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Advocates**

**Sandeep Deshmukh  
Rajendra Mahangare - Patil**

**(Partners)**

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To

**Maha RERA**

### **LEGAL TITLE REPORT**

**Sub: Title clearance certificate with respect to**

All that piece and parcel of land bearing **Plot No. A (Free Sale)** admeasuring 3599.52 sq. mtrs., **Plot No. B (Rehab)** admeasuring 4300.31sq. mtrs., **Plot No. C (Rehab)** admeasuring 2402.64Sq. mtrs. AND **Plot No. D (Masjid)** admeasuring 783.06Sq. mtrs. area out of amalgamated **S. Nos. 134** admeasuring 01H 25 Ares, **S. No. 134/B** admeasuring 0H 16 Ares, totally admeasuring 1 H 41 Ares, having corresponding **Final Plot No. 2/B** admeasuring **9460.44 Sq. Mtrs.**, in **TPS Scheme No. 3** and **S. No. 135(P)** admeasuring 2954 Sq. Mtrs. having corresponding **Final Plot No. 28 (P)** situated at **Parvati**, Pune which is within the local limits of the Pune Municipal Corporation (Hereinafter referred to as the "SAID PROPERTY")

I have been requested by Naiknavare Developers Pvt. Ltd to issue Title Opinion and take search in respect of the said property.

**1. Description of the property:**

All that piece and parcel of land bearing **Plot No. A (Free Sale)** admeasuring 3599.52 sq. mtrs., **Plot No. B (Rehab)** admeasuring 4300.31sq. mtrs., **Plot No. C (Rehab)** admeasuring 2402.64Sq. mtrs. AND **Plot No. D (Masjid)** admeasuring 783.06Sq. mtrs. area out of amalgamated **S. Nos. 134** admeasuring 01H 25 Ares, **S. No. 134/B** admeasuring 0H 16 Ares, totally admeasuring 1 H 41 Ares, having corresponding **Final Plot No. 2/B** admeasuring **9460.44 Sq. Mtrs.**, in **TPS Scheme No. 3** and **S. No. 135(P)** admeasuring 2954 Sq. Mtrs. having corresponding **Final Plot No. 28 (P)** situated at **Parvati**, Pune which is within the local limits of the Pune Municipal Corporation

**2. The documents of allotment of property**

**FOR S. NOS. 134 & 134B**

1. Confirmation Deed dated 12.09.2024 executed by Nasim Darveshi (Patel), Mohsim Darveshi (Patel), Gulnaar Darveshi (Patel), Zeba Darveshi (Patel), Rahin Darveshi (Patel), Farhin Darveshi (Patel), Samerrn Darveshi (Patel) in favour of M/s Naiknavare Developers Pvt. Ltd, which is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 21000/2024



2. Confirmation Deed dated 05.09.2024 executed by Sanjida Salim Patel, Asama Salim Patel and Asiya Salim Patel in favour of M/s Naiknavare Developers Pvt. Ltd, which is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 20498/2024
3. Confirmation Deed dated 01.08.2024 executed by Mr. ChabilKasamDarveshi& others in favour of M/s Naiknavare Developers Pvt. Ltd, which is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 17719/2024
4. Re-Conveyance/Release Deed dated 17.10.2022 executed by Vistra ITCL (India) Limited in favour of M/s Naiknavare Developers Pvt. Ltd. is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 23831/2022
5. Confirmation Deed dated 10.12.2021 executed by Julekha Sadik Sayyad & others in favour of M/s Naiknavare Developers Pvt. Ltd., registered in the office of Sub Registrar Haveli No. 21 at Sr. No. 18905/2021
6. Power of Attorney dated 01.10.2019 executed by Parivartan Co-operative Housing Society Ltd in favour of M/s Naiknavare Developers Pvt. Ltd. registered in the office of Sub Registrar Haveli No.1 at Sr. No. 7321/2019
7. Conveyance Deed dated 01.10.2019 executed by M/s Naiknavare Developers Pvt. Ltd. in favour of Parivartan Co-operative Housing Society Ltd. registered in the office of Sub Registrar Haveli No.1 at Sr. No. 7320/2019.
8. Re-Conveyance/Release Deed dated 02.04.2018 executed by Capital First Limited in favour of M/s Naiknavare Developers Pvt. Ltd is registered in the office of Sub Registrar Haveli No. 10 at Sr. No. 6217/2018
9. Deed of Mortgage Deed dated 19/03/2018 executed by M/s Naiknavare Developers Pvt. Ltd. in favour of Vistra ITCL (India) Ltd. registered in the office of Sub-Registrar Haveli No. 15 at Sr. No. 3323/2018
10. Re-Conveyance/Release Deed dated 25.01.2018 executed by Vistra ITCL (India) Limited (Earlier known as IL & FS Trust Company Limited) in favour of M/s Naiknavare Developers Pvt. Ltd. registered in the office of Sub Registrar Haveli No. 10 at Sr. No. 1645/2018
11. Deed of Mortgage Deed dated 29.11.2016 executed by M/s Naiknavare Developers Pvt. Ltd. in favour of Capital First Limited, registered in the office of Sub-Registrar Haveli No. 11 at Sr. No. 9879/2016
12. Deed of Confirmation dated 06.02.2015 executed by Mr. Farid KasamDarveshi& others in favour of M/s Naiknavare Developers Pvt. Ltd. registered in the office of Sub Registrar Haveli No. 02 at Sr. No. 1077/2015
13. Power of Attorney dated 06.09.2014 executed by Mr. Hamida Ismail Darveshi& others in favour of M/s Naiknavare Developers Pvt. Ltd registered in the office of Sub-registrar Haveli No. 02 at Sr. No. 6832
14. Sale Deed dated 06.09.2014 executed by Mr. Hamida Ismail Darveshi& others in favour of M/s Naiknavare Developers Pvt. Ltd registered in the office of Sub-registrar Haveli No. 02 at Sr. No. 6831
15. Supplementary Development Agreement dated 06.09.2014 executed by Mr. Hamida Ismail Darveshi& others in favour of M/s Naiknavare Developers Pvt. Ltd. registered in the office of Sub-registrar Haveli No. 02 at Sr. No. 6822/2014
16. Deed of Mortgage dated 09.05.2014 executed by M/s Naiknavare Townships LLP, Mr. Hemant Naiknavare, M/s Naiknavare Developers Pvt. Ltd. Along with Mr. Hamida Ismail Darveshi& others in favour of IL & FS Trust Company Limited registered in the office of Sub-Registrar Haveli No. 11 at Sr. No. 3993/2014
17. Release Deed dated 14.06.2013 executed by Mubarak Babamiya Shaikh, Mr. Mohammad Alis Mubarak Shaikh and Mrs. Sahida Mubarak Shaikh in favour of Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, registered in the office of Sub Registrar Haveli No. 17 at Sr. No. 5521
18. Power of Attorney dated 22.10.2005 in respect of the said executed by the land owners in favour of the developer which is registered at the office of Sub- Registrar at Haveli No.



