

# ADV. ANIL T. TAMBE

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

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Ref. No. :

FORMAT - A  
Circular No. 28/2021

Date : 30/11/2021

To,  
Maha RERA

## LEGAL TITLE REPORT

Sub : Title clearance certificate with respect of S. No. 13B/2 of village Chovisawadi, Tal. Havell Dist. Pune (Hereinafter referred as the said Property/Plot).

I have investigated the following title documents of the said property on the request of M/s. Sapphire Developers.

### 1) DESCRIPTION OF THE PROPERTY:-

All that pieces and parcels of land in falling in Residential Zone bearing S. No. 13B Hissa No. 2 (Old S. No. 930/2 Charholi Bk.) area admeasuring 00 H 70 R i.e. 7000 Sq. Mtrs out of total area admeasuring 01 H 01 R i.e. 10100 Sq. Mtrs out of entire area admeasuring 01 H 62 R, Assessed at 08 Rs. 75 Paise situated at revenue village Chovisawadi, Tal. Havell, Dist Pune which is bounded as under:

#### ON OR TOWARDS THE

East - Remaining plot out of 101 Guntha of same property and then By S. No. 136, Chovisawadi property of Mr. Dabhadde

South - By Road & S. No. 136/2, Chovisawadi property of Mr. Bhiku alias Bhikaji Baban Tapkir area 00 H. 61 R.

West - Part abating to Pune-Alandi Road and part S. No. 138/1 Chovisawadi,

North - S. No. 129 Chovisawadi

### 2) THE DOCUMENTS OF ALLOTMENT OF PROPERTY.

- 1) Copy of Sale Deed dated 03/12/1973 registered at Serial No. 471/1974 in the office of Sub-Registrar Havell No. 1 by and between Mr. Maruti Bala Tapkir, Mr. Baban Bala Tapkir, Smt. Chimbal Babu Tapkir, Mr. Ramchandra Babu Tapkir, Mr. Gulab Babu Tapkir, Mr. Kundalik Babu Tapkir, Mr. Sadashiv Babu Tapkir, Smt. Saraswati Babu Kondiba Pansare, Mrs. Changunabai Babasaheb Dongare (Purchasers) and Chichwad Devsthan Trust through Trustee Mr. Dharnidhar Chintaman Dev, Mr. Gajanan Heramb Dev, Mr. Vasant Keshav naik, Mr. Govind Bhaskar Pansare, Mr. Malhar Ramchandra Dhekane (Vendor) in respect of S. No. 930 area admeasuring 12 Acre 02 Gunthe (04 H 82 R).
- 2) Copy of Agreement to Sale dated 04/07/1977 registered at Serial No. 703/1977 in the office of Sub-Registrar Havell No. 2 by and between Mr.

Harakchand Merudas Bafana Promoter of Co Housing Society (Purchaser) and Mr. Shankar alias Baban Bala Tapkir and Mr. Bhiku Baban Tapkir (Vendors) in respect of S. No. 930/2, area 04 Acre 01 Guntha.

- 3) Copy of Partition Deed dated 09/01/1992 executed and registered before Sub Registrar Havell No. 8 at SR. No. P-120/1992 between Mr. Kailas Bhikaji Tapkir, Mr. Dattatraya Bhikaji Tapkir, Mr. Nandkumar Bhikaji Tapkir, Mr. Balkrishna Bhikaji Tapkir, Bhika Baban Tapkir and Baban Bala Tapkir.
- 4) Copy of Sale Deed dated 09/10/2017 registered at Serial No. 7808/2017 in the office of Sub-Registrar Havell No. 1 by and between Jineshwar Co-Op Housing Society Ltd Through Chairman Mr. Gautam Shantilal Dhoka and Secretary Mr. Sham Harakchand Kolan (Purchasers) and Mr. Bhiku alias Bhikaji Baban Tapkir (Vendor) in respect of S. No. 138/2 (Old S. No. 930/2) northern side area 01 H 01 R.
- 5) Copy of Development Agreement (Joint Venture) dated 17/06/2022 registered on 04/07/2022 at Serial No. 4499/2022 in the office of Sub-Registrar Havell No. 8 between 1) Jineshwar Co-Op. Housing Society Ltd (Land Owners) and M/s. Sapphire Developers (Developers) with the consent of 1) Mr. Sudhir Harakchand Bafana & Other 30 (Consenting Party) in respect of S. No. 138/2, area admeasuring 01 H 01 R.
- 6) Copy of POA dated 17/06/2022 registered on 04/07/2022 at Serial No. 4500/2022 in the office of Sub-Registrar Havell No. 8 executed by 1) Jineshwar Co-Op. Housing Society Ltd (Executants) in favour of M/s. Sapphire Developers (POA Holder) in respect of S. No. S. No. 138/2, area admeasuring 01 H 01 R.
- 7) Copy of Deed of Assignment dated 23/06/2022 registered at Serial No. 14445/2022 in the office of Sub-Registrar Havell No. 23 between Mr. Misrilal Chunnilal Chopra (Assignor) and Mr. AMIT Lalchand Nahar and Ms. Kashmira Rahul Dhoka (Assignees) in respect of 1/31st undivided share i.e. 3.26 R of S. No. 138/2 out of area 01 H 01 R.
- 3) **7/12 extract issued by Talathi Chovisawadi, Tal. Havell, Dist. Pune dated 21/11/2022, Mutation Entry No. 2382, 4337, 4812, 8121, 9194, 1, 83, 2330, 6159, 6319, 7951.**
  - I. Copy of 7/12 extract of S. No. 930 of village Charholi Bk. for the year 1934-35 to 1950-51
  - II. Copy of 7/12 extract of S. No. 930 of village Charholi Bk. for the year 1951-52 to 1967-68
  - III. Copy of 7/12 extract of S. No. 930 of village Charholi Bk. for the year 1968-69 to 1980-81

