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FORMAT -A

(Circular No.:28/2021)

To,

MAHARERA,
Bandra(East) Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to land bearing S.No 46/4, 49/2/B/1, 49/2/B/2, 49/1 and 49/1/5/1 situated at Tathawade, Taluka Mulshi, Dist. Pune within the limits of Pimpri Chinchwad Municipal Corporation and with the Registration Sub-District Taluka Haveli of District Pune(Hereinafter referred as the ,**"SAID PROPERTY"**).

I have investigated the title of the said property on the request of M/s Abhinav Realty and Infrastructure LLP and the following documents i.e.

1) Description of Property:

All that piece and parcel of the lands admeasuring **16900 Sq.mtrs.**, situated at Village Tathawade, Tal. Mulshi, Dist. Pune, also situated within limits of Pimpri Chinchwad Municipal Corporation and also situated within the jurisdiction of Sub-Registrar Haveli Pune having Survey Numbers, Hissa Numbers, Total Area is as under

Sr.No.	Survey No.	Total Area H.- R.
1	46/4	8100
2	49/2/B/1	6600
3	49/2/B/2	1400
3	49/1	400
4	49/1/5/1	400
Total Area		16900

The lands admeasuring 16900 is subject matter of the said Title Search Report which is herein after referred to as the, **"SAID LAND/ PROPERTY"** for the sake of convenience only and same is bounded as under:-

On or towards East : By 45 Meters wide Road
On or towards South : By Survey No. 49 (Part)
On or towards West : By Survey No. 49 (part)/Road
On or towards North : By Survey No. 46 (Part)



2) **The Documents of Allotment of Plot:**

Copies of the following documents are supplied to me for the purpose of this opinion:

- i) Copies of 7/12 Extracts of S.No. 46/4, 49/2/B/1, 49/2/B/2, 49/1 and 49/1/5/1 and all Mutation thereon.
- ii) Title search report of Wadia Ghandy and Co. dated 27/5/2022 for S.No. 46/4, 49/2/B/1 and 49/2/B/2.
- iii) Sale Deed bearing Reg. No.879/1995
- iv) Correction Deed bearing Reg. No.369/1991
- v) Power of Attorney bearing Reg.No. 1106/2004
- vi) Tabesathe Khat dated 11/8/2007
- vii) Power of Attorney bearing Reg.No. 7635/2007
- viii) Sale Deed bearing Reg.No. 10053/2015
- ix) Sale Deed bearing Reg.No. 11825/2022
- x) Power of Attorney bearing Reg.No. 11826/2022
- xi) Public Notice dated ----- 1/7/2021, 4/12/2021
- xii) Demarcation dated ---- 7/9/2021
- xiii) Commencement Certificate dated 31/3/2022 issued by PCMC Pune
- xiv) Environment Clearance Certificate dt. 15/4/2022

3) **Search Report for 30 Years from 1994 to till May 2022.**

On perusal of the abovementioned documents and all other relevant documents relating to the title of the said property I am of the opinion that the title of Owner i.e. M/s. Abhinav Realty and Infrastructure LLP is clear, marketable without any encumbrance.

4) **Qualifying Comments/remarks if any:** This title certificate is issued subject to what is stated in detail in my Title opinion dated 30/5/2022 .

5) The report reflecting the flow of the title of the Owner/Promoter i.e. M/s Abhinav Realty and Infrastructure LLP on the said land is enclosed herewith as annexure.

Encl: Annexure (Title Search Report dated 30/5/2022)

Date: 30/5/2022



Madhura
Madhura Milind Vaidya
Advocate

FORMAT-A
(Circular No.28/2021)

FLOW OF THE TITLE OF THE SAID PROPERTY

1) 7/12 extract as on date of application for registration.

2) **Flow of title:**

A) AS to Title History of S.No. 46/4, 49/2/B/1, 49/2/B/2

I was provided earlier title Search Report of Wadia Ghandy & Co. (Pune) dated 27 May 2022 for the property bearing S.No. 46/4, 49/2/B/1, 49/2/B/2. As per conclusion of this title report, M/s/ Abhinav Realty and Infrastructure LLP is the owner of the land bearing S.No. 46/4, 49/2/B/1, 49/2/B/2 and its title is clear and marketable subject to whatever stated therein. Title Report of Wadia Ghandy & Co. dated 27/5/2022 annexed to the Title Search Report dated 30/5/2022 as **Annexure 'A'**.