19. Development Agreement dated 22.10.2005 in respect of the Said Property executed by Ismail KasamDerveshi & others in favour of Naiknavare Developers Pvt. Ltd (erstwhile M/S. Naiknavare Associates, a registered partnership firm) which is registered in the office Haveli No. 1 at Serial No. 5056/2005
20. Order dated 16.12.2013 bearing No. SRA/Ta.2/SRA/Pra.Kra.161/2219/13 issued by SRA
21. Society Registration Certificate dated 03.01.2019 of Parivartan Co-op. Hsg. Soc. Ltd. bearing No. PNA/SRA/HSG/TC/18/2018-19
22. 7/12 Extracts for the Survey No. 134 and 134 B.
23. Mutation Entries
24. Public Notice
25. Zone Certificate issued by PMC thereby declaring that the said property falls within the residential zone and reserved for the slums.
26. Demarcation
27. Property Card for Final Plot no. 2B in the name of Naiknavare Developers Pvt. Ltd. (28.11.2018)
28. Commencement Certificate dated 28.08.2014 bearing no. SRA/1519/14 issued by SRA
29. Revised Commencement Certificate dated 07.12.2017 bearing no. SRA/1919/2017 issued by SRA
30. Revised Commencement Certificate dated 27.02.2019 bearing no. SRA/500/2019 issued by SRA
31. Part Completion dated 05.04.2019 bearing No. SRA/889/2019 issued by SRA
32. Search report of Advocate Trupti Jadhav for the Said Property.

**FOR S. NO. 135**

33. 7/12 Extracts for the Survey No. 135.
34. Mutation Entries
35. Copy of demarcation
36. Copy of Public Notice dated 06.09.2018 of slum declaration issued by Slum Rehabilitation Authority
37. Public Notice dated 17.04.2023
38. Final Order dated 17.04.2023 issued by SRA
39. Letter dated 04.04.2022 bearing n. 425/2022 issued by CTS officer
40. Letter dated 07.10.2024 bearing no. 2781/2024 issued by SRA
41. Sub-Division Lay Out bearing No. SRA/TAA.1/MASTER KRA. 54/3103/2024 dated 18/11/2024 issued by SRA

**3. Search report for 30 Years from 1993 till 2024**

On perusal of the abovementioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of M/s Naiknavare Developers Pvt. Ltd. is clear, marketable and without any encumbrances.

**4. Owners of the land**

For land bearing **S. No. 134** admeasuring 01H 25 Ares and **S. No. 134 B** admeasuring 0H 16 Ares, totally admeasuring 1 H 41 Ares, having corresponding **Final Plot No. 2/B admeasuring 9460.44 Sq. Mtrs. in TPS Scheme No. 3** situated at **Parvati, Taluka Haveli, District Pune** which is within the limits of Pune Municipal Corporation and within the Registration District Pune, Taluka Haveli which is within the limits of Municipal Corporation of City of Pune owned by **M/s. Naiknavare Developers Pvt. Ltd.**

For land bearing **S. No. 135 (P)** admeasuring 2954Sq. Mtrs. having corresponding **Final Plot No. 28 (P)** situated at **Parvati, Pune** which is within the local limits of the Pune Municipal Corporation and within the Registration District Pune, Tauka Haveli which is within the limits of Municipal Corporation of City of Pune owned by **PMC**



The report reflecting the flow of the title of the M/S. NAIKNAVARE DEVELOPERS PVT. LTD for the said lands is enclosed herewith as annexure.