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- IV. Copy of 7/12 extract of S. No. 930/2 of village Charholi Bk. for the year 1982-83
- V. Copy of 7/12 extract of S. No. 930/2 of village Charholi Bk. for the year 1985-86 to 1990-91
- VI. Copy of 7/12 extract of New S. No. 138/2/1 (old S. No. 930) of village Charholi Bk. for the year 1991-92 to 2011-12
- VII. Copy of 7/12 extract of New S. No. 138/2/1 to 138/2/6 of village Chovisawadi for the year 2012-13 to 2015-16
- VIII. Copy of 7/12 extract of S. No. 138/2 of village Chovisawadi for the year 2016-17 to 2021-2022
- IX. Computerized 7/12 Extract of S. No. 138/2 of Village Chovisawadi for the year 2022.
- X. Copy of Mutation Entry for Charholi Bk. S. No. 930/2 bearing No. 2382, 4337, 4812, 8121, 9194.
- XI. Copy of Mutation Entry for Chovisawadi S. No. 138/2 bearing No. 1, 83, 2330, 6159, 6319, 7951

#### 4) Search Report for 30 Years from 1992 to 2022 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 Jineshwar Co-operative Housing Society Ltd is clear, marketable and without any encumbrances.

#### Owner of Land :

Jineshwar Co-operative Housing Society Ltd is an absolute owner of land an area admeasuring 01 H. 01 R. of S. No. 138 Hissa No. 2 situated at village Chovisawadi, Tal. Havell, Dist. Pune.

The Report reflecting the flow of M Jineshwar Co-operative Housing Society Ltd on the said land is enclosed herewith as annexure.

End : Annexure.

Date : 30/11/2022

  
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## FLOW OF THE TITLE OF THE SAID LAND.

1) HISTORY AND FLOW OF TITLE TO S. NO. 138 HISSA NO. 2 (Old S. No. 930/2 ) OF VILLAGE CHOVISAWADI, TAL. HAVELI, DIST. PUNE

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a) As seen and perused from revenue record it reveals that area admeasuring 12 Acre 2 Gunthe of S. No. 930 situated at village Charholi Bk, Tal. Havelli, Dist. Pune (Hereinafter referred to as "said property") was originally owned by Chichwad Devsthan Trust (Hereinafter referred to as "said trust") through Trustee Mr. Dharmidhar Chintaman Dev, Mr. Gajanan Heramb Dev, Mr. Vasant Keshav Naik, Mr. Govind Bhaskar Pansare, Mr. Malhar Ramchandra Dhekane (Hereinafter referred to as "said trustee") and Mr. Babu Bala Tapkir and Mr. Maruti Bala Tapkir was in possession of said property as a "protect tenant". The said trust registered under Bombay Public Trust Act, 1950 before Asst. Charity Commissioner bearing No. A591. For the management of the said trust, Hon'ble Bombay High Court arranged Scheme, and according to that said trustee has got right to deal with Trust day to day affairs.

b) As seen and perused of M. E. No. 8121 dated 03/02/1969 it reveals that, the Govt. of Maharashtra has implemented the Weights & Measurement Act 1958 & Indian Coinage Act-1956 and therefore the record of right at village record has been converted into Metric System and hence New Aakarband & Hissa Form No. 12 has been implemented and area of the land has been converted into Metric System i.e. Hector and Areand effect of the said order has been recorded to the 7/12 extract by aforesaid mutation which came to be certified on or about 1969.

c) As seen and perused Sale Deed dated 03/12/1973 that, Mr. Babu Bala Tapkir and Mr. Maruti Bala Tapkir names were recorded to the 7/12 extract as "tenant". The said trust filed civil suit before Civil Court bearing RCS No.