B) AS to Title History of S.No. 49/1

- I) The property bearing S.No. 49/1 was owned by Waman Joshi.
- II) As per Mutation Entry No. 913 Mr. Babu Maruti Gardae name was recorded on the said land as rit 1. The said property was in possession with Mr. Babu Garade. Hence Name of Mr. Waman Joshi deleted and name of Mr. Babu Gardae recorded on 7/12 extract of the said Property.

III) **WHEREAS** Mr. Babu Garade with the consent of Muktabai Babu Garade and Mr. Balu Babu Garade sold the Said Property to Mr. Motilal Rupchand Nahar. Accordingly the Name of Mr. Motilal Rupchand Nahar recorded on 7/12 extract of the said property by Mutation Entry No. 1312.

IV) **AND WHEREAS** by out of the total land Mr. Motilal Rupchand Nahar sold land admeasuring 00H. 04 R to Mr. Hanumant



Tukaram Mali (Yadav) and Mr. Akaram Mahadev Mane by Sale Deed dated 17/3/1983.

V) **AND WHEREAS** there was some correction in the Sale Deed dated 17/3/1983 so Mr. Motilal Rupchand Nahar, Mr. Hanumant Tukaram Mali (Yadav) and Mr. Akaram Mahadev Mande executed Correction Deed dated 26/11/1991. On the Basis of sale Deed dated 17/3/1983 and Correction Deed dated 26/11/1991 name of Mr. Hanumant Tukaram Mali (Yadav) and Mr. Akaram Mahadev Mane was recorded on 7/12 extract of the Said Property by Mutation Entry No. 2279.

VI) **AND WHEREAS** thereafter Mr. Hanumant Tukaram Mali (Yadav) and Mr. Akaram Mahadev Mane agreed to sold the said property to the M/s.Raviraj Engineers through its Proprietor Mr. Rajendra Pawar. Accordingly executed sale Deed dated 21/3/1995. The said Sale Deed was registered in the office of Sub-Registrar Mulshi No.1 at Sr. No. 879/1995. Accordingly the name of Raviraj Engineers through its Proprietor Mr. Rajendra Laxman Pawar was recorded on 7/12 extract of the said property by Mutation Entry No. 2357.

VII) **AND WHEREAS** Mr. Rajendra Pawar mortgaged the said property infavour Abhudaya Co-op.Bank Ltd .As per the DRT Order No.RP/74/2015 dated 18/1/2020 and by the letter of Abhudaya Co-op. Bank Ltd. Dated 2/3/2020 the name of Abhudaya Co-op Bank Ltd was recorded on other rights coloum by Mutation Entry No. 7058 on 7/12 extract of the said property. Sale Tax Department Name also recorded on other rights coloum by Mutation Entry No. 6136.

VIII) **AND WHEREAS** I was further informed that Mr. Rajendra Pawar repaid total loan amount and Bank has closed all Loan account in the name of Mr. Pawar and/or in the name of their Company. Accordingly Bank has given charge release letter dated 16/3/2022 bearing No. Abhyudaya/Loan Recovery Department/328/2021-22 to Talathi Thergaon for deleting the charge of Bank. Accordingly deleting the name of Abhyudaya Bank from other right column is in process. Also Mr. Rajendra Pawar paid entire payment to Sale Tax Department. So Sale Tax Department Pune also given letter dated 24/1/2022 bearing No. RA/PUN-Vate-C-5061-Boja/21-22/998 Pune to Talathi Theragon for deleting the charge of Sale Tax Department from other right column.



IX) **AND WHEREAS** thereafter Raviraj Engineers through its Proprietor Mr. Rajendra Laxman Pawar agreed to sold Land admeasuring 00H. 04 R out of the land admeasuring 10.70 R form the S.No. bearing 49/1 to the said Owner. Accordingly executed sale Deed dated 25/5/2022. The said Sale Deed was registered in the office of Sub-Registrar Haveli No.23 at Sr. No. 11825/2022. Accordingly recording the name firm as a owner of the said property on 7/12 Extract is in process

X) **AND WHEREAS** Mutation Entry no.4796 dated May 15, 2009 records that pursuant to an Order bearing no.207 Tathawade/403 dated May 5, 2009 of the Special Land Acquisition Officer and the notification issued in relation thereto, certain areas out of inter alia the land bearing Survey no.49/1 (part) were proposed to be acquired for widening of 45-meters road from Dange Chowk to Kalakhadak. Accordingly, no sale, lease, mortgage, etc. of the lands to be acquired is permitted in accordance with Section 4 of the Land Acquisition Act, 1894. The said mutation entry reflects that an area admeasuring 1065 square meters is acquired out of the land bearing Survey no.49/1 in Mutation Entry no.4796. I was further informed that no any acquisition was done from Said Land for 45 mtrs. Road.

