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Court :
Chamber No. C-24,
New Lawyer's Chambers,
District Court Compound,
Shivajinagar, Pune - 411 005.

TITLE REPORT

July 29, 2022

1. **DESCRIPTION OF THE PLOT:**

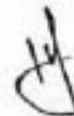
All that Plot No. B+C total admeasuring 27407.35 sq.mt. out of revised sanctioned No. BP/ Layout / Moshi / Borhadewadi/37/2013 dated 02.09.2013 of Gat No.275 (part) of village Borhadewadi (old Gat No.1393 part of village Moshi) Taluka Haveli, District Pune, within the limits of the Registration District of Pune, Sub Registrar, Haveli, Pune and Pimpri Chinchwad Municipal Corporation, which is bounded as under,

East : old G.No.1392, Gat No.275 (part) and
old G.No. 1399
South : Plot No. G and A out of said Layout.
West : 18-Meter-wide DP Road
North : 24-Meter-wide DP Road

(Hereinafter referred to as the said "Plot")

2. **INSTRUCTIONS:**

Under instructions from Vikram Bajirao Bhosale as the designated partners of ANSHUL BHOSALE REALTY LLP, (LLP Identification No.AAX-0883) now a limited liability partnership incorporated and registered under Section 58(1) of the Limited Liabilities Partnership Act 2008, previously known as M/s. ANSHUL BHOSALE REALTY, a partnership firm, registered under the Indian Partnership Act, 1932, having its office at : Office No.4, BGC, Abhivadan Apartments, above Gandharv Hotel, Shivajinagar, Pune 411005, (the said "DEVELOPER"), I have caused the search to have been taken relating to the said Plot and investigated the title thereto.



3. SEARCH:

(a) Advocate Omkar Pradeep Tamboli of Pune took the search of concerned Index-2 Registers available, except some which were found illegible and torn, pertaining to the said Property from 1992 onwards till today, and also online search available on official website of the Registrar General Maharashtra, vide GRN No.MH 005625190202223P dated 27/07/2022.

(b) His report dated 28.07.2022 states that no transaction encumbering or pertaining to disposal of the said Plot in any manner was found to have been entered, except otherwise mentioned in the report.

(c) He has also maintained that the search is subject to the registers available online and/or physically.

4. PUBLIC NOTICE:

I issued public notices dated 25.09.2011 in daily "Prabhat", a Marathi daily being published in and from Pune, inviting objections, if any, from concerned people, relating to the said Plot. In response to the said public notices, I did not receive any objection of any nature.

5. DOCUMENTS:

I perused the copies of the following documents entrusted to me, for the purposes of this title report.

Sr. No.	Particulars
1	Consolidation Scheme Extract of old Gat No.1393 of village Moshi Taluka Taluka Haveli, Dist Pune.
2	VF 7/7A/12 extracts of Gat No.1393 by its new Gat No.275 for last 30 years,



3	Relevant Mutation entries during the said period from 1960 to 2022 relating to Gat No.1393 by its new Gat No.275
4	Release dated 29.05.2006, executed by Smt. Shakuntala Nivruti Bhosle, and others in favour of Balu Ananta Saste, Chandrakant Ananta Saste, Sandip Ananta Saste, Smt. Shantabai Ananta Saste, Smt. Hirabai Ananta Saste, registered in the office of Sub. Registrar, Haveli No.18, at the serial No. 3973/2006 registered on 31.05.2006.
5	Deed of Partition dated 04.09.2009, executed by Balu Ananta Saste and others, registered in the office of Sub Registrar, Haveli No.19, at the serial No. 4007/2009.
6	Deed of Partition dated 31.08.2009, executed by Balu Ananta Saste and others,
7	Deed of Confirmation dated 19.04.2011, executed by Balu Ananta Saste and others, registered in the office of Sub Registrar, Haveli No.19, at the serial No. 3901/2011 registered on 21.04.2011.
8	Demarcation map relating to the land bearing Gat No. 275 at very Urgent <i>Mojni</i> Register No. 2778/2012 demarcated on 07/11/2012 by the Taluka Inspector of Land Record of Taluka Haveli, District Pune, under the Maharashtra Land Revenue (Boundaries and Boundary Marks) Rules,1969, framed under Chapter-IX of the Maharashtra Land Revenue Code,1966
9	Zone Certificate No. NRV/Zone Dakhala/Kavi/175/2011, dated 25/05/2011, issued by the Assistant Engineer, Development Plan, of Pimpri Chinchwad Municipal Corporation.