376/1967 against Mr. Babu Bala Tapkir and Mr. Maruti Bala Tapkir for possession of said property and said suit was decreed in favour of trust. Thereafter said judgment and decree was challenged in Civil Appeal and same is/was decreed in favour of Trust.

Thereafter Mr. Babu Bala Tapkir on the one hand decided to purchase the said property and demanded to the trustee for sale of the said property, accordingly Board of Trustee passed resolution bearing No. 180 dated 18/01/1970 and decided to sale the said property to Mr. Babu Bala Tapkir under. Thereafter Mr. Babu Bala Tapkir, Mr. Maruti Bala Tapkir decided that, the sale transaction to be completed in the name of Mr. Babu Bala Tapkir, Mr. Maruti Bala Tapkir and Mr. Baban Bala Tapkir and requested to the trustee to enter their names in the sale deed. In the meanwhile Mr. Babu Bala Tapkir died intestate leaving behind his legal heirs wife Smt. Chimabai Babu Tapkir, sons Mr. Ramchandra Babu Tapkir, Mr. Gulab Babu Tapkir, Mr. Kundalik Babu Tapkir, Mr. Sadashiv Babu Tapkir, married daughters Smt. Saraswatibai Kondiba Pansare, Mrs. Changunabai Babasaheb Dongare.

Thereafter Hon'ble District Court, Pune by its order delivered on 09/09/1970 bearing No. 5521 to trustee to sale the said tenanted property and also Hon'ble Charity Commissioner, Maharashtra state, Mumbai gave permission bearing no. 4/202-70/15-8-57-72 dated 20/06/1972 to sale the said property to tenant. Therefore Sale Deed was executed and registered by and between Chichwad Devsthan Trust through Trustee Mr. Dharmidhar Chintaman Dev, Mr. Gajanan Heramb Dev, Mr. Vasant Keshav naik, Mr. Govind Bhaskar Pansare, Mr. Malhar Ramchandra Dhekane (Vendor) and Mr. Maruti Bala Tapkir, Mr. Baban Bala Tapkir, Smt. Chimabai Babu Tapkir, Mr. Ramchandra Babu Tapkir, Mr. Gulab Babu Tapkir, Mr. Kundalik Babu Tapkir, Mr. Sadashiv Babu Tapkir, Smt. Saraswatibai Kondiba Pansare, Mrs. Changunabai Babasaheb Dongare (Purchasers). The Sale Deed was executed on 03/12/1973 and registered on 28/02/1974 before Sub Registrar Havell No. 1 at Sr. No P-471/1974. Thus by virtue of Sale Deed name of (1) Mr. Maruti Bala Tapkir, (2) Mr. Baban Bala Tapkir, (3) Smt.

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Chimabai Babu Tapkir, (4) Mr. Ramchandra Babu Tapkir, (5) Mr. Gulab Babu Tapkir, (6) Mr. Kundalik Babu Tapkir, (7) Mr. Sadashiv Babu Tapkir, (8) Smt. Saraswatibai Kondiba Pansare, (9) Mrs. Changunabai Babasaheb Dongare has been recorded to the 7/12 extract.