Encl. Annexure

Date: 29.10.2024

  
SANDEEP DESHMUKH  
Advocate

For Patil- Deshmukh & Associates (Advocates)

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

**FOR S. NOS. 134 & 134B**

It is observed from the records that the said property is presently owned by Smt. Sugrabai Kasam Darveshi, Mr. Ismail Kasam Darveshi, Mr. Kamriddin Kasam Darveshi, Mr. Farid Kasam Darveshi, Mr. Sadik Kasam Darveshi, Mr. Gani Kasam Darveshi, Mr. Salim Kasam Darveshi, Mr. Chabil Kasam Darveshi, Mr. Mehabob Kasam Darveshi, Mrs. Sharifa Rafid Shaikh and Mrs. Allarakhi Shaikh Mubarak.

We have scrutinized the 7/12 extract and other relevant documents in respect of the said property. It is observed that the names of the said owners is appearing on the 7/12 extract.

It appears from the records that the said property was originally owned by Mr. Hajibhai Kasam Shaikh Chabil Darveshi. It is further observed that Hajibhai Kom Shaikh Chabil Darveshi expired leaving behind her son Shaikh Kasam Shaikh Chabil Darveshi. The name of Shaikh Kasam Shaikh Chabil Darveshi came to be mutated into the revenue records vide mutation entry No. 485.

It is further observed that Shaikh Kasam Shaikh Chabil Darveshi sold the said property to Mr. Deviprasad Bhawaniprasad Agnihotri vide Sale Deed dated 1/7/1948. The name of Mr. Deviprasad Bhawaniprasad Agnihotri was mutated into the revenue records vide mutation entry No. 667.

It is further observed that Mr. Deviprasad Bhawaniprasad Agnihotri sold the said property back to the previous owner Shaikh Kasam Shaikh Chabil Darveshi vide Sale Deed dated 30/3/1951. The name of Shaikh Kasam Shaikh Chabil Darveshi is mutated into the revenue records vide mutation entry No. 776 as the owner of the said property.

It is further observed that Shaikh Kasam Shaikh Chabil Darveshi mortgaged the said property with Colony Development and Construction Co., Pune, for a period of one year on 30.03.1951. The name of Colony Development and Construction Co. Pune is mutated in the revenue records on the other rights column vide mutation entry No. 781.

It is further observed that Shaikh Kasam Shaikh Chabil Darveshi mortgaged the said property with Mr. Dattatray Dinkar Deshpande on 23.10.1947. The name Mr. Dattatray Dinkar Deshpande is mutated in the revenue records on the other rights column vide mutation entry No. 829.

It is further observed that the said owners along with the family members have granted the development rights of the said property in favour of M/s. Naiknavare and Associates vide Development Agreement dated 22.08.2005. The said Development Agreement is registered at the office of the Sub-Registrar at No. 1 at Sr. No. 5056 on 29.08.2005. In pursuance of the development agreement 22.08.2005 the said owners also executed a Power of Attorney on 22.08.2005.



Power of Attorney is registered at the office of the Sub-Registrar at Haveli No. 1 at Sr. No. 5057 on 29.08.2005.

By virtue of the said Development Agreement dated 22.08.2005 and Power of Attorney dated 22.08.2005 the said developer Naiknavare Developers Private Limited (erstwhile M/S. Naiknavare Associates, a registered partnership firm) has acquired rights to develop the said property subject to obtaining permissions/ consent from the development authority.

It is further observed from Mutation Entry No. 6295 that Mr. Mehboob KasamDarveshi expired on 10.08.2009 leaving behind Naseem Mehboob Darveshi, Raheen Mehboob Darveshi (after marriage Raheen Shabbir Patel), Fardeen Mehboob Darveshi (after marriage Fardeen Riyaz Shaikh), Samreen Mehboob Darveshi, Mohseen Mehboob Darveshi and Jayba Mehboob Darveshi as his only legal heirs. The names of legal heirs of Mehboob KasamDarveshi came to be recorded in the revenue records of the Said Land vide mutation Entry No. 6295.

It is further observed from Mutation Entry No. 6309 that Smt. SugrabiKasamDarveshi expired on 16.11.2008 leaving behind legal heirs of Mr. IsamailKasamDarveshi (deceased) i.e. Hamida IsamailDarveshi, AyubIsamailDarveshi, HaniifIsamailDarveshi, ShaifIsamailDarveshi and Raazia Mehboob Shaikh, legal heirs of Mehboob KasamDarveshi, Mr. Farid KasamDarveshi, Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, Mr. Salim KasamDarveshi, Mr. ChabilKasamDarveshi, Mrs. Shrifaf Rafiq Shaikh, Mrs. Allarakhi Shaikh Mubarak. The names of legal heirs of Smt. SugrabiKasamDarveshi came to be recorded in the revenue records of the Said Land vide mutation Entry No. 6309.

It is observed that Mr. KamaruddinKasamDarveshi, Naseem Mehboob Darveshi, Hamida IsamailDarveshi and others have executed Supplementary Development Agreement dated 28.04.2010 in respect of land bearing Survey No. 134B admeasuring 1H 25 Ares totally admeasuring 1 H 41 Ares in favour of Naiknavare Developers Pvt. Limited for incorporating modifications in the payment schedule of Development Agreement dated 22.08.2005 executed by Smt. SugrabiKasamDarveshi and others in favour of Naiknavare Developers Private Limited (erstwhile M/S. Naiknavare Associates, a registered partnership firm) registered in the office of Sub Registrar Haveli No. 1 at Sr. No. 5056 on 29.08.2005.

