively bounded as follows :-

On or towards the East	: By remaining area out Survey No.39/1 and Survey No.40/1
On or towards the South	: By remaining portion of Mhalunge-Nande Road.
On or towards the West	: By boundary of Village Nande
On or towards the North	: By Mutha River

*Hereinafter for the sake of brevity and convenience aforesaid properties collectively are referred to or called as **"THE SAID LAND"** and individually referred to or called by **"SURVEY NUMBER"**.*

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III. HISTORY OF THE TITLE:

1. All that property bearing Survey No.39 admeasuring area about 14 Hector 62 Ares, assessment Rs.24.62, Village Mhalunge was originally owned by Mr. Dilipkumar Yashwant Padale.
2. Mutation Entry No.1238 of Village Mhalunge certified on 12.10.1977 shows that, by Sale Deed dated 07/09/1977, which is duly registered in the office of Sub-Registrar Maval at Serial No.740 on 07/09/1977 Mr.Arvind Shankar Chitale and Mr. Musa Babu Tamboli had purchased all that property bearing Survey No.39 admeasuring area about 14 Hector 62 Ares, Assessment Rs.24.62, Village Mhalunge alongwith other one property, from Mr. Dilipkumar Yashwant Padale and accordingly names of the aforesaid purchasers were recorded in revenue record as owners and possessors by deleting the name of the seller for the aforesaid property and further remark of "84C" was also recorded in other right column on 7/12 extract.
3. Mutation Entry No.1243 of Village Mhalunge shows that, pursuant to enquiry in 84C/Mhalunge 1/1977 dated 17/11/1977 before Awwal Karkun (Tenancy), it was transpired that, remark of "84C" is a mistake and hence the same remark was deleted from other right column of Survey No.39 and Survey No.40/1, Village Mhalunge.
4. Mutation Entry No.1252, Village Mhalunge shows that, Mr. Musa Babu Tamboli had made an application dated 11/01/1979 stating that, in property bearing Survey No.39 and 40/1 Village Mhalunge, he has 6 aana share and Mr. Arvind Shankar Chitale has 10 Aana share and accordingly their names should be recorded and in pursuance of that, in property bearing Survey No.39 & 40/1 Village Mhalunge name of Mr.Musa Babu Tamboli was shown for 6 aana share and name of Mr.Arvind Chitale was shown for 10 Aana share.





5. By Sale Deed dated 11/12/1979, Mr. Musa Babu Tamboli had sold area admeasuring 04 Hector 80 Ares out of property bearing Survey No.39 admeasuring 14 Hector 62 Ares, assessment Rs.24.62 to Mr. Badrunnisa Mahamad Jafar and in pursuance of that Mutation Entry No.1262 of Village Mhalunge had been certified and for the sold area new 7/12 Extract was opened being Survey No.39/1 admeasuring 04 Hector 80 Ares, Assessment Rs.18.50 and shown in the name of Mr. Badrunnisa Mahamad Jafar and for the remaining area Survey No.39/2 admeasuring 09 Hector 82 Ares was allotted and shown in the name of Mr. Arvind Shankar Chitale. But, in the aforesaid Sale Deed total area of Survey No.40/1 was mentioned by mistake and hence the aforesaid mutation entry was cancelled. Thereafter, Mr. Musa Babu Tamboli had made an application stating that, in the property bearing Survey No.40/1 Village Mhalunge, he has 6 aana share and Mr. Arvind Shankar Chitale has 10 Aana share and he has sold his 6 Aana share to Mr. Badrunnisa Mahamad Jafar vide Sale Deed dated 11.12.1979, but in sale Deed total area of Survey No.40/1 was wrongly stated and hence the mutation entry No.1262 to that effect was cancelled. In fact, he had sold his 6 aana share in the property bearing Survey No.40/1, Village Mhalunge and in pursuance of that Mutation Entry No.1276 of Village Mhalunge had been certified on 17/03/1981 and name of purchaser i.e. Mr. Badrunnisa Mahamad Jafar was recorded in revenue record for the purchased area out of Survey No.40/1, Village Mhalunge by deleting name of the seller.
6. Mutation Entry No.1517 of Village Mhalunge certified on 06.09.1991 shows that, Mr. Arvind Shankar Chitale expired on 05/07/1990 leaving behind wife Smt. Madhuri Arvind Chitale and two sons Mr. Makarand Arvind Chitale and Mr. Ashish Arvind Chitale as his only legal heirs and accordingly their names were recorded in revenue record in owner and possessor column for share of the deceased in the property bearing Survey No.39 and Survey No.40/1 of Village Mhalunge, by deleting name of the deceased.



