

April 16, 2014

**TITLE REPORT**

**1. DESCRIPTION OF THE LANDS:**

All those lands bearing

(a) Survey No. 56/2/1 total admeasuring Hectare 0.30  
Ares, assessed at Rs.1.19 paise,

(b) Survey No. 56/2/2 total admeasuring Hectare 0.30  
Ares, assessed at Rs.1.19 paise,

(c) Survey No. 56/2/3 total admeasuring Hectare 0.31  
Ares, assessed at Rs.1.31 paise,

(d) Survey No. 56/2/4 total admeasuring Hectare 0.31  
Ares, assessed at Rs.1.18 paise,

total admeasuring Hectare 1.22 Ares, situated at village  
Thathwade of Taluka Mulshi, District Pune, within the limits  
of the Registration District of Pune, Sub.Registrtion Taluka  
Haveli and the Municipal Corporation of Pimpri Chinchwad  
and collectively bounded as under

East : Survey No.57 and 55,

South: Survey No.56/1

West : Survey No.56/1

North : Survey No.58

(hereinafter referred collectively to as the said "LANDS")



**2. INSTRUCTIONS:**

Under instructions from **Deepak Vilasrao Jagtap** of 4<sup>th</sup> floor Bonita, CTS No.1187/16, off Ghole Road, Shivajinagar, Pune 411 005 one of the Owner, (hereinafter referred to as the said "OWNER"), I have caused search to have been taken relating to the said Lands, so also investigated the title thereto.

**3. SEARCH:**

- (a) Accordingly, Advocate Rahul D Rode caused the search to have been taken, in the offices of the Sub.Registrars, Maval, Mulshi and Haveli, relating to the said Lands, vide Application No. 76/2014 dated 16.01.2014 receipts No.0610441 Haveli No.3 Pune for the period from 1985 till 2014.
- (b) Except the transactions herein recorded, no transaction relating to the said Lands or any transaction encumbering the said Lands was found as per report dated 28.01.2014 of Advocate Rahul D Rode.
- (c) The said search however, is subject to the registers not available in the said Offices, the same either having been sent for binding or in torn condition or not available.

**4. PUBLIC NOTICE:**

I issued public notice in daily "Prabhat", dated 08.02.2014, a marathi news paper being published in and from Pune, inviting objections, if any, from concerned people, relating to the said Lands. I did not receive any objections or claims relating to the said Land from any quarters.



5. **DOCUMENTS:**

I perused the photocopies of the following documents entrusted to me, for the purposes of this title report.

- VF No.VII/VIIIA/XII, maintained under Chapter-X of the Maharashtra Land Revenue Code, 1966 and the Maharashtra Land Revenue Record of Rights and Registers (Preparation and Maintenance) Rules, 1971, relating to the Lands bearing Survey No.56/2, from the year 1931 upto 1979 and of Survey No.56/2/1, 56/2/2, 56/2/3 and 56/2/4 from 1983 upto 2014.
- Relevant mutation entries contained in VF No.VI, maintained under Chapter-X of the Maharashtra Land Revenue Code, 1966 and the Maharashtra Land Revenue Record of Rights and Registers (Preparation and Maintenance) Rules, 1971, relating to said lands, during the said period from 1937 till 2014.
- Copy of Hissa Form No.Xi
- Zone Certificate No.422/10 dated 25.06.2010 issued by the Assistant Director Town Planning Pimpri Chinchwad Municipal Corporation of Survey No.56 of village Thathwade,
- Demarcation map relating to the said lands bearing Survey No.56/2 at *Mojni* Register No. 510/08 demarcated on 09.01.2009 and Very Urgent *Mojni* Register No.8728/13 Demarcated on 25.03.2013 by the Asst. Superintendent of Land Records of Pimpri Chinchwad Municipal Corporation, under the Maharashtra Land Revenue (Boundaries and Boundary Marks) Rules, 1963, framed under Chapter-IX of the Maharashtra Land Revenue Code, 1966,
- Four Copies of Sale Deed registered in the office of Sub. Registrar Haveli, Pune, as under,

Survey No	Area Ares	Sold by	Date of Sale Deed	Reg.No.	ME No.
56/2/1	30	Baban Baburao Pawar	23.07.08	5089/08 HVL-15	4572
56/2/2	30	Maruti Dashrath Pawar and others	04.04.08	3555/08 HVL-11	4551
56/2/3	31	Bharat Arjun Pawar and others	17.02.10	1637/10 HVL-1	5131
56/2/4	31	Popat Baburao Pawar	08.08.12	7175/12 HVL-19	5247