C) As to Title History of S.NO. 49/1/5/1:

- I) The property bearing S.No. 49/1 was owned by Waman Joshi.
- II) As per Mutation Entry No. 913 Mr. Babu Maruti Gardae name was recorded on the said land as rit 1. The said property was in possession with Mr. Babu Garade. Hence Name of Mr. Waman Joshi deleted and name of Mr. Babu Gardae recorded on 7/12 extract of the said Property.

III) **WHEREAS** Mr. Babu Garade with the consent of Muktabai Babu Garade and Mr. Balu Babu Garade sold the Said Property to Mr. Motilal Rupchand Nahar . Accordingly the Name of Mr. Motilal Rupchand Nahar recorded on 7/12 extract of the said property by Mutation Entry No. 1312.



IV) **AND WHEREAS** by out of the total land Mr. Motilal Rupchand Nahar sold land admeasuring 00H. 04 R to Mr. Hari Gotiram Pagar, Mr.Satish Bhaskarao Shouche and Mr. Sahebrao Dattaray Pagarkar by Sale Deed dated 18/3/1983 bearing Reg.No. 543/1983. Thereafter they also executed Correction Deed dated 26/11/1991 bearing Registration No. 369/1991. On the basis of Sale Deed and Correction Deed name of Mr. Hari Gotiram Pagar, Mr.Satish Bhaskarao Shouche and Mr. Sahebrao Dattaray Pagarkar recorded on 7/12 extract by Mutation Entry No.2199. As per the Mutation Entry No. 2199, S.No. 49/1 was divided as: 49/1 admeasuring 93.12 Are in the name of Mr. Motilal Rupchand Nahar and 49/1/5 in the name of Mr. Hari Gotiram Pagar, Mr.Satish Bhaskarao Shouche and Mr. Sahebrao Dattaray Pagarkar with remark that Kulkayada Kala 84(K) on other right coloum.

V) **AND WHERAS** as per the Mutation Entry No. 2593, under Sanjay Gandhi Yojana after inquiry of 84(K) Kulkayda, Tahsildar Mulshi by order bearing No. 16/96 dated 31/7/1996 deleted the name of owner and recorded the name as Sarkari Akarpad on the said property.

VI) **AND WHEREAS** as per the Mutation Entry No. 3230, Mr. Pagare and Others filed appeal before Sub Divisional officer Maval Mulshi Pune bearing No. Ku.Ka.Tenancy Appeal No. A/25/99. The Said appeal was declared on 31/8/2000. As per order in this Appeal Mutation Entry No. 2593 was cancelled and Remark Sarkari Akarpad was deleted and Name of Appellant was recorded on 7/12 extract of the said Property.

VII) **AND WHERAS** thereafter Mr. Hari Gotiram Pagar, Mr.Satish Bhaskarao Shouche and Mr. Sahebrao Dattaray Pagarkar executed Power of Attorney dated 23/12/2004 in favour of Mr.Nandalal Eknath Borate to do various acts, deeds and things in repsect of S.No. 49/1/5. The said Power of Attorney is duly registered in the office of Sub-Registrar, Haveli No.18, Pune at Sr.No. 1106/2004. I was supplied Xerox copy of Power of Attorney dated 23/12/2004 for my perusal.



VIII) **AND WHEREAS** thereafter Mr. Hari Gotiram Pagar, Mr.Satish Bhaskarao Shouche and Mr. Sahebrao Dattaray Pagarkar through its Power of Attorney holder Mr. Nandalal Eknath Borate executed Tabe Sathekhat dated 10/8/2007 in favour of Mr. Pawar and given possession of the said property to the Mr.Rajendra Laxmanrao Pawar .

IX) **AND WHEREAS** thereafter Mr. Hari Gotiram Pagar, Mr.Satish Bhaskarao Shouche and Mr. Sahebrao Dattaray Pagarkar through its Power of Attorney holder Mr. Nandalal Eknath Borate also executed Power of Attorney dated 10/8/2007 in favour of Mr.Rajendra Laxmanrao Pawar to do various acts, deeds and things in respect of S.No. 49/1/5. The said Power of Attorney is duly registered in the office of Sub-Registrar, Haveli No.17, Pune at Sr.No. 7635/2007. I was supplied Xerox copy of Power of Attorney dated 10/8/2007 for my perusal.