7. Mutation Entry No.1540 of Village Mhalunge shows that, Smt. Madhuri Arvind Chitale had made an application stating that, she had filed Suit No.50/82 before Civil Court in respect of Survey No.39/2 and 40/1 and which was decreed and in pursuance of judgment dated 20/07/1989, the Hon'ble Court ordered that, Respondent shall not disturb the possession of Southern portion of the suit property of Smt. Madhuri Arvind Chitale i.e. the Plaintiff and as per the application and judgment of the Hon'ble Court Survey No.39/1 admeasuring 09 Hectar 53 Ares, Assessment Rs.16.05 was shown in the name of Smt. Madhuri Arvind Chitale, Mr. Makarand Arvind Chitale and Mr. Ashish Arvind Chitale as owner and possessor. Similarly Survey No.39/2 admeasuring 05 Hectar 09 Ares, assessment Rs.8.57, was shown in the name of Mr. Badrunnisa Mahamad Jafar and further names of Smt. Madhuri Arvind Chitale and others were deleted from revenue record of Survey No.40/1, Village Mhalunge.
8. Mutation Entry No.1987 of Village Mhalunge certified on 14/05/1998 shows that, by Release Deed dated 29/09/1997, which is duly registered in the office of Sub-Registrar Mulshi, at Serial No.4726 on 04/10/1997, Smt. Madhuri Arvind Chitale, Makarand Arvind Chitale (minor) and Ashish Arvind Chitale (minor) through their constituted attorney Mr.Avinash Shankar Chitale had release all their right, title and interest in the property bearing Survey No.39/1, admeasuring 09 Hectar 53 Ares, Village Mhalunge in favour of M/s. Electron & Electron, through its Partners Mr. Avinash Shankar Chitale and Mrs. Alka Avinash Chitale and further Tahasildar, Mulshi had issued Apatrak No.HN/SR/1865/1997 Paud dated 06/10/1997 and in pursuance of the aforesaid release deed and apatrak names of M/s. Electron and Electron through its Partner Mr. Avinash Shankar Chitale and Mrs. Alka Avinash Chitale were recorded for property bearing Survey No.39/1, Village Mhalunge in revenue record as owner and possessor by deleting the names of the Releasers.