- Development Agreement and Power of Attorney both dated 17.08.2013, registered in the Office of Sub Registrar Haveli No.19 at the Sr.No.9955/2013 and 9966/2013 on the same day executed by one of the Owner Nivruti Sudam Navale in favour of M/s M:thiLa Anshul Promoters and Builders
- Commencement Certificate No. BP/Tathwade/13/2013 dated 24.07.2013 sanctioning the buildings layout and building Plans of the said lands by the Pimpri Chinchwad Municipal Corporation under Sections 44, 45, 58 and 69 read with the concerned Development Control Regulations and Sections 253 and 254 of the Bombay Provincial and Municipal Corporations Act, 1949.
- Order dated 28.11.2013 bearing No.PMH/NA/SR/457/ 2013 issued by the Office of the Collector of Pune, granting non-agricultural permission to use the said land for residential and commercial purposes under Section 44 of the Maharashtra Land Revenue Code, 1966 of said Lands.
- Copy of Declaration dated 13.03.2014 executed by Deepak Vilasrao Jagatap for ADP



6. **INFORMATION:**

I also collected information found necessary in respect of the said Lands from Deepak Vilasrao Jagtap and Nivruti Sudam Navale as the Owners of the said Lands.

7. **TITLE INCIDENTS**

- a. the land bearing Survey Number 56/2 total admeasuring 3 Acre and 1 Guntla was came to the possession of Indrabhan Ganeshmal Marwadi, as the heir of deceased Ganeshmal Bikamdas Marwadi, said effect was recorded vide mutation entry no.213 dated 04.08.1937 to the record of rights thereof, thereafter said Indrabhan Ganeshmal Lunkad sold the said Survey No.56/2 to Babu Savleram Pawar by Deed of Sale dated 14.03.1950, said effect was recorded vide mutation entry no.432 dated 01.11.1950 to the record of rights thereof,
- b. there was partition under section 85 of the Maharashtra Land Revenue Code 1956 in the Case No. Vatap/21/82 dated 07.06.1982 before the Hon'ble Tahasildar Mulshi, between the Baburao Savleram Pawar and his sons Baban Baburao Pawar, Dasharath Baburao Pawar, Arjun Baburao Pawar and Popat Baburao Pawar, in the said Partition (i) Survey No.56/2/1 admeasuring Hectare 0.30 Ares was given into the share of Baban Baburao Pawar, (ii) Survey No.56/2/2 admeasuring Hectare 0.30 Ares was given into the share of Dashrath Baburao Pawar, (iii) Survey No.56/2/3 admeasuring Hectare 0.31 Ares was given into the share of Arjun Baburao Pawar and (iv) Survey No.56/2/4 admeasuring Hectare 0.31 Ares was given into the share of

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Popat Baburao Pawar, said effect was record vide mutation entry no.1380 to the record of rights thereof.

- c. there was again partition between the Dashrath Baburao Pawar, his sons Maruti Dashrath Pawar, Baburao Dashrath Pawar and daughter Ashabai Kailash Wagihre, under section 85 of Maharashtra Land Revenue Code 1966 in the case No. Land/Partition/SR/9/96 dated 14.03.1996 before the Hon'ble Tahasildar Haveli, in the said partition portion admeasuring 15 Ares out of Survey No.56/2/2 given into the share of Maruti Dashrath Pawar and remaining portion admeasuring 15 Ares out of Survey No.56/2/2 given into the share of Bajirao Dashrath Pawar, said effect was recorded vide mutation entry no.2519 dated 21.01.1997 to the record of rights thereof,
- d. said Arjun Baburao Pawar who expired on 18.10.2008, after his death said Survey No.56/2/3 total admeasuring Hectare 0.31 Ares came to the possession of his heirs Bharat alias Bhaskar Arjun Pawar, Sharad Arjun Pawar, Smt. Chhabubai Arjun Pawar, Mrs. Malati Deepak Kunjir and Mrs. Maina Avinash Parakhi, said effect was recorded vide mutation entry no.4671 dated 15.11.2008 to the record of rights thereof.
- e. the Owners Deepak Vilasrao Jagtap and Nivruti Sudamrao Navale who jointly purchased following lands from the respective Owners, the details thereof as under,

Survey No	Area Ares	Respective Owners	Date of Sale Deed	Reg.No.	M E No
56/2/1	30	Baban Baburao Pawar, Mrs. Kondaba Baban Pawar, Avinash Baban	23.07.08	5089/08 HVL15	4572

Handwritten signature or mark.

