

NIKTE AND NIKTE

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TITLE SEARCH REPORT

My client M/s. Kamil Reality LLP, a Limited Liability Partnership firm having its office at Row House No.2, Sugra Terrace, Lane No.6, Kalyaninagar, Pune: 411006, instructed me to take search and to give opinion about the title of the property bearing City Survey no. 391 and 392, Mangalwar Peth, Pune -11 hereinafter referred to as "the said property".

I have prepared this report in respect of said property on the basis of photocopies of documents provided to me by my client, of which you may take note as under -

1. It appears from the City Survey Extract of the said property that, name of Shankar Tukaram Dudhat was recorded to the City Survey Extract in the year 1932, when the City Survey Card was opened as an owner of the said property on the basis of Sale Deeds.
2. It appears that, Shankar Tukaram Dudhat died intestate on 17/10/1965 leaving behind widow Smt. Gangubai Shankar Dudhat and two married daughter viz. Mrs. Jankibai Raghunath Kulkarni and Mrs. Sindubai Madhav Dixit as legal heirs.
3. It further appears by registered Partition Deed dated 02/12/1971, which was presented for registration in the office of Sub-Registrar, Haveli No.1 on the same day at Sr.No.2304/1971, however, it was registered at Sr.No.733/1972 on 06/04/1972, the Partition had taken place in respect of the properties of Late Shankar Dudhat including the said property between Smt. Gangubai Shankar



Dudhat, Mrs. Jankibai Raghunath Kulkarni and Mrs. Sindubai Madhav Dixit.

4. It appears from the said Partition Deed that, value of 1/3 share of Smt. Gangubai Shankar Dudhat was agreed to be paid in equal proportion by Mrs. Jankibai Raghunath Kulkarni and Mrs. Sindubai Madhav Dixit, the properties including the said property were partitioned amongst Mrs. Jankibai Raghunath Kulkarni and Mrs. Sindubai Madhav Dixit in the manner stated in the said Partition Deed.
5. It appears that, Deputy Collector and Competent Authority Pune Urban Agglomeration, Pune by Order dated 31/01/1983 passed U/s. 8(4) of Urban Land (Regulation & Clearance) Ceiling Act, declared that, the said owners do not hold any surplus vacant land and the entire property is land with building.
6. It appears that, Mrs. Jankibai Raghunath Kulkarni died intestate on 14/07/1993 leaving behind 3 sons viz. Prabhakar, Shrinivas and Mukund and their names were recorded to the CTS extract by deleting the name of Jankibai Raghunath Kulkarni.
7. It further appears that, Shrinivas Raghunath Kulkarni died intestate and issueless on 28/01/2001 and his wife Mrs. June Sylyivi was predeceased to him and hence, his share in the said property was devolved upon his two brothers viz. Prabhakar & Mukund and hence name of Shrinivas was deleted from the CTS Extract.



8. It further appears that, Prabhakar Raghunath Kulkarni also died intestate on 03/12/2001 leaving behind widow Sunita, two son viz. Uday & Abhay and married daughter Mrs. Suchita Ajit Kulkarni and their names were recorded and the name of Prabhakar Raghunath Kulkarni was deleted from the CTS Extract.
9. It appears that, Sindubai Madhav Dixit also had agreed to entrust the development rights of her $\frac{1}{2}$ share out of the said property to Shri. Kaluram Udhansingh Pardeshi.
10. It also appears that, by separate Agreement dated 10/09/1981 Sindhubai Madhav Dixit has agreed to entrust her $\frac{1}{2}$ share for development to Shri. Kaluram Udhansingh Pardeshi.
11. It appears that, by registered Sale Deed dated 18/03/1993 registered in the office of Sub-Registrar, Haveli No.2 at Sr.No.1033/1995, Sindubai Madhav Dixit sold, transfer, conveyed an area admeasuring 2546.13 Sq.Mtrs. out of CTS No.392 and her $\frac{1}{2}$ share out of 873.13 Sq.Mtrs. of common area as per Deed of Partition to Shri. Kaluram Udhansingh Pardeshi and others and as per the terms and conditions of the said Sale Deed, Sindubai Madhav Dixit also entitled to receive two flats from the building to be constructed on the said portion out of CTS No.392.
12. It appears that, by Sale Deed dated 14/09/2007 registered in the office of Sub-Registrar, Haveli No.1 at Sr.No.7299/2007, Sindubai Madhav Dixit sold, transferred, Conveyed her $\frac{1}{2}$ share out of CTS No.391 and right to receive two flats to be received from the construction to be made on CTS No.392 to Diamant



Infrastructure Ltd, which was formerly known as Diamant Investment and Finance Ltd. and accordingly, the name of purchaser was recorded to the CTS Extract of CTS No.391.