9. Mutation Entry No.2249 of Village Mhalunge certified on 06/04/2000 shows that, in pursuance of Order of Additional Collector Pune in RTS/2/Appeal/68/99 dated 31/01/2000 and Remark No/HN/576/2000 Paud dated 08/03/2000 of Tahasildar, Mulashi the Mutation Entry No.1987 is cancelled and name of M/s. Electron and Electron through its Partners Mr. Avinash Shankar Chitale and Mrs. Alka Avinash Chitale were deleted and names of original owner Smt. Madhuri Arvind Chitale for self and as a mother, legal and natural guardian of minor sons Makarand Arvind Chitale and Ashish Arvind Chitale has been recorded as owner and possessor for the property bearing Survey No.39/1, Village Mhalunge.
10. Mutation Entry No.2498 of Village Mhalunge certified on 10/08/2004 shows that, by Gift Deed dated 21/06/2004, which is duly registered in the office of Sub-Registrar Mulshi at Serial No.3468 on 21/06/2004, Smt. Madhuri Arvind Chitale for self and as a constituted attorney of Makarand Arvind Chitale and Ashish Arvind Chitale had gifted all that area admeasuring 00 Hectar 80 Ares out of property bearing Survey No.39/1 admeasuring 09 Hectar 53 Ares, Village Mhalunge to Mrs.Kalpana Suhas Merchant and accordingly name of Mrs. Kalpana Suhas Merchant was recorded in revenue record for the gifted area as owner and possessor.
11. Mutation Entry No.2552 of Village Mhalunge certified on 17/06/2005 shows that, by Sale Deed dated 21/04/2005, which is duly registered in the office of Sub-Registrar Haveli No.14 at Serial No.2653, Smt. Madhuri Arvind Chitale for self and as a constituted attorney of Makarand Arvind Chitale and Ashish Arvind Chitale had sold all that area admeasuring 02 Hectar 15.92 Ares out of property bearing Survey No.39/1 admeasuring 09 Hectar 53 Ares, Village Mhalunge to Mr. Suhas Ratilal Merchant and accordingly name of Mr. Suhas Ratilal Merchant was recorded in revenue record for the sold area as owner and possessor.



12. Mutation Entry No.2881 of Village Mhalunge certified on 24/11/2007 shows that, by Sale Deed dated 03/10/2007, which is duly registered in the office of Sub-Registrar Haveli No.15 at Sr. No.8394 on 03/11/2007, Badrunnisa Mahamad Jafar had sold with the consent of Smt.Madhuri Arvind Chitale, Makarand Arvind Chitale and Ashish Arvind Chitale all that properties bearing Survey No.39/2 admeasuring 05 Hector 09 Ares and Survey No.40/1 admeasuring 00 Hector 63 Ares, Village Mhalunge to Mr.Suhas Ratilal Merchant and accordingly name of Mr. Suhas R. Merchant was recorded in revenue record for the aforesaid properties as owner and possessor by deleting name of the seller.
13. Mutation Entry No.3145 of Village Mhalunge certified on 31/12/2009 shows that, by Sale Deed dated 15/09/2009, which is duly registered in the office of Sub-Registrar Haveli No.10 at Sr.No.6864 on 15/09/2009, Smt. Madhuri Arvind Chitale for self and as a constituted attorney of Makarand Arvind Chitale and Ashish Arvind Chitale had sold all that area admeasuring 01 Hector 29 Ares out of area admeasuring 06 Hector 57.08 Ares out of property bearing Survey No.39/1 admeasuring 09 Hector 53 Ares, Village Mhalunge to Surendra Rikhabdas Sancheti H.U.F. and accordingly name of Surendra R. Sancheti H.U.F. has been recorded in revenue record for the sold area as owner and possessor.
14. Mutation Entry No.3169 of Village Mhalunge certified on 17/03/2010 shows that, by Sale Deed dated 25/01/2010, which is duly registered in the office of Sub-Registrar Haveli No.10 at Sr. No.854 on 27/01/2010, Mr. Suhas Ratilal Merchant had sold all that area admeasuring 00 Hector 73 Ares out of property bearing Survey No.39/2 admeasuring 05 Hector 09 Ares and area admeasuring 00 Hector 16 Ares out of property bearing Survey No.40/1 admeasuring 00 Hector 63 Ares, Village Mhalunge to Surendra Rikhabdas Sancheti H.U.F. and accordingly name of Surendra Rikhabdas Sancheti H.U.F. has been recorded in revenue record for the sold area as owner and possessor.