- d) As seen and perused of document and revenue record it reveals that, as per actual possession and oral partition land area admeasuring 04 Acre 01 Guntha out of S. No. 930 allotted to (1) Mr. Shankar alias Baban Bala Tapkir and land area admeasuring 08 Acre 01 Guntha of S. No. 930 allotted to Mr. Maruti Bala Tapkir, (2) Smt. Chimabai Babu Tapkir, Mr. Ramchandra Babu Tapkir, Mr. Gulab Babu Tapkir, Mr. Kundalik Babu Tapkir, Mr. Sadashiv Babu Tapkir, Smt. Saraswatibai Kondiba Pansare, Mrs. Changunabai Babasaheb Dongare.
- e) As seen and perused of M. E. No. 9194 it reveals that, Phalani Form 12 has been prepared by DILR, Pune and accordingly S. No. 930 is Sub-divided into 5 parts and opened separate 7/12 extract i.e. (1) S. No. 930/1 area admeasuring 00 H 10 R, Assessed at 00 Rs. 32 Paise allotted to Mr. Maruti Bala Tapkir, (2) S. No. 930/2 area admeasuring 01 H 62 R, Assessed at 00 Rs. 32 Paise allotted to Mr. Shankar alias Baban Bala Tapkir, (Subject matter of this search. Hereinafter referred to as "said property") (3) S. No. 930/3 area admeasuring 00 H 10 R, Assessed at 00 Rs. 32 Paise allotted to Pukharaj Shantilal Dhoka and Baban Sadashiv Tapkir, (4) S. No. 930/4 area admeasuring 01 H 54 R, Assessed at 10 Rs. 71 Paise allotted to Mr. Ramchandra Baburao Tapkir, (5) S. No. 930/5 area admeasuring 01 H 52 R, Assessed at 11 Rs. 52 Paise allotted to Mr. Maruti Bala Tapkir and said effect has been recorded to the 7/12 extract by aforesaid mutation;
- f) As seen and perused of Agreement to Sale dated 04/07/1977 that, Mr. Shankar alias Baban Bala Tapkir, Mr. Bhiku Baban Tapkir decided to sale 04 Acre 01 Guntha i.e. 01 H 61 R to Mr. Harakchand Bherudas Bafana Chief Promoter of Jineshwar Co-Op Housing Society Ltd for valuable consideration of Rs. 90,000/-. The Agreement to Sale is / was executed

and registered on 04/07/1977 before Sub Registrar Havelli No. 2, Pune at Sr. No. 703/1977. (Hereinafter referred to as "said agreement")

On the execution of Agreement to Sale Mr. Harakchand Bherudas Bafana is/was paid amount of Rs. 20,000/- to Mr. Shankar alias Baban Bala Tapkir as an earnest amount, and remaining/balance amount of consideration was agreed to given at the time of Sale Deed of the said property. There were several terms and conditions written in the agreement dated 04/07/1977 that the (1) sale deed should be executed within 11 months from the date of execution of the said agreement, (2) Mr. Shankar alias Baban Bala Tapkir should clear his title over the said property and he should show the all title documents, revenue record in respect of said property to the Mr. Harakchand Bherudas Bafana, (3) Mr. Shankar alias Baban Bala Tapkir agreed that he converted the said property into Non Agricultural., (4) If Mr. Harakchand Bherudas Bafana failed to do Sale Deed within prescribed time then earnest amount should be forfeited etc.

Thus by virtue of Agreement to Sale Mr. Harakchand Bherudas Bafana Chief Promoter of Jineshwar Co-Op Housing Society Ltd has accrued right to purchase the said property.

- g) As seen and perused of Society Registration Certificate that, Mr. Harakchand Bherudas Bafana was registered the said society i.e. Jineshwar Co Operative Housing Society Ltd duly registered under the provisions of Section 9 (1) & 12 (1) The Maharashtra Co. Op. Societies Act, 1960 & under Rule No. 10 (1) of the MCS Rule 1961 bearing Registration No. PNA/PNA/HSG/1270 Pune dated 22/01/1979; (Hereinafter referred to as "said society")
- h) As seen and perused of documents produced for my inspection that, Mr. Harakchand Bherudas Bafana Chief Promoter of Jineshwar Co-Op Housing Society Ltd ready to execute Sale Deed and also ready to pay remaining balance amount of consideration to Mr. Shankar alias Baban Bala Tapkir but owner failed to do so. Thereafter on 10/01/1981 Mr. Harakchand Bherudas Bafana Chief Promoter of Jineshwar Co-Op Housing Society Ltd

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Issued legal notice to Mr. Shankar alias Baban Bala Tapkir and requested him to execute Sale Deed of the said property. Mr. Shankar alias Baban Bala Tapkir gave reply to the said notice on 24/01/1981 and denied to execute sale deed on "Flimsy Ground".

