

# Madhukar Kokane

*Advocate.*

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## NOTICE / REPLY: (RPAD)

Date: / /20

### FORMAT - A (Circular No.: 28 / 2021)

To,  
MahaRERA,  
Add. - Housefin Bhavan, Plot No. C-21,  
E-Block, Bandra Kurta Complex, Bandra (E),  
Mumbai - 400 051;

### LEGAL TITLE REPORT

Sub:- Title Clearance Certificate with respect to land bearing S. No. 9 to 14, Hissa No. 2/1/1, admeasuring about 00 H. 79 Ares (i.e. 7,900 sq. mtr.), situated at village Mundhwa, Taluka Pune City, District Pune (hereinafter referred as the said plot).

1. I have investigated the title of the said plot on the request of BUILDWICK Spaces LLP, (Promoter & Builders), Having its office at:- 206, Vishal Venite, Magarpatta Road, Hadapsar, Pune - 411 028, Through its partner/member MR. ANKIT DINESHBHAI PATEL and following documents i.e.:-

#### 1) Description of the property -

All that piece and parcel of residential land bearing S. No. 9 to 14, Hissa No. 2/1/1, admeasuring about 00 H. 79 Area (i.e. 7,900 sq. mtr.), situated at village Mundhwa, Taluka Pune City, District Pune and same is within the local limits of Pune Municipal Corporation, Pune (previously within the limits of Grampanchayat Keshavnagar) and same is bounded as follows:-

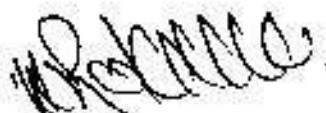
#### ON OR TOWARDS THE:-

|       |   |
|-------|---|
| EAST  | : By Road,                                |
| WEST  | : By Plot No. 69 from same survey number, |
| SOUTH | : By Road,                                |
| NORTH | : By land acquired by PMC.                |

Above said land alongwith all right, title and interest attached thereto.

#### 2) The documents of allotment of plot -

It appears from the record that, the land bearing S. No. 9 to 14, Hissa No. 2/1/1, admeasuring about 00 H. 79 Are (i.e. 7900 sq. mtr.), situated at village Mundhwa, Taluka Pune City, District Pune is owned by Mr. Ganesh Gurupad Gaikwad, Mr. Shetram @ Adarsh Gurupad Gaikwad & Mr. Shankar Rama Gaikwad



and their name have been recorded to the said land as owners and occupiers thereof;

It further appears from the record that, the land bearing S. No. 9 to 14, were in possession of the Irrigation Department of the State of Maharashtra for drainage purpose and the possession of the land admeasuring about 90 Acres were taken from the Irrigation Department by the Revenue Department of the State of Maharashtra by the order of the Collector Pune alongwith order passed by Tahsildar, Pune City and possession of the same has been taken by the Revenue Department of the State of Maharashtra and accordingly necessary mutation entry bearing no. 2858 has been effected in the village record and same is certified by the circle officer;

It further appears from the record that, as per the order of the State of Maharashtra the implementation of the Weight and Measurement Implementation Act 1958 has been carried out to the said village and as per Special District Inspector of Land Record necessary changes as regard the system thereof has been given to the 7/12 extract and the record of the village properties and necessary mutation entry bearing No. 3083 has been effected in the village record and same is certified by the circle officer Yerwada;