It is observed that the said MubarakBabamiya Shaikh, Mr. Mohammad Alis Mubarak Shaikh and Mrs. Sahida Mubarak Shaikh have released their rights in the said property in favour of Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, vide Release Deed dated 14.06.2013, registered in the office of Sub Registrar Haveli No. 17 at Sr. No. 5521 on 14.06.2013

It is seen that constitution of M/S. Naiknavare and Associates has been changed from partnership firm to a private limited company i.e. Naiknavare Developers Private Limited.

It is observed that Slum Rehabilitation Authority issued Order dated 05.09.2013 bearing No. SRA/Ta.3/SRA/Pra.Kra.161/1600/13 and Order dated 16.12.2013 bearing No.SRA/Ta.2/SRA/Pra.Kra.161/2219/13 for charges in the Units constructed on said property for Slum Area.

It is observed that Mr. Hamida Ismail Darveshi, Mr. Aayub Ismail Darveshi, Mr. Hanif Ismail Darveshi, Shafi Ismail Darveshi, RaziyaMehabooh Shaikh, Mr. KamruddinKasamDarveshi, Mr. Farid KasamDarveshi, Mrs. Sharifa Rafiq Shaikh, Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, Mr. Salim KasamDarveshi, Mr. ChabilKasamDarveshi, Naseem Mehboob Darveshi, Mrs. Raheen Mehboob Darveshi (after marriage Raheen Shabbir Patel), Samreen Mehboob Darveshi, MohseenDarveshi, Gulnaar Mehboob Darveshi, Jayba Mehboob Darveshi executed Supplementary



Development Agreement in favour of M/s Naiknavare Developers Pvt. Ltd. For changes in Consideration as landowners retained the salable built up area totally admeasuring 1871.36 sq.mtrs. and development of Majjid admeasuring 557.41 sq.mtrs. and consideration of Rs. 8,58,64,206/- instead of Rs. 7,73,67,658/- on 06.09.2014. The said Supplementary Development Agreement is registered in the office of Sub-registrar Haveli No. 02 at Sr. No. 6822/2014.

The Details of area retained by land owners:

Sr. No.	Land owners	Residential Area in Sq.mtrs.	Commercial area in Sq. mtrs.
1.	Hamida Ismail Derveshi, Aayub Ismail Darveshi, Mr. Hanif Ismail Darveshi, ShafiismailDarveshi	139.35	17.42
2.	Mr. KamruddinKasamDarveshi,	139.35	17.42
3.	Mr. Farid KasamDarveshi,	106.25	17.42
4.	Mr. SadikKasamDarveshi	139.35	17.42
5.	Mr. GaniKasamDarveshi	139.35	17.42
6.	Mr. Salim KasamDarveshi	139.35	17.42
7.	Mr. ChabilKasamDarveshi	139.35	17.42
8.	Mehboob Darveshi	139.35	17.42
9.	Mrs. Sharifa Rafiq Shaikh	78.96	13.93
	<b>TOTAL</b>	<b>1160.66</b>	<b>153.29</b>

It is observed that Mr. Hamida Ismail Darveshi, Mr. Aayub Ismail Darveshi, Mr. Hanif Ismail Darveshi, Shafi Ismail Darveshi, RaziyaMehaboob Shaikh, Mr. KamruddinKasamDarveshi, Mr. Farid KasamDarveshi, Mrs. Sharifa Rafiq Shaikh, Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, Mr. Salim KasamDarveshi, Mr. ChabilKasamDarveshi, Naseem Mehboob Darveshi, Mrs. Raheen Mehboob Darveshi (after marriage Reheen Shabbir Patel), Samreen Mehboob Darveshi, MohseenDarveshi, Gulnaar Mehboob Darveshi, Jayba Mehboob Darveshi executed Power of Attorney in favour of M/s. Naiknavare Developers Pvt. Ltd. On 06.09.2014. The said Power of Attorney is registered in the office of Sub-registrar Haveli No. 02 at Sr. No. 6830.

It is observed that Mr. Hamida Ismail Darveshi, Mr. Aayub Ismail Darveshi, Mr. Hanif Ismail Darveshi, Shafi Ismail Darveshi, RaziyaMehaboob Shaikh, Mr. KamruddinKasamDarveshi, Mr. Farid KasamDarveshi, Mrs. Sharifa Rafiq Shaikh, Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, Mr. Salim KasamDarveshi, Mr. ChabilKasamDarveshi, Naseem Mehboob Darveshi, Mrs. Raheen Mehboob Darveshi (after marriage Raheen Shabbir Patel), Samreen Mehboob Darveshi, MohseenDarveshi, Gulnaar Mehboob Darveshi, Jayba Mehboob Darveshi and others sold and conveyed land bearing No. 134, admeasuring 1 H 25 Ares and S.No. 134 B admeasuring 0 H 16 Ares, totally admeasuring 1 H 41 Ares, having corresponding Final Plot No. 2/B admeasuring 9460.44 Sq.mtrs. in favour of M/s. Naiknavare Developers Pvt. Ltd. Vide Sale Deed and Power of Attorney dated 06.09.2014. The said Sale Deed and Power of Attorney is registered in the office of Sub-registrar Haveli No. 02 at Sr. No. 6831/2014 and 6832/2014.

By virtue of the said Sale Deed and Power of Attorney, M/s. Naiknavare Developers Pvt. Ltd. Become absolute owner of the said property.

It is observed that M/s Naiknavare Townships LLP, Mr. Hemant Naiknavare, M/s Naiknavare Developers Pvt. Ltd. Along with Mr. Hamida Ismail Darveshi, Mr. Aayub Ismail Darveshi, Mr. Hanif Ismail Darveshi, Shafi Ismail Darveshi, RaziyaMehaboob Shaikh, Mr. KamruddinKasamDarveshi, Mr.