- i) As seen and perused of Special Civil Suit No. 366 of 1982 that, Jineshwar Co-Operative Housing Society Ltd., (registered society) through Chairman Harakchand Bhalrudas Bafana filed Civil Suit against Mr. Shankar alias Baban Bala Tapkir, Mr. Bhiku Baban Tapkir for Specific Performance of the agreement. The said suit decreed in favour of said society and court had directed to Mr. Shankar alias Baban Bala Tapkir and his son to execute Sale Deed in favour of said society by judgment and decree dt. 16/11/1988.
- j) As seen and perused of M. E. No. 1 dated 01/08/1991 it reveals that, Old Survey No. 930/2 of village Charholl Bk. was assigned and given as new Survey No. 138/2 of village Chovisawadi due to Wadivibhajan (separation of village) and said effect has been recorded to the 7/12 extract by aforesaid mutation which came to be certified on 08/08/1991.
- k) As seen and perused of Civil Appeal bearing No. 845/1988 that, Mr. Shankar alias Baban Bala Tapkir, Mr. Bhiku Baban Tapkir have challenged judgment and decree in first Appeal before Hon'ble High Court, Mumbai bearing Appeal No. 845/1988. Subsequently said appeal was made over to the Hon'ble District Court due to change of pecuniary jurisdiction. It was registered and renumbered as Civil Appeal No. 515/2002. That the Mr. Shankar alias Baban Bala Tapkir, Bhiku Baban Tapkir & said society arrived at compromise and accordingly the Civil Appeal 515/2000 was decreed in terms of compromise on 14/02/2003 stating that southern side portion of land an area admeasuring 01 Acre 20 Gunthe to be retained by Mr. Shankar alias Baban Bala Tapkir, Bhiku Baban Tapkir (out of which 5 ft's northern side area to be carved out for ingress and egress for access road) and rest of land allotted 02 Acre 21 Gunthe allotted to Jineshwar Co-Operative Housing Society Ltd (out of which 15 ft's southern side area

parallel to 5 ft road as egress and ingress to be carved out for ingress and egress for access road).

- l) As seen and perused of M. E. No. 83 it reveals that, Kallas Bhikaji Tapkir and other 5 executed registered Partition Deed which was executed on 09/01/1992 and registered on 29/02/1992 before Sub Registrar Havell No. 8 at Sr. No. P-120/1992. Thus by virtue of Partition Deed s. No. 930/2 total area admeasuring 01 H 62 R sub divided into 6 parts and opened new 7/12 extract as per partition i.e. (1) S. No. 930/2/1 area admeasuring 00 H 27 R allotted to Mr. Kallas Bhikaji Tapkir, (2) S. No. 930/2/2 area admeasuring 00 H 27 R allotted to Mr. Dattatray Bhikaji Tapkir, (3) S. No. 930/2/3 area admeasuring 00 H 27 R allotted to Mr. Nandkumar Bhikaji Tapkir, (4) S. No. 930/2/4 area admeasuring 00 H 27 R allotted to Mr. Balkrushna Bhikaji Tapkir, (5) S. No. 930/2/5 area admeasuring 00 H 27 R allotted to Mr. Bhikaji Baban Tapkir and (6) S. No. 930/2/6 area admeasuring 00 H 27 R allotted to Mr. Shankar alias Baban Bala Tapkir and said effect has been recorded to the 7/12 extract by M. E. No. 83 which came to be certified on 05/04/1992.
- m) As seen and perused of M. E. No. 2330 it reveals that, Mr. Shankar alias Baban Bala Tapkir died intestate on 12/09/2002 and Dagdabai alias Vithabai Baban Tapkir died intestate on 19/09/2002 leaving behind their legal heir's son Bhiku alias Bhikaji Baban Tapkir and his name is mutated to 7/12 extract by aforesaid mutation which came to be certified on 28/11/2022;
- n) As seen and perused of Regular Civil Suit bearing No. 1503/2003 file, Mr. Kallas Bhikaji Tapkir, Mr. Dattatraya Bhikaji Tapkir, Mr. Nandkumar Bhikaji Tapkir, Mr. Balkrushna Bhikaji Tapkir (Plaintiff) V/s. Jineshwar Co-Op Housing Society Ltd (Defendant) stated that the said property is their Joint Hindu Family Property and each have  $\frac{1}{4}$  share in that. The said property was purchased by their grandfather Shankar alias Baban Bala Tapkir and other coparcener for the Joint Hindu Family in the year 1973. After the death of Shankar alias Baban Bala Tapkir the said property was inherited by their father i.e. Bhikaji Baban Tapkir and as a coparcener of the Joint

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Hindu Family and Plaintiffs have acquired interest in the said property and accordingly they filed Regular Civil Suit before Jt. Civil Judge Sr. Division, Pune bearing RCS No. 1503/2003 against said society and Mr. Bhikaji Baban Tapkir for declaration that the compromise decree is not binding on them and they also claimed for perpetual injunction for restraining the said society and Mr. Bhikaji Baban Tapkir from interfering into their possession of the said property and the said suit i.e. Regular Civil Suit No. 1503/2003 of Mr. Kallas Bhikaji Tapkir and others is dismissed.