It further appears from the record that, the Tahsildar Pune City by their order bearing no. TSB/VASI/992/89, dated - 23/06/1989, has directed to record the name of Pune Municipal Corporation in the Kabjedar Column of the 7/12 extract of the said land, by deleting their name from other right column of the 7/12 extract of the said land and name of the Pune Municipal Corporation was recorded in the other right column of the 7/12 extract of the land bearing S. No. 6 of the village Mundhwa, Taluka Pune City, Dist. Pune and accordingly the land bearing S. No. 9 to 14/2/1, admeasuring about 00 H. 89 Are shown in the name of revenue department as a Kabjedar of the said land and the land bearing S. No. 9 to 14/2/2, admeasuring about 35 H. 53 Are as shown in the name of the Pune Municipal Corporation, Pune as a owner and occupier thereof and accordingly Tahsildar Pune City by their order alongwith the order issued by Assistant Commissioner, Pune Municipal Corporation Pune bearing no. LEO/1430, dated - 23/06/1989 and the order passed by the Collector Pune, bearing no. PRN/1328/1, dated - 03/10/1983 and PRH/1328/83, dated - 09/11/1983 and the Possession Receipt, dated - 04/10/1983 and dated- 12/10/1983 and the effect of the same has been given to the revenue record and accordingly necessary mutation entry bearing no. 4200 has been effected in the village record and same is certified by the circle officer Yerwada;

It further appears from the record that, the land bearing S. No. 9 to 14 from village Mundhwa, Taluka Pune City, Dist Pune, allotted to the 70 families of the nomadic tribe community by the order passed by the Collector Pune bearing no. PMF/1042/IV, dated-11/07/1989 and by the said order, each family allotted the land/ area admeasuring 00 H. 80 Are but the Collector Pune by their next order-bearing no. PMF/398/IV, dated - 16/02/1993 has corrected the previous order as mentioned above and the by next order the said families allotted the area admeasuring 00 H. 79 Are, and not the area admeasuring about 00 H. 80 Are and necessary correction has been made in the 7/12 extract of the said landed properties and as per said order the land bearing S. No. 9 to 14/2/1/1, admeasuring about 00 H. 79 Are has been allotted to Mr. Gurupad Rama Gaikwad as a owner and occupier of the said land and as per order pass by the Tahsildar Pune City by their no. bearing land/ 153/93, dated - 26/02/1993 alongwith the Collector Pune, bearing no. PMH/398/IV, dated- 06/02/1993 and accordingly necessary mutation entry bearing no. 4662 has been effected in the village record and same is certified by the circle officer;

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It further appears from record that, Mr. Gurupad Rama Gaikwad died on 10/01/1997, leaving behind sons namely Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad, married daughters namely Mrs. Nirmala Jyotiba Jadhav, Mrs. Vanmala Bhimsing Jadhav & Mrs. Ratnamala Balaji Jadhav as his absolute legal heirs and their name have been recorded to 7/12 extract of the land bearing S. No. 9 to 14, Hissa no. 2/1/1 & other properties from village Mundhwa, Tal. Pune City, Dist. Pune as legal heirs of the said deceased and accordingly necessary mutation entry bearing no. 6485 has been effected in the village record and same is certified by the circle officer;

It further appears from record that, Nirmala Gurupad Gaikwad @ Mrs. Nirmala Jyotiba Jadhav, Vanmala Gurupad Gaikwad @ Mrs. Vanmala Bhimsing Jadhav & Ratnamala Gurupad Gaikwad @ Mrs. Ratnamala Balaji Jadhav have released their undivided share and all right, title, Interest from the land bearing S. No. 9 to 14, Hissa no. 2/1/1, admeasuring about 00 H. 79 Are, situated at village Mundhwa, Tal. Pune City, Dist. Pune by virtue of duly registered Release Deed without consideration in favour of their brothers Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad on 05/09/2013 and said document has registered before the Sub Registrar Haveli no. III at serial no. 7855/2013 and name of the said releasers have been removed from the 7/12 extract of the said property and accordingly necessary mutation entry has been effected in the village record and same is certified by the circle officer Yerwada;

It further appears from record that, Mr. Ravindra Rama Gaikwad, Mr. Balbhit Rama Gaikwad & Mr. Narayan Rama Gaikwad have executed Deed of Confirmation in respect of the land bearing S. No. 9 to 14, Hissa no. 2/1/1 (Layout Plot No. 70), admeasuring about 00 H. 79 Are, situated at village Mundhwa, Tal. Pune City, Dist. Pune in favour of Mr. Ganesh Gurupad Gaikwad & Mr. Shetram @ Adarsh Gurupad Gaikwad on 12/12/2013 and said document has been registered before the Sub-Registrar Haveli No. XXIII at serial no. 8853/2013 and said executants have confirmed the ownership rights of Mr. Ganesh Gurupad Gaikwad & Mr. Shetram @ Adarsh Gurupad Gaikwad in respect of the said property;

