

MAHESH S. MANE

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FORMAT A

To,
MAHARERA, Real Estate Regulatory Authority
Mumbai

LEGAL TITLE REPORT

SUB: Title Clearance Certificate with respect to property bearing Survey No. 9 to 14 having Plot No. 1/68 area admeasuring 00 H 79 R i.e. 7900 Sq.Mtrs. situated at Village Mundhwa, Tal. - Haveli, Dist. Pune.

Sir,

A) I have investigated the title of the said land on the request of **Shree Samarth Spaces through its Partner Rahul Mohta** and following documents.

- a) 7/12 Extract and Mutation Entries
- b) Xerox Copy of Development Agreement dated 07/04/2014 (Registration No. 3207/2014 Sub Registrar Haveli No.3)
- c) Xerox Copy of Power of Attorney dated 07/04/2014 (Registration No. 3208/2014 Sub Registrar Haveli No.3)
- d) Xerox Copy of Deed of Correction dated 03/03/2015 (Registration No. 1945/2015 Sub Registrar Haveli No.3)
- e) Xerox Copy of Deed of Mortgage dated 28/03/2019 (Registration No. 5216/2019 Sub Registrar Haveli No.22)
- f) Xerox Copy of Lease Deed dated 22/11/2019 (Registration No. 23402/2019 Sub Registrar Haveli No.23)
- g) Original Copy of Search and Title Report issued by Advocate Narendra M Jadhav Advocate on dated 16/06/2015



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1) **Description of the property:**

All that piece and parcel of land situated at Village **Mundhwa**, Pune City, Tal - Haveli, Dist. Pune, situated within the limits of Pune Municipal Corporation and within the jurisdiction of Sub - Registrar, Haveli, Pune bearing **Survey No. 9 to 14 having Plot No. 1/68 area admeasuring 00 H 79 R i.e. 7900 Sq.Mtrs.** assessed of Rs. 4 Paise 80 and said property bounded as follows:-

ON OR TOWARDS

EAST : By Survey No.9 to 14/1/69 Plot No.1

SOUTH : By 24 Mtrs. Road

WEST : By Survey No.9 to 14/1/67

NORTH : By Survey No.9 to 14 Property of P.M.C.

Hereinafter referred as "**Said Property**"

2) **Documents of Allotment of Plot;** I have perused the following Documents :

- a) 7/12 Extract and Mutation Entries
- b) Xerox Copy of Development Agreement dated 07/04/2014 (Registration No. 3207/2014 Sub Registrar Haveli No.3)
- c) Xerox Copy of Power of Attorney dated 07/04/2014 (Registration No. 3208/2014 Sub Registrar Haveli No.3)
- d) Xerox Copy of Deed of Correction dated 03/03/2015 (Registration No. 1945/2015 Sub Registrar Haveli No.3)
- e) Xerox Copy of Deed of Mortgage dated 28/03/2019 (Registration No. 5216/2019 Sub Registrar Haveli No.22)
- f) Xerox Copy of Lease Deed dated 22/11/2019 (Registration No. 23402/2019 Sub Registrar Haveli No.23)
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3) **7/12 Extract Issued by the Gav Kamgar Talathi Mundhwa Pune.**

4) **Search Report of 30 Years from year 1991 to 2021**

B) 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 **Survey No. 9 to 14 having Plot No. 1/68 area admeasuring 00 H 79 R i.e. 7900 Sq.Mtrs.** situated at Village Mundhawa, Pune is absolutely owned by **Balbhim Rama Gaikwad** and others their heirs and the same are free from encumbrances and doubt and same are perfectly marketable and same is clear, marketable and without any encumbrances. Subject to encumbrances of Buldana Urban Co-operative Credit Society Ltd. Buldana.

In pursuance of the respective Development Agreement, Power of Attorney and being Developer of the land, **M/s. Shree Samarth Spaces** is absolutely entitled to implement ownership Flats Scheme on the said land & dispose of the Flat/Unit to the intending buyers on ownership basis.

OWNERS OF THE LAND:

1. **Mr. Balbhim Rama Gaikwad** is a owner of the subject property.
 2. **Qualifying Remarks if any: M/s. Shree Samarth Spaces** is bonafide developer of the said property.
- C) The report reflecting the flow of the title of the owner Mr. Balbhim Rama Gaikwad and developer M/s. Shree Samarth Spaces on the said land is enclosed herewith as Annexure.

Enclosed : Search Report

Pune
Date:- 22/10/2021



ADVOCATE

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FLOW OF TITLE OF THE SAID LAND

Incident of S. No. 9 to 14 having Plot No. 1/68 :

That the said property bearing Survey No. 9 to 14, Plot No. 1/68 having old Survey No. 9 to 14 having total area 225.23 Acers was previously hold by irrigation department for the purpose of drainage and whereas government decided to get the said land under cultivation and by which government decided to transfer the land admeasuring 90 Acers out of the total land from irrigation department to revenue department and therefore collector of Pune by their order no. TRR/WS/1652/68 dated 19/08/1968 along with order of Tahasildar Pune City by his order no. 1913/68 dated 19/09/1968 had divided the said total land in to two survey numbers and out of which transferred the possession of 90 Acers to revenue department and thereby government had given survey no. 9 to 14/2 to the area of 90 Acers land and the remaining land admeasuring 135.23 Acers had given the Survey No. 9 to 14/1 and the said entry was recorded on the 7/12 extract of the said property by mutation entry no. 2858 dated 04/10/1968 and the same was confirmed by respective authority on 25/10/1968 and thereafter Survey No. 9 to 14/1 was recorded as 54 H 87R on the 7/12 extract of the said property.