15. By Sathekhat dated 30/12/2010, Surendra Rikhabdas Sancheti H.U.F. through its Karta Mr. Surendra Rikhabdas Sancheti had agreed to sell all that area admeasuring 01 Hector 29 Ares out of property bearing Survey No.39/1 admeasuring 09 Hector 53 Ares, area admeasuring 00 Hector 73 Ares out of property bearing Survey No.39/2 admeasuring 05 Hector 09 Ares and area admeasuring 00 Hector 16 Ares out of property bearing Survey No.40/1 admeasuring 00 Hector 63 Ares, totally admeasuring 02 Hector 18 Ares situated at Village Mhalunge i.e. the said land to Pragma Constrobuild Private Limited, a company incorporated and registered under Companies Act, 1956, on the terms and conditions and for the consideration as stated therein and which Sathekhat is duly registered in the office of Sub-Registrar Haveli No.14 at Serial No.2593 on 04/03/2011. In pursuance of the aforesaid Sathekhat Surendra Rikhabdas Sancheti H.U.F. through its Karta Mr. Surendra Rikhabdas Sancheti by executing Irrevocable General Power of Attorney dated 30/12/2010 appointed Shri Nilesh Ramesh Toshniwal and Mr. Mandar Sudhakar Barbhair directors of the aforesaid company, authorizing to act separately from each other as Constituted Attorney to do all acts and things to complete the transaction in respect of the said land, which Power of Attorney is also duly registered in the office of Sub-Registrar Haveli No.14 at Serial No.2594 on 04/03/2011.

16. By Sale Deed dated 30/12/2011, which is duly registered in the office of Sub-Registrar Haveli No.14 at Serial No.295 on 10/01/2012, Surendra Rikhabdas Sancheti H.U.F. being Vendor No.1 and Pragma Constrobuild Private Limited being Vendor No.2 have sold, transferred and conveyed all that area admeasuring 01 Hector 29 Ares out of property bearing Survey No.39/1 admeasuring 09 Hector 53 Ares, area admeasuring 00 Hector 73 Ares out of property bearing Survey No.39/2 admeasuring 05 Hector 09 Ares and area admeasuring 00 Hector 16 Ares out of property bearing Survey No.40/1 admeasuring 00 Hector 63 Ares, totally admeasuring 02 Hector 18 Ares, situated at Village Mhalunge i.e. the

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said land to M/s. J & J Associates, a Partnership firm incorporated under Partnership Act, 1932, and accordingly vide M. E. No. 3445 of village Mhalunge name of the said firm has been recorded in revenue records as owner and possessor for the said land.

17. The Real Estate (Regulation and Development) Act, 2016 is enacted by the parliament. The Maharashtra Real Estate Regulatory Authority has granted registration certificate under section 5 of the said Act to the project Mahalunge Riviera, B Building having its registration number P52100000510 dated 18/07/2017.
18. It appears that Pune Metropolitan Regional Authority Pune has been granted Completion Certificate in respect of wing A building vide No. BMU/Mouje Mahalunge/S. No. 39/1,39/2, 40/1/Pra. Kra.558/17-18 dated 10/07/2017. And also granted Completion Certificate in respect of wing B building vide No. BMU/Mouje Mahalunge/S. No. 39/1 & Others/Pra. Kra.558/17-18 dated 10/02/2020.
19. It appears that vide Transfer Deed dated 09/11/2020 M/s. J and J Associates have transferred the 24 mtr. & 36 Mtr. vide R. P. Road area admeasuring 718.10 Sq.mtrs. of the said land of a sanctioned layout in favour of Pune Metropolitan Region Development Authority, Pune (PMRDA) by availing the permissible FSI/TDR. The said Transfer Deed is duly registered in the office of Sub Registrar Haveli No. 10 at Sr. No. 13514/2020 on 09/11/2020.

The tenure of the said land is free hold land and there is no restriction on alienation. The said land is under residential zone. Further the Collector, Revenue Branch Pune, vide Order No.PMA/NA/SR/324/2011 dated 21/10/2011 & revised vide Order No.PMA/NA/SR/255/2014 dated 17/10/2014, has granted the non-agriculture permission for the area admeasuring 19781 sq. mtrs. out of the said land and further





considering recommendation of Assistant Director of Town Planning, Pune, has sanctioned building plans of the building which will be constructed on the said land. The building layout plan has been revised by the PMRDA (Pune Metropolitan Region Development Authority, Pune) vide its Order No. BMU/Mou. Mahalunge/S. No. 39/1, 39/2 & 40/1/Pra. Kra. 884/20-21 dated 10.05.2021.