Farid KasamDarveshi, Mrs. Sharifa Rafiq Shaikh, Mr. SadikKasamDarveshi, Mr. GaniKasamDarveshi, Mr. Salim KasamDarveshi, Mr. ChabilKasamDarveshi, Naseem Mehboob Darveshi, Mrs. Raheen Mehboob Darveshi (after marriage Raheen Shabbir Patel), Samreen Mehboob Darveshi, MohseenDarveshi, Gulnar Mehboob Darveshi, Jayba Mehboob Darveshi mortgaged the said Property in favour of IL&FS Trust Company Limited vide Deed of Mortgage dated 09.05.2014. The said Deed of Mortgage is registered in the office of Sub-Registrar Haveli No. 11 at Sr. No. 3993/2014.

It is observed that the said Developer i.e. M/s Naiknavare Developers Pvt. Ltd. Obtained sanction to the building plan/s from Slum Rehabilitation Authority and accordingly Slum rehabilitation Authority has issued Commencement Certificate dated 28.08.2014 bearing No. SRA/1519/14 for the same.

It is observed that Mr. Farid KasamDarveshi, Rashida Farid Darveshi, Sikandar Farid Darveshi, Zarina Sikandar Darveshi, Kadar Farid Derveshi, Yasmin Kadar Derveshi, Tehseen Kadar Darveshi, Musa Kadar Patel, Sugrabi Kadar Patel, Ajj Farid Derveshi, Rehana Ajj Patel, Almas Ajj Patel, AakssaAjj Patel, Sabana Faruk Motiwale, Rehana Mahammad Sharif Inamdar and M/s Naiknavare Developers Pvt. Ltd. Decided to make a correction in consideration as M/s Naiknavare Developers Pvt. Ltd. Make payment of Rs. 7790625/- instead of area retained by them as 106.25 sq.mtrs. Residential and 17.42 sq. mtrs Commercial area vide Confirmation Deed dated 06.02.2015. The said Deed of Confirmation is registered in the office of Sub Registrar Haveli No. 02 at Sr. No. 1077/2015.

It is observed that M/s Naiknavare Developers Pvt. Ltd. through its Director Mr. Ranjit DattajiNaiknavare mortgage the Said Property along with other properties in favour of Capital First Limited vide Deed of Mortgage Deed dated 29/11/2016. The Said Deed of Mortgage is registered in the office of Sub-Registrar Haveli No. 11 at Sr. No. 9879/2016.

It is observed that the said Developer i.e. M/s Naiknavare Developers Pvt. Ltd. Obtained sanction to the revised building plan/s from Slum Rehabilitation Authority and accordingly Slum rehabilitation Authority has issued revised Commencement Certificate dated 07.12.2017 bearing No. SRA/1919/2017 for the same.

It is observed that the M/s Naiknavare Developers Pvt. Ltd. had repaid the loan amount therefore Vistra ITCL (India) Limited (Earlier known as IL&FS Trust Company Limited) has released/re-conveyanced the free saleable area 340.25 Sq. Mtrs. out of the Said Property along with other properties vide Re-Conveyance/Release Deed dated 25.01.2018. The Said Re-Conveyance/Release Deed is registered in the office of Sub Registrar Haveli No. 10 at Sr. No. 1645/2018 on 25/01/2018.

It is observed that M/s Naiknavare Developers Pvt. Ltd. through its Director Mr. Ranjit DattajiNaiknavare mortgaged the area admeasuring 9460.44 Sq. Mtrs. out of the Said Property along with other properties in favour of Vistra ITCL (India) Ltd. vide Deed of Mortgage Deed dated 19/03/2018. The Said Deed of Mortgage is registered in the office of Sub-Registrar Haveli No. 15 at Sr. No. 3323/2018.

It is observed that the M/s Naiknavare Developers Pvt. Ltd. had repaid the loan amount therefore Capital First Limited released/re-conveyed the Said Property along with 140438 Sq. Ft. saleable area. The Said Re-Conveyance/Release Deed is registered in the office of Sub Registrar Haveli No. 10 at Sr. No. 6217/2018 on 2/04/2018.

It is further observed that M/s Naiknavare Developers Pvt. Ltd. has constructed the Building "A" as per sanction plan and thereafter sold the flats in Said Building "A" by various registered agreements to Slum Dwellers.



It is observed that the said Developer i.e. M/s Naiknavare Developers Pvt. Ltd. Obtained revised sanction layout to the building plan/s from Slum Rehabilitation Authority and accordingly Slum rehabilitation Authority has issued Revised Commencement Certificate dated 27.02.2019 bearing no. SRA/500/2019.

It further observed that M/s Naiknavare Developers Pvt. Ltd. has completed the construction of the "A" Building and accordingly Slum rehabilitation Authority has issued Part Completion Certificate dated 05.04.2019. bearing No. SRA/889/2019

It further observed that M/s Naiknavare Developers Pvt. Ltd. has formed the tenant Co-partnership cooperative housing society of the flat purchasers of "A" Building in the name of Parivartan Co-op. Hsg. Soc. Ltd. and accordingly District Deputy Registrar Office, Pune issued Society Registration Certificate bearing No. PNA/SRA/HSG/TC/18/2018-19 dated 03/01/2019.