X) **AND WHEREAS** thereafter Mr.Rajendra Laxmanrao Pawar paid agreed consideration to Mr. Hari Gotiram Pagar and Others so on the basis of Power of Attorney Mr.Rajendra Laxmanrao Pawar executed Sale Deed dated 16/12/2015 bearing Registration No. 10053/2015 in his favour . on the basis of the same name of Mr. Rajendra Laxmanrao Pawar recorded on 7/12 extract of the said Property by Mutation Entry No. 6209

XI) **AND WHEREAS** as per the Mutation Entry No. 6271, Under E Mutation Project for handwritten and computerized 7/12 for area calculation under Government Gazette No.R.Bhu/A/P.K.-180/L-1 dated 7/5/2016 and by order of Tahsildar Mulshi dated 28/7/2016 correction was made in 7/12 extract. Accordingly for S.No. 49/1/5/1 was corrected as old information was Khata No. 967, Name: Hari Gotiram Pagar, Area-0000, Akar :0.0000 and New Information was Khata No. 967, Name: Hari Gotiram Pagar, Area-0.04000, Akar: 0.08 and New Information . Accordingly the name of Mr.Rajendra Laxmanrao Pawar was recorded on 7/12 extract of the said Survey No.

XII) **AND WHEREAS** the Mr. Rajendra Laxmanrao Pawar mortgaged the said property in favour Abhudaya Co-op.Bank Ltd .As per the DRT Order No.RP/74/2015 dated 18/1/2020 and by the letter of Abhudaya Co-op. Bank Ltd. Dated 2/3/2020 the name of Abhudaya Co-op Bank Ltd. was recorded on other rights column by Mutation Entry No. 7058 on 7/12 extract of the said property.



XIII] **AND WHEREAS** I was further informed that Mr. Pawar repaid total loan amount and Bank has closed all Loan account in the name of Mr. Pawar and/or in the name of their Company. Accordingly Bank has given charge release letter dated 16/3/2022 bearing No. Abhyudaya/Loan Recovery Department/328/2021-22 to Talathi Thergaon for deleting the charge of Bank. Accordingly deleting the name of Abhyudaya Bank from other right coloum is in process.

XIV] **AND WHEREAS** thereafter Mr. Rajendra Laxman Pawar agreed to sold Land admeasuring 00H. 04 R form the S.No. bearing 49/1/5/1 to the said Owner. Accordingly executed sale Deed dated 25/5/2022. The said Sale Deed was registered in the office of Sub-Registrar Haveli No.23 at Sr. No. 11825/2022. Accordingly recording the name firm as a owner of the said property on 7/12 Extract is in process

XV] **AND WHEREAS** Mutation Entry no.4796 dated May 15, 2009 records that pursuant to an Order bearing no.207 Tathawade/403 dated May 5, 2009 of the Special Land Acquisition Officer and the notification issued in relation thereto, certain areas out of inter alia the land bearing Survey no.49/1 (part) were proposed to be acquired for widening of 45-meters road from Dange Chowk to Kalakhadak. Accordingly, no sale, lease, mortgage, etc. of the lands to be acquired is permitted in accordance with Section 4 of the Land Acquisition Act, 1894. The said mutation entry reflects that an area admeasuring 1065 square meters is acquired out of the land bearing Survey no.49/1 in Mutation Entry no.4796. I was further informed that no any acquisition was done from Said Land for 45 mtrs. Road.

3) Searches:

After paying requisite fees under GRN No. MH002527423202223E dated 28/5/2022; I have caused a search to be taken in respect of the said property from website www.igrmaharashtra.gov.in for the period of last 30 years i.e. from 1994 to 2022.



4) Litigations: Details of Litigation as Follows as per title Search Report of Wadia Ghandhy & Co.(Pune) dated 27/5/2022 which is Annexed to as Annexure A to Title Search Report dt. 30/5/2022.

Sr.No	Name of the Court	Type of Case	Case No.	Role of the Promoter	Litigation For	Preventive Order if any	Present Status
1	High Court Mumbai	Writ Petition	2646 /2021	Defendant	Setting aside Auction Notice	No	Interim Application Allowed
2	High Court Mumbai	Writ Petition	2584 /2021	Defendant	Setting aside Notification dated 15/11/2016	No	Currently Pending
3	D.R.T. Court Pune	Securitization Application	616 /2022	Applicant	Challenged Mortgage Deed	No	For Issuance of Summons

Date: 30/5/2022



Madhura

Madhura Milind Vaidya

Advocate