It further appears from record that, Mr. Ganesh Gurupad Gaikwad, Mr. Shetram @ Adarsh Gurupad Gaikwad & their family members have executed Power of Attorney in respect of the land bearing S. No. 9 to 14, Hissa no. 2/1/1, admeasuring about 00 H. 79 Are, situated at village Mundhwa, Tal. Pune City, Dist. Pune in favour of Mr. Mitesh Bhayani (partner of Percept Infra) on 02/01/2014 and said document has been registered before the Sub-Registrar Haveli No. VII at serial no. 62/2014;

It further appears from record that, land owners through their power of attorney holder Mr. Mitesh N. Bhayani has submitted the building plan of proposed construction to the Pune Metropolitan Regional Development Authority, Pune (PMRDA) for its sanction & approval and said authority, after considering all legal aspect has sanctioned the said building plan vide their outward no. DP/BHA/Mau. Mundhwa/S.No. 9 to 14 Bhu. No. 70/Case No. 2348/10-17/ dated - 20/08/2016;

It further appears from record that Mr. Ganesh Gurupad Gaikwad, Mrs. Vandana Ganesh Gaikwad, Mr. Gaurav Ganesh Gaikwad, Mrs. Priya Gaurav Gaikwad, Mrs. Ayan Gaurav Gaikwad, Snehal Ganesh Gaikwad, Mr. Shetram @ Adarsh Gurupad Gaikwad, Mrs. Smita Adarsh Gaikwad, Ms. Shreya Adarsh Gaikwad, Mrs. Alharva Adarsh Gaikwad have executed Development Agreement & Irrevocable Power of Attorney in favour of the Buldkwick Spaces LLP (Promoter and Builders), limited liability partnership firm, through its partners / members Mr. Ankit Dineshbhai Patel, Mr. Devides Suresh Bhat on 01/06/2019 in respect of the said land bearing S. No. 9 to 14, Hissa No. 2/1/1 (having its revised / new Hissa No. 1/70), admeasuring about 00 H. 79 Ares (i.e. 7900 sq. mtr.,), situated at village Mundhwa, Tal. Pune City, Dist. Pune and said documents have registered before the Sub Registrar Havelli no. XI at serial no. 9071/2019 & 9074/2019 respectively and Ms. Percept Infra, through its partner Mr. Mitesh Bhayani has consented the said documents and said land owners & previous Promoter have granted the development rights of the said land to the said Promoter & Builders;

It further appears from record that, as per the order given by Sub-Divisional Officer, Pune Sub-Division, Pune, vide order no. RTS/Appeal No. 591/2011, dated – 30/07/2016, the mutation entry bearing no. 5485 has been cancelled and same has been re-mutated by adding the name of Late Ambubai Rama Gaikwad through her legal heirs Mr. Shankar Rama Gaikwad, Mr. Ravindra Rama Gaikwad, Mr. Balbhim Rama Gaikwad & Mr. Narayan Rama Gaikwad and name of said legal heirs has been recorded to 7/12 extract of the land bearing S. No. 9 to 14, Hissa no. 2/1/1, admeasuring about 00 H. 79 Ares & other properties, situated at village Mundhwa, Tal. Pune City, Dist. Pune and accordingly necessary mutation entry bearing no. 14283 has been effected in the village record and same is certified by the circle officer;

It further appears from record that, Mr. Ravindra Rama Gaikwad, Mr. Balbhim Rama Gaikwad & Mr. Narayan Rama Gaikwad have released their undivided share and all right, title, interest from the land bearing S. No. 9 to 14, Hissa no. 2/1/1, admeasuring about 00 H. 79 Ares & other properties, situated at village Mundhwa, Tal. Pune City, Dist. Pune in favour of Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad by virtue of duly registered Release Deed, dated – 09/03/2020 and said document has registered before the Sub Registrar Havelli no. XXVI at serial no. 4143/2020 and accordingly necessary mutation entry bearing no. 14405 has been effected in the village record and same is certified by the circle officer;