- o) As seen and perused of Civil Appeal bearing No. 557/2008 that, Mr. Kallas Bhikaji Tapkir and others (Applicants/original Plaintiff) are challenged judgment and decree in Reg. Civil Suit No. 1503/2003 in Civil Appeal filed before 12<sup>th</sup> District Judge and Assistant Session Judge, Pune bearing Civil Appeal No. 557/2008 against said society and Mr. Bhikaji Baban Tapkir (original defendant/Respondent) and said appeal is came to be dismissed with compensatory cost of Rs. 5000/- on 13/04/2011.
- p) As seen and perused of Second Appeal bearing No. 658/2011 with Civil Application No. 1540/2011 that, Mr. Kallas Bhikaji Tapkir and others have challenged judgment and decree in Reg. Civil Suit No. 1503/2003 on Civil Appeal filed before 12<sup>th</sup> District Judge and Assistant Session Judge, Pune bearing Civil Appeal No. 557/2008 against said society and Mr. Bhikaji Baban Tapkir and said appeal. Accordingly Second Appeal dismissed and Civil Application No. 1540/2011 does not survive and is accordingly disposed of and confirmed the trial court.
- q) As seen and perused of M. E. No. 6159 it reveals that, mutation entry No. 83 (for partition) was challenged by Jineshwar Co-Operative Housing Society Ltd and they have filed RTS Appeal before Deputy Collector / Special Land Acquisition Officer No. 23 bearing No. 71/1992 against Mr. Baban Bala Tapkir and other 5. The Hon'ble Deputy Collector / Special Land Acquisition Officer No. 23 heard both parties and issued an order stated that said Appeal is allowed and accordingly M. E. No. 83 pot hissa of S. No. 930/2/1 to 930/2/6 was opened which is/was declared as "Cancelled" and restored new 7/12 extract of S. No. 930/2 (138/2) by

order dated 03/01/2005. The said order is challenged by Mr. Kallas Bhikaji Tapkir and others before V. V. Valdyo Additional Collector, Pune bearing II RTS Appeal No. RTS/2/142/2005 and said Appeal is also dismissed by the Additional Collector, Pune and issued an order dated 19/10/2006 and confirmed order of SDO Havelli, Pune. Thus said effect has been recorded to the 7/12 extract by aforesaid mutation which came to be certified on 27/04/2017.

- r) As seen and perused of M. E. No. 6319 it reveals that, Bhiku alias Bhikaji Baban Tapkir and others (Vendors) sold an area admeasuring 01 H 01 R out of S. No. 138/2 (Old S. No. 930/2) to Jineshwar Co-Operative Housing Society Ltd through Chairman Mr. Gautam Shantilal Dhoka and Secretary Mr. Sham Harakchand Kolan (Purchaser) by way of Sale Deed. The Sale Deed is executed on 09/10/2017 before Sub Registrar Havelli No. 1 Pune at SR. No. 780B/2017. Thus by virtue of Sale Deed name of said society has been recorded to the 7/12 extract by aforesaid mutation which came to be certified on 27/11/2017.
- s) As seen and perused of M. E. No. 7951 it reveals that, Bhikaji alias Bhiku Baban Tapkir died Intestate on 22/11/2021 leaving behind his legal heirs wife Rukhmini Bhikaji alias Bhiku Tapkir, son's Balkrushna Bhikaji alias Bhiku Tapkir, Nandakumar Bhikaji alias Bhiku Tapkir, Dattatray Bhikaji alias Bhiku Tapkir, Kallas Bhikaji alias Bhiku Tapkir and their names were recorded to the 7/12 extract by aforesaid mutation which came to be certified on 31/05/2022.
- t) Thus Jineshwar Co-Operative Housing Society Ltd become absolute owner of land S. No. 138/2 area admeasuring 01 H 01 R (02 Acre 1 Guntha) and the said society hold valid title ownership and possession of said land under search and title and have every rights to deal with, or dispose off within the four corners to society bye-law and Rules under the Maharashtra Co-Op Society Act, 1980 and Rule 1961. Thereafter society vide its Special Annual General Body meeting held on 25/1/2022 decided to grant development rights to intending developers i.e. M/s. Suphire Developers.