It is further observed that M/s Naiknavare Developers Pvt. Ltd. through its Director Mr. Ranjit Dattaji Naiknavare conveyed/sold/transferred the area admeasuring 1575.89 Sq. Mtrs. along with constructed "A" Building in favour of Parivartan Co-operative Housing Society Ltd. The said conveyance deed is registered in the office of Sub Registrar Haveli No.1 at Sr. No. 7320/2019. Along with said Conveyance Deed the Said Housing Society also executed Power of Attorney dated 1/10/2019 in favour of M/s Naiknavare Developers Pvt. Ltd. The Said Power of Attorney registered in the office of Sub Registrar Haveli No.1 at Sr. No. 7321/2019.

It is observed that Julekha Sadik Sayyad, Sameer Rafik Ahmadshaikh, Sharifa Rafik Ahmad Shaikh, Jarina Ajim Sayyad, Amir Rafik Ahemad and M/s Naiknavare Developers Pvt. Ltd. Decided to make a correction in consideration as M/s Naiknavare Developers Pvt. Ltd. Make payment of Rs. 65,00,000/- (Rupees Sixty-Five Lakh Only) instead of area retained by them as 78.96 sq. mtrs. Residential and 13. 93 sq. mtrs Commercial area vide Confirmation Deed dated 10.12.2021. The said Deed of Confirmation is registered in the office of Sub Registrar Haveli No. 21 at Sr. No. 18905/2021.

It is observed that the M/s Naiknavare Developers Pvt. Ltd. had repaid the loan amount therefore Vistra ITCL (India) Ltd. (Earlier known as IL&FS Trust Company Limited) released/re-conveyance the Said Property vide Re-conveyance/Release Deed dated 17/10/2022. The Said Re-Conveyance/Release Deed is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 23831/2022 on 2/11/2022.

It is observed that that M/s Naiknavare Developers Pvt. Ltd. through its Director Mr. Ranjit Dattaji Naiknavare leased the area admeasuring 50 Sq. Mtrs. out of the Said Property in favour of Maharashtra State Electric Board Company vide Lease Deed dated 24/04/2024. The Said Lease Deed is registered at Sr. No. 9350/2024.

On the request of the said landowners, the Developer has made a correction in consideration and accordingly Developer has executed following Confirmation Deeds:

It is observed that Mr. Chabil Kasam Darveshi through his Power of Attorney Mr. Sameer Chabil Darveshi, Tasneem Chabil Darveshi, Sameer Chabil Darveshi for himself on an behalf of his minor children Mohmmad Ayyan Darveshi and Mohmmad Rayyan Darveshi and Jainab Sameer Patel, Aasefa Sameer Patel, Tabrej Chabil Darveshi for himself and on an behalf of his minor children Mohmmadsad Tabrej Darveshi and Mohmmadezan Tabrej Darveshi, Tabusum Tabrej Darveshi and M/s Naiknavare Developers Pvt. Ltd. Decided to make a correction in consideration as M/s Naiknavare Developers Pvt. Ltd. Make payment of Rs. 1,18,00,000/- (One Crore Eighteen Lakh Only) instead of area retained by them as 139.35 sq.mtrs. Residential area vide Confirmation Deed



dated 01.08.2024. The said Deed of Confirmation is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 17719/2024.

It is observed that Sanjida Salim Patel, Asama Salim Patel and Asiya Salim Patel and M/s Naiknavare Developers Pvt. Ltd. Decided to make a correction in consideration as M/s Naiknavare Developers Pvt. Ltd. Make payment of Rs. 63,90,500/- (Rupees Sixty Three Lakh Ninety Thousand Five Hundred Only) for their share instead of area retained by them as 58.06 sq. mtrs. out of 139.35 Residential area and 7.25 sq. mtrs. out of 17.42 Sq. Mtrs. Commercial area vide Confirmation Deed dated 05.09.2024, which is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 20498/2024

It is observed that Nasim Darveshi (Patel), MohsimDarveshi (Patel), GulnaarDarveshi (Patel), ZebaDarveshi (Patel), RahinDarveshi (Patel), FarhinDarveshi (Patel), SamerrnDarveshi (Patel) and M/s Naiknavare Developers Pvt. Ltd. Decided to make a correction in consideration as M/s Naiknavare Developers Pvt. Ltd. Make payment of Rs. 1,19,00,000/- (Rupees One Crore Nineteen Lakhs Only) instead of area retained by them as 139.35 Residential area vide Confirmation Deed dated 12.09.2024, which is registered in the office of Sub Registrar Haveli No. 23 at Sr. No. 21000/2024

#### LITIGATIONS:

**a. Spl. Civil Suit No. 1165/2016:**

It is seen that Mr. ManojkumarNarendrakumar Deshpande filed Spl. Civil Suit No. 1165/2016 against Mr. KamruddinKasamDarveshi (Patel) and others in Civil Court Senior Division, Pune for declaration as null, void, ab-initio documents executed by late Shaikh KasamDarveshe in respect of the Said Property. The Said suit is listed for evidence of the plaintiff since 30/06/2023. Thereafter Plaintiff and his advocate was continuously absent on herring dates therefore Hon'ble Court vide its order dated 16/08/2024 dismissed the suit in default and for want of prosecution.