It further appears from record that, Mr. Shankar Rama Gaikwad has released his undivided share and all right, title, interest from the land bearing S. No. 9 to 14, Hissa no. 2/1/1 (layout Plot No. 70), admeasuring about 00 H. 79 Ares, situated at village Mundhwa, Tal. Pune City, Dist. Pune in favour of Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad by virtue of duly registered Release Deed, dated – 26/10/2020 and said document has registered before the Sub Registrar Havelli no. XXVI at serial no. 10995/2020 and Mrs. Subhadra Shankar Gaikwad & others given consent to the said document and accordingly necessary mutation entry bearing no. 14456 has been effected in the village record and same is certified by the circle officer.

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It further appears from record that, Deepika Kiran Gaikwad & Someshwari Shivdas Jedhav have executed Confirmation Deed in favour of Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad on 19/12/2020 to Release Deed, dated - 26/10/2020, which was registered before the Sub Registrar Haveli no. XXVI at serial no. 10895/2020, in respect of the land bearing S. No. 9 to 14, Hissa no. 2/1/1 (layout Plot No. 70), admeasuring about 00 H. 79 Ares, situated at village Mundhwa, Tal. Pune City, Dist. Pune and said Confirmation Deed have been registered before the Sub Registrar Haveli no. III at serial no. 8641/2020:

It further appears from record that, Mr. Ankit Dineshbhai Patel, Mr. Birenkumar Patel, Mr. Devidas Suresh Bhat & Mrs. Karuna Devidas Bhat have applied the Ministry of Corporate to incorporate limited liability partnership firm namely 'Buildwick Spaces LLP' and said authority has allowed the same on 18/03/2019 and according to that, said partners/members has executed LLP Agreement on 12/04/2019 and thereafter, Mr. Sachin Dineshbhai Patel, Mr. Deepkumar Jagdishbhai Patel & Mr. Kirtikumar Jethabhai Patel have admitted & included as partners/members and Mr. Devidas Suresh Bhat & Mrs. Karuna Devidas Bhat have retired from the said LLP and they have released their rights, as obtained through Development Agreement and Power of Attorney, dated - 01/06/2019 (said documents have registered before the Sub Registrar Haveli no. XI at serial no. 9071/2019 & 9074/2019 respectively) in favour of the existing partners/members by virtue of Supplementary LLP Agreement Containing Modification, dated - 19/03/2020 and thereafter, Mr. Kirtikumar Jethabhai Patel has retired from the said LLP by virtue of Supplementary LLP Agreement Containing Modification, dated - 29/02/2020 and the said previous / retired partners/members have assigned all their right, title & interest in respect of the said project in favour of the existing partners/members and hereinafter, the old / retired partners/members of the said LLP, have no any right, title & interest in & upon the said property and the said project;

It further appears from the record that, said property previously was within the limits of Grampanchayat Keshavnagar and now as per the Gazette of the State of Maharashtra has been incorporated within the limits of Pune Municipal Corporation, Pune:

It further appears from the record that, the land bearing S. No. 9 to 14, Hissa No. 2/1/1 of village Mundhwa (Keshavnagar), Taluka Pune City, District Pune was in the Caste Inam Warg-2 property and land holders Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad have preferred an application to the Collector Pune (Revenue Branch) for converting said Inam Warg into Warg-1 from Warg-2 and considering the said application, payment of full assessment, other related orders & documents, the said authority has changed the said Warg into Warg-1 from Warg-2, vide their order no. PML/Warg-1 Rupantar/SR/06/2019 Pune, dated - 03/03/2022 and accordingly necessary mutation entry bearing No. 14959 has been effected village record and same is certified by the Circle Officer Yerwada;