13. It appears that, in the mean time by separate Agreement dated 10/09/1981 Jankibai Raghunath Kulkarni agreed to entrust their $\frac{1}{2}$ share out of the said property to Shri. Kaluram Udhamsingh Pardeshi.
14. It appears that, as dispute arose between Kaluram Udhamsingh Pardeshi and Jankibai Raghunath Kulkarni, Kaluram Udhamsingh Pardeshi filed Special Civil Suit No.353/1989 in the Court of Civil Judge, Senior Division Pune for Specific Performance of the Agreement dated 10/09/1981 and alternatively for compensation against Jankibai Raghunath Kulkarni and Jankibai Raghunath Kulkarni also filed separate Special Civil Suit No.1477/1990 in the Court of Civil Judge, Senior Division Pune for Declaration and Injunction and other consequential reliefs. There is a pendency of the suit as Jankibai Raghunath Kulkarni died above referred legal heirs were brought on record in both the suits.
15. It appears that, by an Agreement of Sale dated 14/09/2007 registered in the office of Sub-Registrar, Haveli No.1 at Sr.No.7300/2007, Abhay Prabhakar Kulkarni, Uday Prabhakar Kulkarni, Mukund Prabhakar Kulkarni, Suchitra Ajit Kulkarni, Sunita Prabhakar Kulkarni all surviving legal heirs of Late Jankibai Raghunath Kulkarni agreed to sell, transfer their $\frac{1}{2}$ share in the CTS No.391 as well as CTS No.392 to Diamant



Infrastructure Ltd. which was formerly known as Diamant Investment and Finance Ltd.

16. It appears that, by Development Agreement dated 18/08/2006 registered in the office of Sub-Registrar, Haveli No.11 at Sr.No.9912/2006 on 16/12/2006, Kaluram Udharsingh Pardeshi & others have granted the development rights to Mayfair Builders and Developers through Partner Hidayattula Babumiya Shaikh.
17. It appears that, by Sale Deed dated 05/11/2011 registered in the office of Sub-Registrar, Haveli No.18 at Sr.No.10512/2011 Kaluram Udharsingh Pardeshi & others executed Sale Deed and by which sold, transferred, conveyed $\frac{1}{2}$ share out of CTS No.392 admeasuring 2546.13 Sq.Mtrs. out of CTS No.392 and her $\frac{1}{2}$ share out of 873.13 Sq.Mtrs. of common area i.e. totally admeasuring 2982.70 Sq.Mtrs. to Kamil Reality LLP with the consent of Mayfair Builders and Developers through Partner Hidayattula Babumiya Shaikh.
18. It appears that, by Sale Deed dated 03/09/2012 registered in the office of Sub-Registrar, Haveli NO.10 at Sr.No.10360/2012, said Diamant Infrastructure Ltd. which was formerly known as Diamant Investment and Finance Ltd. sold, transferred, conveyed their $\frac{1}{2}$ share out of CTS No.391 and right to receive two flats each of 1130 Sq.Fts. to be received from the proposed construction to be made on CTS No.392 to Kamil Reality LLP.
19. It appears that, by separate Sale Deed dated 08/10/2012 registered in the office of Sub-Registrar, Haveli No.10 at Sr.No.11347/2012, Mukund Raghunath Kulkarni, Sunita



Prabhakar Kulkarni, Uday Prabhakar Kulkarni, Abhay Prabhakar Kulkarni, Suchita Ajit Kukarni, legal heirs of Jankibai Ragnunath Kulkarni with the consent of Risa International Ltd., in whose favour MOU dated 19/07/2012 was executed by M/s. Diamant Infrastructure Ltd. sold their $\frac{1}{2}$ share out of CTS No.391 admeasuring about 53.30 Sq.Mtrs. and $\frac{1}{2}$ share in CTS No.392 admeasuring about 3271.75 Sq.Mtrs. in favour of Kamil Reality LLP.

20. It appears that, by Deed of Correction dated 13/10/2016 registered in the office of Sub-registara, Haveli No.10 at Sr.No.13729/2016, above referred legal heirs of Jankibai Ragnunath Kulkarni executed Deed of Correction by which area CTS No.392 was correct to 3561.5 Sq.Mtrs. instead of 3271.75 Sq.Mtr. wrongly mentioned in Sale Deed dated 08/10/2012.
21. It appears that, by executing Deed of Confirmation dated 25/10/2016 registered in the office of Sub-registara, Haveli No.10 at Sr.No.14210/2016, Kaluram Udhansingh Pardeshi & others confirmed the Sale Deed executed by Jankibai Ragnunath Kulkarni of Western portion of CTS No.391 & 392.
22. It appears that, by virtue of the above referred documents name of Kamil Reality LLP recorded to the City Survey Extract of CTS No.391 & 392.
23. It appears that, Advocate Tushar Pable has caused to publish public notice in Daily Prabhat on 09/07/2016 for verification of title of Kamil Reality LLP and inviting any objection, interest of

any third party in the said property. It appears that, he has not received any objection or communication from any third party.

24. It appears that, in the mean time, Additional Commissioner (slum area), Pune Municipal Corporation i.e. Competent Authority under Maharashtra Slum Areas (Improvement, Clearance Redevelopment) of 1971 declared the major part of CTS No.392 as a slum area by publishing the Gazette dated 06/04/1995 as per the provisions of Section 4 of the said Act.

25. I have perused all relevant deeds, and documents mentioned above. My colleague also carried out search in the relevant offices of Sub-Registrar, Haveli and at the office Joint District Registrar, Pune subject to other liability of the Index II registers and missing pages therein, he did not noticed any entry adverse to the interest of my client.

26. Considering all, I have find that, M/s. Kamil Reality LLP has acquired all right, title interest in CTS No.391 & 392 of Mangalwar Peth, Pune 411011 and they have exclusive right to deal with the said property.

Pune

Date : 10/01/2019

Bh
Bhalchandra Nikte
Advocate