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u) As seen and perused of Development Agreement coupled with Power of Attorney dated 17/06/2022 that, Jineshwar Co-Operative Housing Society Ltd through Chairman Mr. Gautam Shantilal Dhoka, Secretay Mr. Sham Harakchand Kolan and Treasurer Mr. Sudhir Harakchand Bafana (Owner) decided to develop the said property and granted development rights in favour of M/s. Sapphire Developers through partners (1) Mr. Mansukhial Giridharilal Lodha, (2) Mr. Vivekanand Santram Botre, (3) Mr. Swapnil Suresh Waghmare, (4) Mr. Shrikant Kachru Kute, (5) Mr. Anand Nemichand Fulagar, (6) Mr. Chetan Barikrao Waghmare, (7) Mr. Sunil Eknath Barawkar and (8) Mr. Ghanashyam Dnyaneshwar Patil (Developer) with Consent of Mr. Sudhir Hatakchand Bafana and other 30 (consenting parties). The Development Agreement coupled with Power of Attorney are executed on 17/06/2022 and registered on 04/07/2022 before Sub Registrar Havell No. 8 at Sr. No's. 4499/2022 and 4500/2022 respectively. Thus by virtue of said development agreement M/s. Sapphire Developers got right to develop the said property i.e. area admeasuring 01 H 01 R out S. No. 138/2.

v) After perusal of Deed of Assignment dated 23/06/2022 that, Mr. Misrilal Chunnulal Chopda alias C. Misrilal (Assignor) assign his 1/31<sup>st</sup> undivided share out of said property to Mr. Amit Lalchand Nahar and Ms. Kashmira Rahul Dhoka (Assignees) with consent of Jineshwar Co-Operative Housing Society Ltd. The Deed of Assignment is executed and registered on 23/06/2022 before Sub Registrar Havell No. 23 at Sr. No. 14445/2022. Thus by virtue of deed Mr. Amit Lalchand Nahar and Ms. Kashmira Rahul Dhoka got 1/31<sup>st</sup> undivided right in the said property.

w) Thus, Jineshwar Co-Operative Housing Society Ltd through its 31 members (owners) are the lawful owners of an area 01 H. 01 R out of S. No. 138/2 and M/s. Supphire Developers (developers) got right to develop the said property and they are in possession of said property.

x) Further the said society prepared plans and specification of the said property i.e. area admeasuring 01 H 01 R. out of S. No. 138/2 and same has been duly approved Alandi Municipal Council and issued

Commencement Certificate bearing No. 1722/2022 dated 16/11/2022 consisting of Building No's. "A" comprising of Lower Ground + Upper Ground + Mezzanine + 1<sup>st</sup> + 2<sup>nd</sup> Floor, Building No. "B" comprising of Lower Ground + Upper Ground + 1<sup>st</sup> Floor +13 Upper Floors and Building No. "C" comprising of Lower Ground + Upper Ground + 1<sup>st</sup> Floor + 13 Upper Floors.

1) **PUBLIC NOTICE :** The Owner Jineshwar Co-Operative Housing Society Ltd had issued public Notice in daily news paper "Prabhat" for verification of title of the owners in respect of land an area admeasuring 01 H 01 R out of S. No. 138/2, of village Chovisawadi on 05/02/2022 through Adv. Anil T. Tambe. However, there were no objections as such received so far for the said public notice and accordingly the certificate to that effect has been issued by Adv. Anil T. Tambe on 20/02/2022.

2) **Conclusion:** Relying upon the available documents, Mutation Entries, 7/12 extract, M. E. Nos., Agreement, Sale Deed, Development Agreement and other revenue record, Court Judgments, Sanctioned Building Plan, Commencement Certificate the present Owner Jineshwar Co-Operative Housing Society Ltd is the absolute owner of the said property and M/s. Sapphire Developers got development rights to the extent of 01 H 01 R out of S. No. 138/2 and also they have right to develop the said property as per the plan sanctioned by Alandi Municipal Council.

The said property is free from all encumbrances, charges or claim or whatsoever nature and the above said owners and developers have full and absolute right, title and Interest in the said property. According to my opinion the owners have good marketable title and M/s. Sapphire Developers got the rights to develop the said property and to construct the multistoried building consisting of residential Flats, Shops, Etc. as per the Plan sanctioned by Alandi Municipal Council.