Thereafter government had decided to allot the land of Survey No. 9 to 14/1 to 70 families of the scheduled caste and tribes and therefore Collector of Pune by their order no. 1042 dated 11/07/1989 had allotted the one plot of 2 Acers to each family and thereafter by the revised order no. 398 dated 16/02/1993 passed by the Collector



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Pune, they have decided to allot one Plot of 79 R to each family instead of 80 R and therefore the land of Survey No. 9 to 14/1 was get divided in to 70 plots as from Survey No. 9 to 14 Plot No. 1/1 to Survey No. 9 to 14 Plot No. 1/70 and amongst the said 70 plots one plot bearing Survey No. 9 to 14 Plot No. 1/68 was allotted to present owner i.e. Balbhim Rama Gaikwad as a owner and as such separate 7/12 extract was got formed and by which Survey No. 9 to 14 Plot no. 1/68 was recorded in the name of Balbhim Rama Gaikwad and the same entry was recorded on 7/12 extract by mutation entry no. 4662 on dated 03/08/1993 and the same was confirmed by the Circle Officer and as such Balbhim Rama Gaikwad became the owner of 79 R i.e. Scheduled property and he had hold the said property to their possession since the day and also government had kept mark as "Navin Avibhajya Shart" in the other rights column of the 7/12 extract of the said property.

Thereafter said owner Balbhim Rama Gaikwad and others have executed registered Development Agreement and Power of Attorney dated 07/04/2014 in favour of **Shree Samarth Spaces** which is registered in the Office of Sub Registrar Haveli No. 3 vide registration No. 3207/2014 and 3208/2014 respectively.

Thereafter said owner Balbhim Rama Gaikwad and others with their mutual consent with Developer Shree Samarth Spaces have executed registered Deed of Correction dated 03/03/2015 to the aforesaid Development Agreement dated 07/04/2014 in favour of **Shree Samarth Spaces** which is registered in the Office of Sub Registrar Haveli No. 3 vide registration No. 1945/2015.

Thereafter developer of the said property executed registered Deed of Mortgage with Buldana Urban Co-operative Credit Society Ltd. Buldana which is registered in the Office of Sub Registrar Haveli No.22 at Sr. No. 5216/2019 on dated 29/03/2019 and accordingly



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mortgaged construction of Developer's share except owner's share of 49000 Sq.Ft.

Thereafter in course of development of the said property developer requires connection of light meter from MSEDCL and for that reason the developer lease out area admeasuring 25 Sq.Mtrs. out of said property in favour of Maharashtra State Electricity Distribution Company Ltd. and accordingly executed Lease Deed dated 22/11/2019 which is registered in the Office of Sub Registrar Haveli No.23 at Sr. No. 23402/2019.

That the Promoter/Developer **Shree Samarth Spaces** have prepared building plan on said property and got building plan sanctioned from the office of Pune Municipal Corporation vide No. CC/0376/19 dated 24/05/2019 and has obtained Commencement Certificate for construction of buildings in respect of the said property.

Thereafter owners Balbhim Rama Gaikwad and others and Promoter / Developer – Ms. Shree Samarth Spaces executed registered Deed of Confirmation dated 20/10/2021 which is duly registered in the office of Sub Registrar Haveli No.24 at Sr. No. 15398/2021.

That **Shree Samarth Spaces** i.e. the Developer/Promoter herein on behalf of owners had filed an application before the office of Collector, Pune, for granting permission to make use of said property for Non-Agricultural purpose i.e. for Residential purpose. Accordingly Collector, Pune has granted permission under order No. SA/527/14 No. PMN/PMRDA/NA/SR/16/2014 dated 12/01/2016. That while obtaining said NA order the developer paid necessary charges / Nazrana to Government as per said NA Order and its effect have been mutated on 7/12 extract vide mutation entry no.13655.

However though the Owner obtained NA Order, there is remarks shown on 7/12 remains as "सक्षम प्राधिका-याच्या पुर्वपरवानगी शिवाय हस्तांतरास बंदी - भुमीधारी हक्काने प्राप्त झालेली जमीन" व "भोगवटदार वर्ग २".



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SEARCH REPORT FOR 30 YEARS: I also caused search in the office of Sub-Registrar Haveli No. 1, Pune in respect of **Survey No. 9 to 14, Plot No. 1/68 area admeasuring 00 H 79 R i.e. 7900 Sq.Mtrs.** assessed of Rs. 4 Paise 80 situated at Village Mundhwa, Pune vide GRN No. MH005107965202021E dated 03/10/2020 from 1990 to 2020 and vide GRN No. MH007864168202122E dated 22/10/2021 from 2020 to 2021. During my search some year record could not be available because some register were in torn condition. During my search I did not come across with any entry showing any encumbrances charges or any other right, title or interest by any other person in any manner.

I have published Notice in the usual form published in the Daily Financial Express which appeared on dated 04/11/2020 as part of investigation of title. Till today I have not received any objection to my notice regarding said property.

Litigation if any - There is one Special Civil Suit bearing No. Spl. Civil Suit No. 1148/2016 pending before Hon'ble 141-10th Civil Judge Senior Division Pune except this suit there is no any litigation pending before any court of law and further the Developer – Shree Samarth Spaces through Rahul Mohta assured me that, they or owners have not received any notice regarding same.

Pune

Date: 22/10/2021



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