

To
Maha RERA
Housefin Bhavan
Plot No. C – 21
Bandra Kurla Complex
Bandra (East), Mumbai 400 051

LEGAL TITLE REPORT

Sub: Title clearance report with respect to all that piece and parcel of land bearing Survey No. 19 Hissa No. 1 to 7+9/1 admeasuring 10 Hectares 10 Ares out of total area admeasuring 13 Hectares 46 Ares situate, lying and being at Village Kiwale, Taluka Haveli, District Pune. ("**Property**").

1. We have investigated the title of the Property based on the request of **Sampada Realities Private Limited** and the following documents:

(1) Description of the Property:

All that piece and parcel of land bearing Survey No. 19 Hissa No. 1 to 7+9/1 admeasuring 10 Hectares 10 Ares out of total area admeasuring 13 Hectares 46 Ares situate, lying and being at Village Kiwale, Taluka Haveli, District Pune.

(2) The Documents pertaining to the Property:

- Sale Deed dated March 30, 1972 registered at Serial No. 846 of 1972;
- Sale Deed dated September 17, 1981 registered at Serial No. 5314 of 1981;
- Development Agreement dated May 10, 2007 registered at Serial No. 3511 of 2007; and
- General Power of Attorney dated May 10, 2007 registered at Serial No. 3512 of 2007.

(3) 7/12 extracts and mutation entries:

7/12 extract dated May 2, 2022 and mutation entry nos. 1496, 1588, 1589, 1618, 1683, 2259, and 13068 in respect of the Property issued by the concerned authority.

(4) Search Report:

Search Reports dated July 5, 2022 issued by Kailash Thorat, Advocate for the last 30 years.

2. On perusal of the above-mentioned documents and all other documents pertaining to the title of the Property, we are of the opinion that the title of (i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok

Shankar Masulkar, (v) Prakash Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar ("**Owners**") and the development rights of Sampada Realities Private Limited ("**Developer**") is clear and marketable and without any encumbrances.

Owner of the Property:

(i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok Shankar Masulkar, (v) Prakash Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar: Survey No. 19 Hissa No. 1 to 7+9/1 admeasuring 10 Hectares 10 Ares out of total area admeasuring 13 Hectares 46 Ares situate, lying and being at Village Kiwale, Taluka Haveli, District Pune

(ii) **Qualifying Comment:**

The said Sampada Realities Private Limited has got absolute right to develop the said Property and is developing the same in accordance with the sanctioned plan.

3. The report reflecting the flow of title in respect of the Property is enclosed herewith as **Annexure "A"** hereto.

Dated this 24th day of September, 2022.



Encl.: Title Report dated August 19, 2022

Annexure "A"
Flow of title in respect of the Property

(Survey No. 19 Hissa No. 1 to 7+9/1)

- 1) 7/12 extract as on date of application for registration.
- 2) Mutation Entries

Mutation Entry Nos. 1496, 1588, 1589, 1618, 1683, 2259, and 13068
- 3) Search report dated July 5, 2022 issued by Kailash Thorat, Advocate for 30 years from taken from Sub-Registrar Office, Haveli, Pune
- 4) Any other relevant title : Not Applicable
- 5) Litigations if any : Not Applicable

Date: 24th day of September, 2022



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Memo

| | |
|---------|---|
| To | Kolte Patil Developers Limited |
| From | DSK Legal |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situated at Village Kiwale, Taluka Haveli, District Pune |

Mumbai

1203, One World Centre
Tower 2B, Floor 12B
841, Senapati Bapat Marg
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Tel 022 6658 8000
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Upon your instructions we have investigated the ownership rights of Moreshwar Shankar Masulkar and others (the "**Owners**") and the development rights of Sampada Realities Private Limited, in respect of the property more particularly described in this Memo based on the documents provided by the representatives of Kolte Patil Developers Private Limited ("**KPDL**") and have to state as follows:

For the purposes of this Memo:

- A. We have perused the title documents set out in **Annexure "A"** hereto and have relied upon the mutation entries and the 7/12 extracts of the captioned property.
- B. We have caused searches to be conducted for the period from 1993 to 2022 in respect of the captioned property mentioned herein and have relied upon the Search Report dated July 5, 2022, issued by Kailash M. Thorat, Advocate. He has certified that except the entries recorded hereinbelow, there are no adverse entries found in the searches.
- C. Since our scope of work does not include considering aspects within the domain of an architect and surveyor, we have not carried out any physical inspection of the captioned property nor have commented on the development aspects of the captioned property. This aspect needs to be verified, independently.
- D. We have issued a Public Notice dated May 21, 2022, in The Economic Times (English) and in Loksatta (Marathi), having circulation in Pune, for inviting objections / claims in respect of the captioned property. Pursuant to the public notice, we have received counter notice from Sarika Shyam Taori, Advocate, on behalf of Disha Loharuka Infrastructure Private Limited wherein she has stated that a counter publication was allegedly published in Loksatta and Indian Express editions dated May 28, 2022.
- E. By and under an order passed by the Collector, Pune dated September 21, 2012 bearing No. PMH/NA/SR/502/12 the use of the captioned property admeasuring 1,01,000.05 square meters came to be converted to "Non-Agricultural" "Residential" and "Commercial" use.
- F. Since verifying pending litigations in respect of property becomes difficult due to various reasons including (i) litigations can be filed/instituted in various fora depending upon the relief claimed;

| | |
|---------|--|
| To | Kolte Patil Developers Private Limited |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situate at Village Kiwale, Taluka Haveli, District Pune |
| Page | 2 of 7 |

and/or (ii) records of litigations maintained by courts and other authorities (judicial or otherwise) are not updated nor maintained descriptively and not easily available/accessible; and/or (iii) there are no registers maintained in respect of matters referred to arbitration, we have not conducted any searches before any court of law or before any other authority (judicial or otherwise) to verify whether the property is subject matter of any litigation. However, we have caused online searches to be conducted pertaining to litigation filed with respect to the captioned property and have relied upon the Search Reports dated May 16, 2022 issued by Cubictree Technology Solutions Private Limited, wherein they have certified that there are no pending litigations. We have been also been informed by the representatives of the Owners vide letter dated August 8, 2022 that the captioned property is not subject matter of any litigation and there are no adverse orders affecting the captioned property.

G. We have not conducted any investigation / enquired into the pending direct/indirect tax liability of the current owners (or their predecessors in title) and/or in respect of the captioned property. This aspect needs to be independently verified by Chartered Accountant or tax consultant.

H. We have only referred to the revenue records and title documents pertaining to the portion of the property acquired by the Owners.

I. We have relied upon information in relation to:

- lineage, on the basis of revenue records and information;
- copies of documents of title as listed in **Annexure "A"**; and
- copies of 7/12 and other revenue records.

J. We have assumed that:

- the mutation entries provided to us accurately reflect the transactions contained therein and have presumed the correctness of the contents thereof in accordance with Section 157 of the Maharashtra Land Revenue Code, 1966;
- the mutation entries and other revenue records, which are not available do not have any adverse effect on the title of the captioned property;
- the revenue records provided for our perusal are updated and have not been modified/revised;
- the persons executing the documents have the necessary authority to execute the same;
- all documents/records submitted to us as photocopies conform to the originals and all such originals are authentic and complete;

| | |
|---------|--|
| To | Kolte Patil Developers Private Limited |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situate at Village Kiwale, Taluka Haveli, District Pune |
| Page | 3 of 7 |

- all signatures and seals on any documents/records submitted to us are genuine;
- wherever any minors' rights are involved the same have been dealt with by their rights / natural guardian for legal necessity and the same have not been challenged by such minors upon their attaining majority; and
- the legal capacity of all natural persons are as they purport it to be.

Based on the aforesaid, we have to report as under:

Property:

Re: All that piece and parcel of land bearing Survey No. 19 Hissa No. 1 to 7+9/1 admeasuring 10 Hectares 10 Ares out of total area admeasuring 13 Hectares 46 Ares situate, lying and being at Village Kiwale, Taluka Haveli, District Pune.

Background:

Prior to the year 1969, the property bearing Survey No. 19 Hissa No. 1 to 7+9 admeasuring 33 Acres 29 Gunthas was recorded in the name of (i) Vishnu Shankar Lele (as manager of HUF), and (ii) Ganesh Gangadhar Lele.