		Pawar, Dattatray Baban Pawar, Prakash Dattatray Pawar, Digambar Dattatray Pawar, Vinayak Baban Pawar, Ravindra Baban Pawar, Mangal Baban Pawar and Mrs. Vimal Dilip Dhathade			
56/2/2	30	Maruti Dattatray Pawar, Mrs. Nirmala Maruti Pawar, Anil Maruti Pawar, Bajirao Dattatray Pawar, Mrs. Vaishali Bajirao Pawar, and others	04.04.08	3355/08 HVL 11	4551
56/2/3	31	Bharat Arjun Pawar, Sharad Arjun Pawar, Smt. Chhabubai Arjun Pawar, Malati Dipak Kunjar, Maina Avinash Parakhi	17.02.10	1637/10 HVL 1	5131
56/2/4	31	Popat Baburao Pawar, Mrs. Subhadra Popat Pawar, Sandeep Popat Pawar, Ajit Popat Pawar, Mrs. Shavani Shrikant Jagtap, Mrs. Rupali Vijay Galande	04.08.10	7175/10 HVL 19	5247

- f. by the development agreement and power of attorney both dated 17.08.2013, registered in the office of Sub.Registrar, Haveli No.19, at the serial No.9965/2013 and 9966/2013 on same day, the one of the Owner Nivruti Sudam Navale who granted development rights of his undivided portion admeasuring 4 Ares out of said Land to M/s Mithila Anshul Promoters and Builders by its partner Deepak Vilasrao Jagtap, so also agreed to convey his rights unto and in favour of the ultimate purchasers, as contemplated by the Maharashtra Ownership Flats Act, 1963 by retaining 1979.93

sq.mt. construction in the said Land and said Nivruti Sudam Navale also appointed Developer to M/s Mithila Anshul Promoters and Builders by its partner Deepak Vilasrao Jagtap as the Attorney Holder for Development of said undivided portion 4. Ares out of said Land by power of attorney dated 17.08.2013, registered in the office of Sub. Registrar, Haveli No.19, at the serial No.9966/2013 on the same day.

8. **DEVELOPMENT**

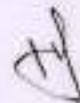
- (a) As is seen from the zone certificate No.422/10 dated 25.06.10 issued by the Assistant City Engineer of Pimpri Chinchwad Municipal Corporation, in the Final Regional Plan of Pune Region, drawn and sanctioned under the provisions of the Maharashtra Regional and Town Planning Act, 1966, and enforced w.e.f. 10.02.1998, the said Plot has been in 'residential zone'.
- (b) The said land has been demarcated by the Asst. Superintendent of Land Records of Pimpri Chinchwad Municipal Corporation vide Urgent Mojni Register No.8728/13 demarcated on 25.03.2013.
- (c) The Pimpri Chinchwad Municipal Corporation, also being the planning authority, sanctioned the plans for construction of the buildings on the said Land under the provisions of the Maharashtra Regional and Town Planning Act, 1966 r/w the Development Control Regulations framed thereunder, vide commencement Certificate No. BP / Tathawade/13/2013 dated 24.07.2013, permitting construction of the building on the said land.

- (d) The permission to use the said Land for the non-agricultural purposes of residence and commerce, has also been granted by the Collector, Pune, vide his order dated 28.11.2013 bearing No. PMH/NA/SR/457/2013 issued under section 44 of the Maharashtra Land Revenue Code, 1966.
- (e) The owner Deepak Vilasrao Jagtap and M/s Mithila Anshul Promoters and Builders by Declaration dated 13.03.2014, sworn before the Notary D.B. Khaladkar, Advocate, at serial No.894/2014, on 13.03.2014, confirmed to have been developing the said Land by constructing the building comprising of independent residential flats, commonly known as 'ownership scheme' collectively, by forming an 'Association of Persons' ("AOP"), named as "M/s Mithila Anshul Promoters and Builders- AOP".

6. OPINION:

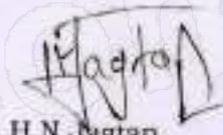
On perusal of the photo copies of documents hitherto before enumerated and the information gathered from the Owner Deepak Vilasrao Jagtap, I am of the opinion that,

- (a) the said Land is owned by Deepak Vilasrao Jagtap and Nivruti Sudam Navale,
- (b) one of the Owner Nivruti Sudam Navale who granted development rights of his undivided portion admeasuring 41 Ares to M/s Mithila Anshul Promoters and Builders
- (c) the Deepak Vilasrao Jagtap and M/s Mithila Anshul Promoters and Builders who have formed into an "Association of Persons" named as "M/s Mithila Anshul



Promoters and Builders-AOP" for the purposes of development of the said Lands,

- (d) the said Lands are free from encumbrances and is marketable,
- (e) the said **M/s Mithila Anshul Promoters and Builders AOP** is entitled to develop the said Lands, construct building thereon, comprising of independent residential and commercial blocks, commonly known as "ownership scheme" and dispose the same of, to any intending purchaser.



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