**b. Writ Petition No. 3901/2018**

It is seen that Mr. Manojkumar Deshpande filed the Writ Petition No. 3901/2018 against Hemant DattajiNaiknavare&Ors. in the High Court at Bombay to challenge the Order dated 04/04/2017 passed by Civil Court Senior Division, Pune under Section 9A of the Code Of Civil Procedure, 1908. As per Order dated 17.07.2018, the said Writ Petition is disposed of by Hon'ble High Court by saying that the petitioner is at liberty to move this court for recall of this Order.

**c. Civil Revision Application 74/2019**

Mr. Hemant DattajiNaiknavare&Ors. has filed Civil the Said Writ Petition against the Order dated 17/12/2018 for the rejection of Order VII Rule 11(d) Application filed under Exhibit 182 passed by the Civil Court, Pune. As per Order dated 17.10.2019, issued by Hon'ble High Court, there shall be stay to further proceedings.

**d. Writ Petition No. 15359/2023**

Naiknavare Developers Pvt. Ltd. filed Writ Petition No. 15359/2023 against State of Maharashtra & others against the impugned Order dated 31.01.2022 passed by Dy. Inspector general of Registration and Dy. Controller of Stamps, Pune in Appeal no. 23/2020 filed U/Sec



32-B of Maharashtra Stamp Act, arising out of the impugned Order dated 28.09.2020 passed by Jt. District Registrar, Class I @ District Collector of Stamps, Pune City in respect of the land bearing S. No. 134. Amount is paid in the Hon'ble High Court under Protest.

**FOR S. NO. 135**

It is observed from the records that the Land S. No. 135 was owned by Raut family.

It is observed that Special Civil Suit bearing No. 275/1973 was filed in the Court of Joint Civil Judge, Senior Division, Pune for partition of various properties, pertaining to Raut Family, which include land bearing S. No. 135, which came to be decided on 30<sup>th</sup> August, 1974. One Shri Laxman Mahadji Raut, accordingly filed an application with the Revenue Officer to make the entry of the partition effected in the aforesaid suit, in respect of various lands, and as per the same, the land bearing S. No. 135 came to the share of Shri. Laxman Mahadji Raut and a Mutation Entry bearing No. 3212 came to be finalized.

It is observed that as per 7/12 Extract of the S. No. 135, it is seen that the name of Shri Laxman Mahadji Raut was continued up to 2018.

As the said lands were situated within the Pune Municipal Corporation, consequently, the City Survey Officer No. 1, by its order dated 07.06.2018, decided to close the revenue record, viz. 7/12 extract and accordingly, a Mutation Entry No. 6596 came to be finalized.

It is observed that as per Form No. 1, in respect of T.P. Scheme Pune 3 (Final), it is seen that a new Final Plot numbers viz. 710 (part), 27 (part), 2 (part), 711 (part) and Nala situated at Parvati and the said entry is made at S. No. 112 of the Form No.1 for the Town Planning Scheme Pune 3 (Final). Apart from the same, it is shown as the said lands are reserved under the T.P. Plan (Final) for Municipal purposes. The T.P. Scheme is implemented.

It is observed that the S No.135 was numbered as OP No. 710 and which is included in the Final Plot No.28 of Parvati now within Sadashiv Peth and admeasuring 24,544.23 sqmtrs. area shown in the name of Pune Municipal Corporation as 'holder'.

It is observed that M/s Naiknavare Developers Pvt. Ltd. have submitted a proposal for rehabilitation of Slum for an area admeasuring 2789.73 sq. mtrs. (Subject to correction, as per the demarcation) with the SRA Authority from land bearing Final Plot No. 28, Parvati, Pune. Vide the said proposal, they had shown their willingness and undertaken to comply with all the rules and regulations and also pay 25% of the amount equivalent to the land cost.

It is observed that M/s Naiknavare Developers Pvt. Ltd., their representative Shri. Suresh Shivaji Kad had requisitioned information from the City Survey Officer No.1, Pune, vide letter dated 18<sup>th</sup> February, 2022 as to whether there is any change in the name of Pune Municipal Corporation as the holder of the said land. The Information Officer under RTI from the Office of City Survey Office No.1, Pune, vide letter dated 04.04.2022, having Outward No. 425/2022, has informed that the Final Plot No. 28, as per the record maintained by them; is owned and held by the Pune Municipal Corporation. Moreover, there is no any change in the ownership, as is evident from the record maintained by them and the Pune Municipal Corporation continues to give the holder of the said land.

It is observed that by Order dated 10.02.2024 issued by The Chief Executive Officer of the Slum Rehabilitation Authority, has declared all the areas, which are occupied by the Association of dwellers



whether earlier notified or not, as slums and that the said lands are occupied by about 82 approximately slum dwellers.

It is observed that the said Slum Rehabilitation, Pune Municipal Corporation vide its letter dated 20.06.2017 bearing Outwards No. 5/43, addressed to SRA, has informed that, upon inspection, the aforesaid lands are occupied by slum dwellers. In response to the said report submitted by the Pune Municipal Corporation, the SRA Authority published a notification on 06.09.2018 by giving prior notice for declaration of the said lands as a slum. Subsequent to the same, the SRA Authority, by completing the due formality and due procedure, issued an order dated 24.09.2012, declaring that the land bearing S. No. 135, corresponding to Final Plot No. 28, Sadashiv Peth, Pune is notified as a slum.

It is observed that M/s. Naiknavare Developers Pvt. Ltd. have already developed adjoining land bearing Final Plot No. 2B, Parvati, corresponding to S. No.134 (old) under Slum Rehabilitation Scheme and also approached the Slum Rehabilitation Authority, seeking permission to develop defined area admeasuring 2954.63 sq. mtrs. from Final Plot No. 28, Sadashiv Peth, Pune.