1. Mutation Entry No. 1496 dated May 12, 1969 records the effect of decimal system in the revenue records under the provisions of the Weights and Measurement Act, 1958, and Indian Coinage Act, 1955.
2. Mutation Entry No. 1588 dated February 24, 1972 records that pursuant to an application filed by Ganesh Gangadhar Lele the names of his sons along with him came to be recorded in respect of the property and the effect of Aanewari came to be given in the following manner:

| Name of Owner | Aanewari |
|-----------------------|--------------|
| Ganesh Gangadhar Lele | 2 Aana 8 Pai |
| Ulhas Ganesh Lele | 2 Aana 8 Pai |
| Ramesh Ganesh Lele | 2 Aana 8 Pai |

3. Mutation Entry No. 1589 dated February 24, 1972 records that pursuant to an application filed by Vishnu Shankar Lele, the names of his brothers and a mother along with him came to be recorded in respect of the property and the effect of Aanewari came to be given in the following manner:

| Name of Owner | Aanewari |
|-----------------------|----------|
| Gangabai Shankar Lele | 2 Aana |
| Vishnu Shankar Lele | 2 Aana |

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| To | Kolte Patil Developers Private Limited |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situate at Village Kiwale, Taluka Haveli, District Pune |
| Page | 4 of 7 |

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|--------------------------|--------|
| Purushottam Shankar Lele | 2 Aana |
| Narhar Shankar Lele | 2 Aana |

4. By and under a Sale Deed dated March 30, 1972 registered at Serial No. 846 of 1972 (i) Ganesh Gangadhar Lele, (ii) Ulhas Ganesh Lele, (iii) Ramesh Ganesh Lele, (iv) Malatibai Ganesh Lele, (v) Vishnu Shankar Lele, (vi) Uday Shankar Lele, (vii) Purushottam Shankar Lele, (viii) Narhar Shankar Lele, and (ix) Gangabai Shankar Lele with the consent of (i) Vijayalaxmi Vishnu Lele, (ii) Vasudha Purushottam Lele, and (iii) Varsha Narhar Lele sold, transferred, conveyed and assigned all their right, title and interest in respect of the property bearing Survey No. 19 Hissa No. 1 to 7+9 an area admeasuring 33 Acres 11 Gunthas, in favour of (i) Vishwanath Triloknath Meyar, and (ii) Shrikrishna Pratap Jeevandas Magan on the terms and conditions contained therein.

Comment:

Pursuant to the aforesaid, the land bearing Survey No. 19 Hissa No. 1 to 7+9 was sub-divided as follows:

| Sr.No. | Survey No. / Hissa No. | Area | Owners |
|--------|------------------------|---------------------|---|
| 1. | 19/1 to 7+9/1 | 33 Acres 11 Gunthas | (i) Vishwanath Triloknath Meyar, (ii) Shrikrishna Pratap Jeevandas Magan |
| 2. | 19/1 to 7+9/2 | 18 Gunthas | Ganesh Gangadhar Lele and others |

Mutation Entry No. 1618 dated November 13, 1972 confirms the same.

5. Mutation Entry No. 1683 dated November 8, 1973 records that pursuant to the application by (i) Vishwanath Triloknath Meyar, and (ii) Shrikrishna Pratap Jeevandas Magan the revenue records were mutated to reflect the share of (i) Vishwanath Triloknath Meyar (8 Aanas), and (ii) Shrikrishna Pratap Jeevandas Magan (8 Aanas) in respect of *inter alia* the captioned property.
6. By and under a Sale Deed dated September 17, 1981 registered at Serial No. 5314 of 1981 (i) Vishwanath Triloknath Meyar through attorney Shrikrishna Pratap Jeevandas Magan and (ii) Shrikrishna Pratap Jeevandas Magan sold, transferred, conveyed and assigned all their right, title and interest in respect of the properties set out therein *inter alia* the land bearing Survey No. 19 Hissa No. 1 to 7+9/1 admeasuring 13 Hectares 46 Ares, in favour of (i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok Shankar Masulkar, (v) Prakash Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar (being minor through guardian Shankar Kaluram Masulkar) for the consideration and on the terms and conditions contained therein. Mutation Entry No. 2259 dated November 6, 1981 confirms the same.

