

*Ashok R. Wagh*

B.Com. LL. B.

**ADVOCATE**



Office : FLAT NO 9, RENUKA AVISHKAR CO-OP. HSG. SOC. LTD., PREMLOK PARK, CHINCHWAD, PUNE - 411 033  
Cell No. 9371015715 e-mail id : adv.ashokwagh@gmail.com

**FORMAT-A  
(Circular No. 28/2021)**

To,

**MahaRERA  
Pune, Maharashtra**

**LEGAL TITLE REPORT**

**Subject –: Title Clearance Certificate with respect to Private Plot bearing No. 6, admeasuring 00 H 32.19 R (as per Sale Deed land admeasuring 00 H 38.10 R), out of Gat No. 76, Hissa No. 2, lying and situated at Village Chikhali, Tal - Haveli, Dist - Pune.**

I have investigated the title of the said property on the request of M/s. **Five Element Constructions LLP Through its Partner Mrs. Vandana Dinesh Gunte**, and the following documents i.e.

**1) DESCRIPTION OF THE PROPERTY :**

All that piece and parcel of Private Plot bearing No. 6, admeasuring 00 H 32.19 R (as per Sale Deed land admeasuring 00 H 38.10 R), out of Gat No. 76, Hissa No. 2, lying and situated at Village Chikhali, Tal - Haveli, Dist - Pune and within the limits of Pimpri Chinchwad Municipal Corporation and registration District Pune, Sub-District Taluka Haveli and the said land is bounded as under -

- On or towards the East - Private Plot No. 5
- On or towards the South - Private Plot No. 6A
- On or towards the West - Gat No. 62
- On or towards the North - Gat No. 77

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

**3) 7/12 extract in respect of Private Plot No. 6 out of Gat No. 76, Hissa No. 2, Village Chkhali, Tal - Haveli, Dist - Pune ;**

**4) Mutation entry nos. 25331, 25469 & 27991;**

**5) Search Report for 30 years from 1994 to 31/08/2024 ;**

On Perusal of the aforesaid documents and all other relevant documents relating to title of the said property, I am of the opinion that the title of M/s. Five Element Constructions LLP Through its Partner Mrs. Vandana Dinesh Gunte to and in respect of Private Plot bearing No. 6, admeasuring 00 H 32.19 R (as per Sale Deed land admeasuring 00 H 38.10 R), out of Gat No. 76, Hissa No. 2, lying and situated at Village Chikhali, Tal - Haveli, Dist - Pune is clear and marketable.





**Owners of Land:** M/s. Five Element Constructions LLP Through its Partner Mrs. Vandana Dinesh Gunte.

**4) Qualifying Comments / Remarks if Any : N. A.**

3/- The Report reflecting the flow of the title of the (Owner/Promoter/ Developer/Company) on the said land is enclosed herewith as Annexure.

**Encl. Annexure.**

**Date : 04/09/2024**



*Ashok R. Wagh*  
**ADVOCATE**





**FORMAT – A**

(Circular No. 28/2021)

**FLOW OF TITLE OF THE SAID LAND**

**Sr. No. LIST OF DOCUMENTS PERUSED :**

- 1) Sale Deed dt. 25/04/2024 executed and between by Mr. Chandrakant Ganpat Jadhav and others as Vendors to and in favour of M/s. Five Element Constructions LLP Through its Partner Mrs. Vandana Dhondiram Gunthe as Purchaser, registered in the Office of Sub-Registrar Haveli No. 24, at sr. no. 3342/2014, alongwith Registration Receipt and Index II extract;
- 2) Possession Receipt dt. 21.10.2016, executed by M/s. Five Element Constructions LLP Through its Partner Mrs. Vandana Dhondiram Gunthe as owners unto and in favour of Pimpri Chinchwad Municipal Corporation, registered in the Office of Sub-Registrar, Haveli No. 17 at sr. no. 6573/2016, alongwith Registration Receipt & Index II;
- 3) Gazette dt. 07/10/2021, in respect of change name of Mrs. Vandana Dinesh Gunthe as Mrs. Vandana Dinesh Gunte;
- 4) Building Commencement Certificate bearing No. BP/Chikhali/147/2021 dt. 14.10.2021 issued by PCMC;
- 5) Copy of Building Plan;
- 6) N.A. Order bearing No. Land/NA/SR/447/2019 dt. 04.10.2019;
- 7) 7/12 Extract in respect of Gat No. 76/2, of Village Chikhali, Tal - Haveli, Dist - Pune in the years of 2016-2017 to 2020-21;
- 8) 7/12 Extract in respect of Gat No. 76/2, of Village Chikhali, Tal - Haveli, Dist - Pune in the years of 2006-2007 to 2013-14;
- 9) 7/12 Extract in respect of Gat No. 76/2, of Village Chikhali, Tal - Haveli, Dist - Pune in the years of 1991-1992 to 2002-2003;