It is observed that the SRA Authority, vide Letter dated 01.04.2022, M/s Naiknavare Developers Pvt. Ltd. have caused the demarcation of the said land under M.R. No. 852/2022 from the Office of City Survey Officer No.1, Pune and defined the areas for which a proposal has been submitted by M/s Naiknavare Developers Pvt. Ltd. for rehabilitation.

It is observed that M/s Naiknavare Developers Pvt. Ltd. have obtained consent from all the slum dwellers and submitted the same with the SRA Authorities who had verified the identity and authenticity of the slum dwellers and finalized the list.

It is observed that land admeasuring 2954.63 Sq. mtrs. out of Final Plot No. 28 (Old S. No. 135), Sadashiv Peth, Pune, is totally occupied by slum dwellers.

It is observed that M/s Naiknavare Pvt. Ltd. have submitted a proposal with the SRA Authority for re-development of land admeasuring 2954.63 sqmtrs. from Final Plot. No. 28 (Old S. No.135), Sadashiv Peth, Pune and complied with the requirement for obtaining permission for re-development and rehabilitation of the said slum in their name. They have also submitted undertaking that they are ready to deposit or otherwise pay an amount equivalent to 25% of the land cost, as per Section 12(i) of the Slum Rehabilitation Act with the Authority for re-development of the said land. Moreover, the Slum Improvement Zone, as per the DP Plan published and finalized for Pune Municipal Corporation. Apart from the same, the holder of the said lands is Pune Municipal Corporation. However, the same is occupied by about 82 slums. Moreover, already necessary directions and orders are issued by the Authority, declaring the said area as a slum. Consequent to which, under the provisions of the said Act, the slum dwellers were effectively rehabilitated by redevelopment of the said land.

It is observed that as per Final Order dated 17.04.2023 issued by SRA, the land admeasuring 2954 sq. mtrs. is declared for rehabilitation of the slum.

It is observed that M/s. Naiknavare Developers Pvt. Ltd. are entitled to obtain necessary orders in their favour for rehabilitation of the slum over an area admeasuring 2954.63 sq. mtrs. From Final Plot No.28 (Old S. No.135), Sadashiv Peth, by paying an amount equivalent to 25% of the land cost.



## **PUBLIC NOTICE**

We have issued a Public Notice on 23.6.2005 in daily Prabhat inviting objection/s against the said property. We have received objections from Advocate Baig Abdul Haque on behalf of his client. The Muslim Co-operative Bank Ltd. stating that Mrs. Rashida Farid Darveshi and Mr. Farid Kasam Darveshi had availed loan of Rs. 3,00,000/- (Rs. Three Lakhs only) and Rs. 6,00,000/- (Ra. Six Lakh only) from The Muslim Co-operative Bank Ltd. As stated above the said loan amount of Rs. 9,00,000/- (Rs. Nine Lakhs Only) has been cleared and there was no dues/charge of the said bank on the said property.

## **ZONE CERTIFICATE**

The Pune Municipal Corporation has issued a Zone certificate on 27.06.2000. The Pune Municipal Corporation has declared that the said property falls within the residential zone and reserved for the slums.

## **SLUM AREA**

The Pune Municipal Corporation by its order dated 22/12/83 has declared/notified the said property as "Slum" as per the provisions u/s 11(1) of The Maharashtra Slums Areas (Improvement, Clearance and Re-Development) Act 1971. Thereafter order u/s 12 (2) for the slum redevelopment has been passed.

## **LAYOUT:**

It is further seen that the said S. Nos. 134, Final Plot No. 2B and S. No. 135 amalgamated and as per sanctioned layout bearing No. SRA/TAA.1/MASTER KRA. 54/3103/2024 said land divided into Plot No. A (Free Sale) admeasuring 3599.52 sq. mtrs., Plot No. B admeasuring 4300.31 Sq. Mtrs., (Rehab), Plot (C) admeasuring 2402.64 Sq. Mtrs. Plot (D) Masjid admeasuring 783.06 Sq. Mtrs. totally admeasuring 12414.44 Sq. Mtrs. area

## **SEARCH OF THE RECORDS:**

I have carried out the online search on IGR Website through, during the verification and search of records maintained under Index Form II by the office of Sub Registrar Haveli bearing Receipt bearing GRN Nos. MH010614478202425E & MH010620185202425E dated 04.11.2024 for the last 30 years.

During Search I have not found any adverse entry in respect of the said property

## **OPINION:**

On basis of the documents provided to us, the search report provided by Advocate Trupti Jadhav and subject to whatever stated above I am of the opinion that

- (a) The title of M/s Naiknavare Developers Pvt. Ltd. in respect of the said property i.e. S. No. 134 admeasuring 1H 25 Ares and S. No. 134 B admeasuring 0 H 16 Ares, totally admeasuring 1H 41 Ares, situated at Parvati, Pune appears to be clear and marketable.



(b) M/s. Naiknaware Developers Pvt. Ltd. entitled for rehabilitation of the slum on land admeasuring 2954 sq. mtrs. out of Final Plot No. 28 (Old S. No.135), situated at Parvati, Pune and title appears to be clear and marketable

  
SANDEEP DESHMUKH  
Advocate

DESHMUKH & ASSOCIATES  
ADVOCATES

Date: 29.10.2024

For Patil- Deshmukh & Associates (Advocates)

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