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| To | Kolte Patil Developers Private Limited |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situate at Village Kiwale, Taluka Haveli, District Pune |
| Page | 5 of 7 |

Comment:

- (i) *Prior to acquisition of the captioned property, the owners had obtained permission under section 63 of the Bombay Tenancy and Agricultural Lands Act, 1948 vide Order dated January 20, 1972 passed by the Additional Collector, Pune bearing No. TNC/SR/63/64/71 and Order passed by the Additional Collector, Pune dated June 20, 1981 bearing No. PTA/355/NU.*
- (ii) *It further appears that there was an encumbrance of Bank of Maharashtra, Kasarwadi branch in respect of the captioned property. We have been informed by the Owners that the same has been repaid but we have not been furnished with the evidence recording the repayment of the aforesaid encumbrance.*
7. By and under a Development Agreement dated May 10, 2007 registered at Serial No. 3511 of 2007 (i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok Shankar Masulkar, (v) Prakash Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar granted the development rights in respect of the captioned property in favour of Sampada Realities Private Limited represented through its directors (i) Manhar Ratilal Bhansali, (ii) Rajesh Keshav Chavan, (iii) Kirtikumar Mishrilal Bothra, (iv) Moreshwar Shankar Masulkar, (v) Dattatraya Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar on the terms and conditions contained therein.
8. By and under a General Power of Attorney dated May 10, 2007 registered at Serial No. 3512 of 2007 (i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok Shankar Masulkar, (v) Prakash Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar, and (vii) Sampada Realities Private Limited through its directors (a) Manhar Ratilal Bhansali, (b) Rajesh Keshav Chavan, (c) Kirtikumar Mishrilal Bothra, (d) Moreshwar Shankar Masulkar, (e) Dattatraya Shankar Masulkar, (f) Hemchandra Shankar Masulkar granted various powers in respect of the captioned property in favour of (i) Manhar Ratilal Bhansali, (ii) Rajesh Keshav Chavan, (iii) Kirtikumar Mishrilal Bothra, (iv) Moreshwar Shankar Masulkar, (v) Dattatraya Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar on the terms and conditions contained therein.
9. By and under a General Power of Attorney dated October 11, 2011 registered at Serial No. 9211 of 2011 (i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok Shankar Masulkar, (v) Prakash Shankar Masulkar, (vi) Hemchandra Shankar Masulkar, and (vii) Sampada Realities Private Limited through its directors (a) Rajesh Keshav Chavan and (b) Hemchandra Shankarrao Masulkar granted various powers in respect of the captioned property in favour of Disha Loharuka Infratech Private Limited through directors (i) Nitin Bhalchandra Kulkarni and (ii) Sanjay Bishan Goel on the terms and conditions contained therein.

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| To | Kolte Patil Developers Private Limited |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situate at Village Kiwale, Taluka Haveli, District Pune |
| Page | 6 of 7 |

Comment:

We have been informed by the Owners, that the aforesaid Power of Attorney has been granted by them in favour of Disha Loharuka Infratech Private Limited, who have been appointed as the work contractor by Sampada and the Owners, to develop the captioned property under the Construction Contract dated October 9, 2011. We have been informed that the same has been terminated/cancelled.

10. Mutation Entry No. 13068 dated January 1, 2017 records that the State Government has undertaken computerization of revenue records and as per the Order of the Tehsildar, Pune certain modifications came to be carried out on the 7/12 extract.

Opinion:

Subject to the aforesaid, in our view, (i) Moreshwar Shankar Masulkar, (ii) Kaluram Shankar Masulkar, (iii) Dattatraya Shankar Masulkar, (iv) Ashok Shankar Masulkar, (v) Prakash Shankar Masulkar, and (vi) Hemchandra Shankar Masulkar have clear and marketable title in respect of the captioned property and Sampada Realities Private Limited have development rights in respect of the captioned property.

Our Memo is based on the provisions of applicable law, prevailing at the present time and the facts of the matter, as we understand them to be. Our understanding is based upon and limited to the information provided to us. Any variance of facts or of law may cause a corresponding change in our Memo.

This Memo is addressed to and is solely for your benefit. We would be pleased to discuss the contents of this Memo and provide you with any additional information/clarifications that you may require. In case you have any specific queries relating to this Memo, please do not hesitate to contact us.



DSK Legal

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| To | Kolte Patil Developers Private Limited |
| Date | August 19, 2022 |
| Subject | Memo on title in respect of the property situate at Village Kiwale, Taluka Haveli, District Pune |
| Page | 7 of 7 |

Annexure "A"

- Sale Deed dated March 30, 1972 registered at Serial No. 846 of 1972;
- Sale Deed dated September 17, 1981 registered at Serial No. 5314 of 1981;
- Development Agreement dated May 10, 2007 registered at Serial No. 3511 of 2007;
- General Power of Attorney dated May 10, 2007 registered at Serial No. 3512 of 2007; and
- General Power of Attorney dated October 11, 2011 registered at Serial No. 9211 of 2011.

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