10)7/12 Extract in respect of Gat No. 76/2, of Village Chikhali, Tal - Haveli, Dist - Pune in the years of 1981-1982 to 1991-1993;

11)Mutation Entry Nos. 25331, 25469 & 27991;

12)Limited Liability Partnership – Reconstitution Agreement dt. 08/02/2024

13)Search Report dt. 10.05.2019 issued by Adv. R. A. Ingle;

### **FLOW OF THE TITLE OF THE SAID LAND**

a) That the land bearing Gat No. 76, Hissa No. 2, admeasuring 08 H 85, lying and situated at Village Chikhali, Tal – Haveli, Dist – Pune was owned by Chinchwad Devsthan Trust and its name was recorded in the records of rights Prior to 1980.

b) It is observed that the possession of the said land was with one Mr. Ganpat Krushna Jadhav as Khandkari, who died on 06/03/1980 and after his death Chinchwad Devsthan Trust, recognized Mr. Chandrakant Ganapat Jadhav as Khandkari of the said land by passing resolution on 12/04/1980 and accordingly the name of Mr. Chandrakant Ganapat Jadhav was recorded in the records of the rights in other rights column as Khandkari and Possessor vide Mutation Entry No. 965.

c) Thereafter it is observed that as per the request of Mr. Chandrakant Ganapat Jadhav to purchase western side portion of land admeasuring 04 H 43 R, the Trust accepted his request and agreed to sale the said land admeasuring 04 H 43 R to and in favour of Mr. Chandrakant Ganapat Jadhav and passed a resolution to that effect on 22/08/1987 and also filed an application before Charity Commissioner on 29/07/1988 and the said Charity Commissioner granted its permission for sale of the said land by the Trust agreed to and in favour of Mr. Chandrakant Ganapat Jadhav.

d) Thereafter it is observed that since the Trust failed to sale and transfer the said land as per the terms of permission granted by Charity Commissioner, Mr. Chandrakant Ganapat Jadhav filed a Special Civil Suit bearing No. 1589/1993 before Civil Judge Senior Division Pune for specific performance and the said suit was decreed in favour of Mr. Chandrakant Ganapat Jadhav. Thereafter Mr. Chandrakant Ganapat Jadhav filed a Special Darkhast bearing No. 283/2005 for execution of decree in the said court.





e) Thereafter it is observed that, Mr. Shripati Ganpat Jadhav & Mr Baban Kisan Jadhav raised the objections under Order 21 Rule 97 of CPC and filed an application for cancellation of decree, however, the Hon'ble Court rejected the application filed by Mr. Shripati Ganpat Jadhav & Mr. Baban Kisan Jadhav.

f) Thereafter it is observed that, Mr. Shripati Ganpat Jadhav & others filed Civil Appeal No. 369/2010 before District Court and the said court also rejected the said appeal. Thereafter said parties filed a Writ Petition No. 8056/2010, against the decision of district Court order and the Hon'ble High Court remanded the said matter to District Court, who after hearing the parties, dismissed the appeal.

g) Thereafter in execution of the decree, Nazar was appointed as Court Commissioner, who executed a sale deed on 25/04/2014 for and on behalf of Chinchwad Devsthan Trust and transferred the land admeasuring 4 H 43 R to and in favour of Mr. Chandrakant Ganpat Jadhav, Mr. Dattatray Chandrakant Jadhav & Mr. Pandurang Chandrakant Jadhav, which was registered in the Office of Sub Registrar, Haveli No. 17 at Sr. No. 757/2014 and on the basis of the said sale deed, the names of Mr. Chandrakant Ganpat Jadhav, Mr. Dattatray Chandrakant Jadhav & Mr. Pandurang Chandrakant Jadhav were recorded on the records of rights under mutation entry no. 25331.

h) Thereafter it is observed that Mr. Chandrakant Ganpat Jadhav, Mr. Dattatray Chandrakant Jadhav & Mr. Pandurang Chandrakant Jadhav with the consent of Mrs. Sitabai Chandrakant Jadhav & others sold and transferred part of the said land admeasuring 00 H 38.10 R i.e. 3810 sq. mtrs. bearing Private Plot No. 6 to and in favour of M/s. Five Element Constructions LLP Through its Partner Mrs. Vandana Dhondiram Gunthe by a Sale Deed dt. 25.04.2014, which was registered in the Office of Sub-Registrar, Haveli No. 24 at sr. no. 3342/2014.

i) Thereafter it is observed that Mr. Chandrakant Ganpat Jadhav, Mr. Dattatray Chandrakant Jadhav & Mr. Pandurang Chandrakant Jadhav with the consent of Mrs. Sitabai Chandrakant Jadhav & others also sold and transferred part of the said land admeasuring 00 H 38.10 R i.e. 3810 sq. mtrs. bearing Private Plot No. 8 to and in favour of M/s. Five Element Construction LLP through its Partner Mrs. Vandana Dhondiram Gunthe by a Sale Deed dt. 25.04.2014, which was registered in the Office of Sub-Registrar, Haveli No. 24 at sr. no. 3348/2014.