It further appears from the record that, the land owners through their power of attorney holder (i.e. the Promoter & Builders) have preferred the application to the Tahsildar, Pune City on 15/03/2022 to change the use of the said land and also to fix the non-agricultural occupancy price of the said land and said authority after considering all legal aspect has issued necessary order as regard the same, vide their outward/letter no. JaminSR/14/2022, dated – 17/03/2022;

It further appears from record that, the Promoter and Builders has submitted the building plan of the proposed construction, to the Pune Municipal Corporation for its approval & sanction and said authority after considering all legal aspect has approved & sanction the same and issued Commencement Certificate bearing no. CC/1694/2019, dated: 23/10/2019 and revised Commencement Certificate bearing no. CC/0249/2020, dated: 21/07/2020 and allowed to construct the multistoried building in and upon the said land as per approved & sanctioned plan of the PMC. The abovesaid Promoter and Builders has applied for the Pune Municipal Corporation for revise the building plan of the said project and PMC has allowed the same and has issued necessary Commencement Certificate, bearing no. CC/1048/22, dated: 21/07/2022;

**3) 7/12 extract & Mutation Entry –**

- a) 7/12 extract of the land bearing S. No. 9 to 14, Hissa No. 2/1/1 of village Mundhwa, Taluka Pune City, District Pune, issued by Talathi, Mundhwa, Pune, dated – 30/07/2021;
- b) Mutation Entry Nos. 2858, 3083, 4200, 4662, 5485, 14283, 14405 & 14456

**4) Search report for 30 years from 1992 till 2021**

2. On perusal of the above mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of the following owner and the Promoter & Builders is clear, marketable and without any encumbrances.

Owner and the Promoter & Builders of the land –

- (1) Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad are owners of the land bearing S. No. 9 to 14, Hissa no. 2/1/1, admeasuring about 00 H. 79 Ares, of village Mundhwa, Taluka Pune City, District Pune;
- (2) Buildwick Spaces LLP, through its partner/member Mr. Ankit Dineshbhai Patel is Promoter & Builders of the land bearing S. No. 9 to 14, Hissa no. 2/1/1, admeasuring about 00 H. 79 Ares, of village Mundhwa, Taluka Pune City, District Pune;
- (3) Qualifying comments / remarks – the said land is on the new tenure/restricted ownership land;

3. The report reflecting the flow of the title of the Mr. Ganesh Gurupad Gaikwad & Mr. Shetram Gurupad Gaikwad as land owners and Buildwick Spaces LLP, through its partner/member Mr. Ankit Dineshbhai Patel as Promoter & Builders of the said land is enclosed herewith as annexure.

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FLOW OF THE TITLE OF THE SAID LAND.

**Sr. No.**

**1) 7/12 extract :-**

7/12 extract of the land bearing S. No. 9 to 14, Hissa No. 2/1/1 of village Mundhwa, Taluka Pune City, District Pune, issued by Talathi, Mundhwa, Pune, dated - 30/07/2021;

Mr. Ganesh Gurupad Gaikwad & Mr. Shelram Gurupad Gaikwad are the owners of the said land and their name have been recorded to 7/12 extract of the said land as owners thereof and Buildwick Spaces LLP, through its partner/member Mr. Ankit Dineshbhai Patel is Promoter & Builders of the said land and they have right to construct the multistoried buildings on ownership basis in & upon the said land;

**2) Mutation Entry Nos. :-**

2858, 3083, 4200, 4682, 5485, 14283, 14405 & 14458

**3) Search report for 30 years from 1992 to 2021 taken from Sub-Registrar office at Havell No. III & VI and also from E-search through paid search facility by the following challan :-**

The online search challan, having its GRN No. MH004265424201920E, dtd:- 22/07/2019, online search challan, having its GRN No. MH003921787202021E, Receipt No. 1111829188, dtd:- 03/09/2020 and online search challan, having its GRN No. MH007095328202122E, Receipt No. 1112154442, dtd:- 05/10/2021



4) Any other relevant title -

the said land is on the new tenure/restricted ownership land;

5) Litigations if any - No

Date : 19/09/2022

25/07/2022

W.B.M.L.

Housiey.com