21. A Public Notice was published by Advocate Abhijit Chithore in the daily newspaper "Prabhat" dated 09/04/2012 in respect of the said land for the purpose to ascertain the marketable title, rights and authorities of the said firm in or towards the said land and had called objections from the public at large. In response thereto objection was raised by Advocate Mr. Kjran Wagaj through his notice on behalf of his client Mrs. Leena Chaban Tonde. Thereafter Smt. Leena Chaban Tonde has filed a Special Civil Suit No. 1387/2012 challenging the acquisition title by Mr. Dilip Padale way back in the year 1956. The said Suit is pending before the Hon'ble Civil Judge Senior Division, Pune & being is duly contested. The Hon'ble Civil Judge Senior Division Pune has rejected Application for Temporary Injunction filed in Special Civil Suit No. 1387/2012 in respect of property bearing S. No. 39/1, 39/2 & 40/1, Mahalunge by passing order dated 26.11.2020.

- IV. SEARCH:-** I have taken search of Index II of the property in Sub-registrar's offices Pune for the period of 30 years from 1991 to 2021 vide Receipt No. 9721 dated 12.07.2021 issued by Sub Registrar Haveli No. 16, Pune for the period 1991-2010 and vide Receipt No. 1112073653 & 1112073701 dated 09.07.2021 for the period of 2010-2021 i.e. till date. I have taken online e-search in the website igrmaharashtra.gov.in maintained by department of registration & stamps, Maharashtra in respect of the Index II records of property. However, computer records of Index-II are not properly maintained and as such my Search is based on whatever records made available to me during the inspection. As per the



record, I have not found **NO OTHER ADVERSE ENTRY** in respect of the said land except the flat agreements by M/s J and J Associates in favour of various flat purchasers under Maharashtra Ownership Flat Act (MOFA) & The Real Estate (Regulation and Development) Act, 2016 in respect of project Mahalunge Riviera on the said property. I have perused & relying on the Search report of Adv. Abhijit Chithore dated 24/04/2014, I am also relying on the Title Report of Adv. Jayant Pande dated 29/04/2014 & my Search & Title Report dated 05/08/2015, 22/04/2016, 12/05/2018, 09/08/2019, 18/06/2020 and 02.12.2020.

V. CONCLUSION AND CERTIFICATE OF TITLE :-

On relying upon the aforesaid documents, available registers I am in opinion that, the said firm is the owner and possessor of the said land and has good, clear and marketable title free from all encumbrances, charges or claims in respect of Said land except Special Civil Suit No. 1387/2012 filed by Smt. Leena C. Tonde before Hon'ble Civil Judge Senior Division, Pune. The said firm shall have right to sell, mortgage, lease etc. the said land or any part thereto to the prospective buyers, mortgagees, lessees, etc. and to receive consideration, premium, rent etc. from them and also has right to deliver the possession of said land etc. to such person or persons, buyers, allottee, mortgagee, lessee etc. There is /are no restrictions that will be obstructing the said firm to transfer the said land with or without building free from all encumbrances, charges or claims of whatsoever nature.

PUNE

DATE : 13/07/2021




ADVOCATE

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Monday, 12 July 2021 10:44 AM

नांदणी क्र.: 39म

Regn.: 39M

पावती क्र.: 9721 दिनांक: 12/07/2021

गावाचे नाव:

दस्तऐवजाचा अनुक्रमांक: हवल16-0-2021

दस्तऐवजाचा प्रकार:

मादर करणान्याचे नाव: अँड नितीन किशोर खामगावकर

वर्णन मौजे महाळुंगे स न 39 ,40 ता मुळशी पुणे या मिळकतीचा सन 1991 ते 2010- 19 वर्षे शोध

SEARCHFEE

रु. 950.00

एकूण:

रु. 950.00

सह दुय्यम निबंधक, हवेली-16

सह. दुय्यम निबंधक (वर्ग-२)

हवेली क्र. १६

1); देयकाचा प्रकार: eChallan रकम: रु.475/-

डीडी/धनादेश/पे ऑर्डर क्रमांक: MH003490443202122E दिनांक: 12/07/2021

वँकेचे नाव व पत्ता:

2); देयकाचा प्रकार: eChallan रकम: रु.475/-

डीडी/धनादेश/पे ऑर्डर क्रमांक: MH003490168202122E दिनांक: 12/07/2021

वँकेचे नाव व पत्ता:

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MH003288838202122E	Government of Maharashtra	Regn. 39 M
Department of Registration and Stamps		
09 Jul 2021	Receipt	Receipt no.: 1112073653
	Name of the Applicant :	Nitin Kishor Khamgaonkar
	Details of property of which document has to be searched :	Dist :Pune Village :Mahalunge S.No/CTS No/G.No. : 39
	Period of search :	From :2010 To :2021
	Received Fee :	300
The above mentioned Search fee has been credited to government vide GRN no :MH003288838202122E		
As this is a computer generated receipt, no stamp or signature is required.		
For Physical search in office, Please bring this receipt along with mentioned Gras Challan.		
Payment of search fee through GRAS challan can be verified on ' gras.mahakosh.gov.in/challan/views/frnSearchChallanWithOutReg.php '.		

Housiey.com

MH003289315202122E	Government of Maharashtra	Regn. 39 M
Department of Registration and Stamps		
09 Jul 2021	Receipt	Receipt no.: 1112073701
	Name of the Applicant :	Nitin Kishor Khamgaonkar
	Details of property of which document has to be searched :	Dist :Pune Village :Mahalunge S.No/CTS No/G.No. : 40
	Period of search :	From :2010 To :2021
	Received Fee :	300
The above mentioned Search fee has been credited to government vide GRN no :MH003289315202122E		
As this is a computer generated receipt, no stamp or signature is required.		
For Physical search in office, Please bring this receipt along with mentioned Gras Challan.		
Payment of search fee through GRAS challan can be verified on 'gras.mahakosh.gov.in/challan/views/frmSearchChallanWithOutReg.php'.		

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CHALLAN
MTR Form Number-6



GRN MH003289315202122E		BARCODE		Date 06/07/2021-15:43:30		Form ID	
Department Inspector General Of Registration				Payer Details			
Search Fee		TAX ID / TAN (If Any)					
Type of Payment Other Items		PAN No.(If Applicable)					
Office Name PND1_JT DISTT REGISTRAR PUNE URBAN		Full Name		Nitin Kishor Khamgaonkar			
Location PUNE		Flat/Block No.					
Year 2021-2022 One Time		Premises/Building					
Account Head Details		Amount In Rs.					
0030072201 SEARCH FEE		300.00					
		Road/Street					
		Area/Locality					
		Town/City/District					
		PIN					
		Remarks (If Any)					
Total		300.00		Amount In		Three Hundred Rupees Only	
				Words			
Payment Details IDBI BANK				FOR USE IN RECEIVING BANK			
Cheque-DD Details				Bank CIN		Ref. No.	
				69103332021070616352		2689982930	
Cheque/DD No.				Bank Date		RBI Date	
				06/07/2021-15:49:30		07/07/2021	
Name of Bank				Bank-Branch		IDBI BANK	
Name of Branch				Scroll No. , Date		100 , 07/07/2021	

Department ID : 566058291

Mobile No. : 7447717881

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document

सदर चालन "टाइप ऑफ पेमेंट" मध्ये नमूद कारणासाठीच लागू आहे. इतर कारणासाठी किंवा नोंदणी न करावयाच्या दस्त्यासाठी लागू नाही.

Signature Not
Verified

Digitally signed by DS
VIRTUAL TREASURY
MUMBAI 03
Date: 2021.07.09
16:13:28 IST
Reason: Secure
Document
Location: India