Thus M/s. Five Element Constructions LLP became the owner and occupier of land admeasuring 00 H 76.20 R out of said Gat No. 76, Hissa No. 2, lying and situated at Village Chikhali, Tal – Haveli, Dist – Pune.

j) It is observed that as per the Development Plan of PCMC, land admeasuring 590 sq. mtrs., out of Plot No. 6 & land admeasuring 685.87 sq. mtrs. out of Plot No. 8 totally admeasuring 1275.87 Sq. Mtrs. is reserved for road widening and as such land admeasuring 7620 sq. mtrs. was available for development of residential scheme as proposed by promoter. M/s. Five Element Construction LLP handed over possession of said land admeasuring 1275.87 sq. mtrs. out of Gat No. 76/2 to PCMC by executing a Possession Receipt on 21/10/2016, which was registered in the Office of Sub-Registrar, Haveli No. 17 at sr. no. 6573/2016 and accordingly the same was recorded in the records of rights vide Mutation Entry No. 21/10/2016.

Thus M/s. Five Element Constructions LLP owned and possessed the land admeasuring 00 H 32.20R (Plot No. 6) & land admeasuring 00 H 31.24 R totally admeasuring 00 H 66.44 R.

**SANCTION OF PLAN :**

Thereafter it appears that M/s. Five Element Constructions LLP Through its Designated Partner Mrs. Vandana Dhondiram Gunthe prepared the building plan for construction of buildings on land admeasuring 3217.85 Sq. Mtrs., out of said land and got it sanctioned from PCMC under Building Commencement Certificate bearing No. BP/Chikhali/106/2019 dt. 24.08.2019, read with revised sanction no. BP/Chikhali/147/2021 dt. 14.10.2021 and also obtained N.A. Order bearing No. Jamin/NA/SR/447/2019 dt. 04.10.2019 from Upper Tahsildar, Pimpri Chinchwad, Pune;

**CHANGE OF NAMES :**

From The Gazette dt. 07/10/2021, issued by Government of Maharashtra, it is observed that Mrs. Vandana Dhondiram Gunthe, changed her name to Mrs. Vandana Dinesh Gunte.

**RECONSTITUTION OF PARTNERSHIP FIRM :**

Thereafter it is observed that Mr. Ganesh Dattatray Jadhav retired from the partnership and the said firm came to be reconstituted comprising of Mr. Dinesh V. Gunte & Mrs. Vandana Dinesh Gunte as its present partners by a Reconstitution Agreement dt. 08/02/2024.



**Ashok R. Wagh**

B.Com. I.I. B.

**ADVOCATE**



Office : FLAT NO. 9, RENUKA AVISHKAR CO-OP. HSG. SOC. LTD., PREMLOK PARK, CHINCHWAD, PUNE - 411 033  
Cell No. 9371015715 e-mail id : adv.ashokwagh@gmail.com

**ONLINE SEARCH :**

I caused the online search of Index II entries on the Government website i.e. on [www.igrmaharashtra.gov.in](http://www.igrmaharashtra.gov.in) for last 30 years i.e. from 1994 to 04/09/2024 under Challan dtd. 04/09/2024 and from the Index II entries which were made available for search. I did not come across any entry to and in respect of said land.

**TITLE OPINION:**

Based on the aforesaid documents, I am of the opinion that the title of M/s. Five Element Construction LLP, through its Designated Partner Mrs. Vandana Dinesh Gunte to and in respect of Private Plot bearing No. 6, admeasuring 00 H 32.19 R (as per Sale Deed land admeasuring 00 H 38.10 R), out of Gat No. 76, Hissa No. 2, lying and situated at Village Chikhali, Tal - Haveli, Dist - Pune is clear and marketable.

**1) 7/12 Extract as on date of Application of Registration :**

2) Mutation entry nos. 25331, 25469 & 27991:

3) Search Report from 30 years from 1994 taken from [www.igrmaharashtra.gov.in](http://www.igrmaharashtra.gov.in) ;

4) Any Other Relevant Title

5) Litigations if any: No Litigations found or disclosed by Owner.

**Place : Chinchwad, Pune**

**Date : 04/09/2024**



*Ashok R. Wagh*  
**ADVOCATE**