2) **7/12 EXTRACT /Property Card as on date of applicable for registration -**

7/12 extract S. No. 138/2

# ADV. ANIL T. TAMBE

- 3) **Copy of Mutation Entry bearing No's:-**  
2382, 4337, 4812, 8121, 9194, 1, 83, 2330, 6159, 6319, 7951
- 4) **Search report for 30 years from 1992 to 2022 Taken from Sub-Registrar office at Haveli No. III, Pune.**
- 5) **Any other relevant title documents -**
  - a) Copy of Sanctioned Building Plan approved by Alandi Municipal Council, Alandi bearing Building Dept. O/w No. 1722/2022 dated 16/11/2022.
  - b) Copy of Commencement Certificate issued by Alandi Municipal Council, Alandi dated 16/11/2022 bearing No. 1722/2022.
  - c) Copy of Public Notice issued by Adv Anil T. Tambe in daily news paper Prabhat on 05/02/2022.
  - d) Copy of NOC issued by Adv Anil T. Tambe on 20/02/2022.
  - e) Copy of Society Registration Certificate bearing No. Jineshwar Co-Op Housing Society Ltd bearing No. PNA/HSG/1270, Pune dated 22/01/1979.
  - f) Copy of Judgment delivered in Special Civil Suit No. 366/1982 dated 16/11/1988.
  - g) Copy of Judgment of Appeal filed before High Court bearing No. 845/1988.
  - h) Copy of Judgment of Civil Appeal filed before District Court Pune bearing No 515/2000 (old High Court Civil Appeal No. 815/1982)
  - i) Copy of Judgment of Reg. Civil Suit filed before Jt. C. J. S. D. Pune bearing No. 1503/2003 dt. 28/07/2008.
  - j) Copy of Judgment of Civil Appeal filed before District Judge -12 and Asst. Session Judge, Pune bearing No. 557/2008 dt. 13/4/2011.
  - k) Copy of Judgment of Second Appeal filed before High Court, Bombay bearing SA No. 658/2011 and with Civil Application bearing No. 1540/2011 dt. 18/04/2012.
  - l) Copy of Judgment of RTS Appeal filed before Deputy Collector / Special Land Acquisition Officer No 23 bearing No. 71/1992 dt. 03/01/2005.

m) Copy of Judgment of RTS Appeal filed before Collector bearing No. RTS/2/142/2005 dt. 19/10/2006.

n) Copy of Zone Certificate issued by Alandi Municipal Council, Alandi bearing no. A. M. C./Bandh/1347/2016 dated 20/09/2016.

o) Copy of Death Certificate of Shankar alias Baban Bala Tapkir date 12/09/2022.

6) **Litigations if any – No Litigation.**

Date : 30/11/2022

ADV. ANIL T. TAMBE



## CHALLAN

MTR Form Number-6



MH012753090202122E	BARCODE	Date: 07/02/2022-14:14:18		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		Adv Anil Tulshiram Tambe
Location: PUNE		Flat/Block No.		
Year: 2021-2022 One Time		Premises/Building		
Account Head Details		Amount In Rs.	Road/Street	
0030072201 SEARCH FEE		750.00	Area/Locality	
			Town/City/District	
			PIN	
			Remarks (If Any)	
 <b>₹ 525.00</b> 			Amount In: Seven Hundred Fifty Rupees Only	
		750.00	Words:	
Payment Details: UNION BANK OF INDIA		FOR USE IN RECEIVING BANK		
Cheque-DD Details		Bank CIN	Ref. No.	02901792022020798526
Cheque/DD No.		Bank Date	RBI Date	07/02/2022-14:15:15
Name of Bank		Bank-Branch		UNION BANK OF INDIA
Name of Branch		Scroll No., Date	1, 08/02/2022	

Department ID : 788335056

NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document.  
 यद्यपि यह निम्न ग्राहक कारणातातीच सांग आहे, दरवर काणांताती किंवा शेतकी न कारणातात्या दरवरातील सांग नाही.

Mobile No. 9405021758

Signature Not Verified

Digitally signed by D...

DIRECTORATE OF

Challan Defaced Details And  
TREASURIES MUMBAI 02  
Date: 2022-12-08 17:21:07

Sr. No.	ISI Registration Document Location: India	Defacement No.	Defacement Date	User Id	Defacement Amount
1		0006214206202122	09/02/2022-12:30:53	ICR002	525.00
Total Defacement Amount					525.00

MH012753090202122E	Government of Maharashtra	Regn. 39 M
Department of Registration and Stamps		
06 Dec 2022	Receipt	Receipt no.: 1112303387
	Name of the Applicant :	Adv Anil Tulshiram Tambe
	Details of property of which document has to be searched :	Dist :Pune Village :Choviswadi S.No/CTS No/G.No. : 138
	Period of search :	From :2002 To :2022
	Received Fee :	525
<p>The above mentioned Search fee has been credited to government vide GRN no :MH012753090202122E</p> <p>As this is a computer generated receipt, no stamp or signature is required.</p> <p>For Physical search in office, Please bring this receipt along with mentioned Gras Challan.</p> <p>Payment of search fee through GRAS challan can be verified on '<a href="http://gras.mahakosh.gov.in/challan/views/frmSearchChallanWithOutReg.php">gras.mahakosh.gov.in/challan/views/frmSearchChallanWithOutReg.php</a>'.</p>		