10	Development agreement and power of attorney both dated 09.08.2011, registered in the office of Sub. Registrar, Haveli No.19, at the serial No. 7810/2011 and 7811/2011 on the same day, executed by Balu Ananta Saste and others in favour of Developer of portion admeasuring 9064.90 sq.mt. out of tentative Plot No. B, admeasuring 11458.83 sq.mt. out of Gat No.275.
11	Development agreement and power of attorney both dated 09.08.2011, registered in the office of Sub.Registrar, Haveli No.19, at the serial No. 7812/2011 and 7813/2011 on the same day, executed by Balu Ananta Saste and others in favour of Developer of tentative Plot No. C, admeasuring 15948.25 sq.mt. out of Gat No.275.
12	Release dated 31/01/2017, executed by Shantabai Ananta Saste & Hirabai Ananta Saste in favour of Balu Ananta Saste, Chandrakant Ananta Saste, Sandip Ananta Saste, registered in the office of Sub. Registrar, Haveli No. 14 at the serial No. 580/2017 registered on 31/01/2017.
13	Sanctioned Plot Layout of portion admeasuring 42896.26 sq.mt. out of Gat No.275 vide Sanction No. BP/Layout/Moshi/Borhadewadi/37/2013 dated 02.09.2013
14	Building Layout and permission vide Sanction No. BP/Layout/Moshi/Borhadewadi/37/2013 dated 02.09.2013, granted permission for construction of the buildings for the purpose of residence and commercial issued by the Pimpri Chinchwad Municipal Corporation.
15	Order dated 05.02.2014 bearing No. PMH/NA/SR/793/13 issued by the Office of the

	Collector of Pune granting non-agricultural permission under Section 44 of the Maharashtra Plot Revenue Code, 1966,
16	Completion Certificate No. 246/2021 dated 10/06/2021 issued by the Municipal Corporation of Pimpri Chinchwad for Building No. C and D in the Plot B+C
17	Rera Registration certificate No. P52100000851 dated 23.07.2017 for the building No. C and D, issued by the Maharashtra Real Estate Regulatory Authority Mumbai.
18	LLP conversion Registration Certificate vide no. AAX-0883 dated 20/05/2021.
19	Revised Building permission vide Sanction No. BP/Layout/Moshi/Borhadewadi/37/2022 dated 15.06.2022, granted permission for construction of the buildings for the purpose of residence and commercial issued by the Pimpri Chinchwad Municipal Corporation.
20	Ex. 1 of Spl. Civil Suit No. 1568/2012 filed by Dasharath Dinkar Khalse and others against the Owners and the Developer.
21	Ex. Written Statement filed by Owners in Spl Civil Suit No.1568/2012
22	Order below Ex.5 dated 04/05/2013 passed in the Spl Civil Suit No.1568/2012
23	Ex. 1 of Regular Civil Suit No. 62/2022 filed by Dasharath Dinkar Khalse and others against the Owners and the Developer.
24	Royalty Case No. 354/2021 before the Sub Divisional Officer Haveli,
25	Part Completion Certificate No. 246/2021 dated

	30.06.2021, issued by the Pimpri Chinchwad Municipal Corporation.
26	My Title Report dated 10.01.2012 and Supplement thereto dated 18.02.2014

6. **INFORMATION:**

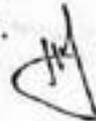
I also collected information found necessary in respect of the said Plot from Balu Annata Saste as the one of the Owner of the said Plot and Vikram Bhosale as the designated partner of M/s Anshul Bhosale Realty, LLP as the Developer.

7. **INCIDENTS:**

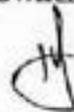
- a. In consolidation proceedings taken place in the year 1970 or thereabout, under the Bombay Prevention of Fragmentation and Consolidation of Holdings Act, 1947 for village Moshi of Taluka Haveli, Dist. Pune, in the said proceeding the land bearing erstwhile Survey No.146/8 (part) and SurveyNo.146/9(part) was converted into the Block (Gat) No.1393 admeasuring Hectare 6.39 Ares, said effect was recorded vide mutation entry No.1, dated 17.01.1970 to the record of rights thereof, thereafter the revenue village Moshi of Taluka Haveli was bifurcated into two parts being village revenue village Moshi and revenue village Borhadewadi, in the said village bifurcation the new Gat No.275 is allotted for the old Gat No.1393 of village Moshi, said effect was also recorded to the record of rights thereof.
- b. It is seen from the revenue record the old Gat No.1393 new Gat No.275 was on owned by the Ananta Balkrishna Saste, who expired on 24.02.1980, and after his death said Gat Number came to the possession of his sons Balu Ananta Saste, Chandrakant Ananta Saste, Sandeep Ananta Saste, married daughters Shakuntala Nivruti Bhosale, Phulabai

Nathu Bhosale, Mangal Dattatray Yalwande, Kalpana Jagannath Shirole, Manjula Gulab Sawant, two wives Shanabai Ananta Saste and Hirabi Annata Saste and one brother Hiranman Balkrishna Saste, the said effect was recorded vide mutation entry No.521 dated 04.04.1980 to the record of rights thereof,

- c. the said married daughters Shakuntala Nivruti Bhosale, Phulabai Nathu Bhosale, Mangal Dattatray Yalwande, Kalpana Jagannath Shirole and Manjula Gulab Sawant released their right, title and interest in the land bearing Gat No.275 together with others land in favour of Balu Ananta Saste, Chandrakant Ananta Saste, Sandip Ananta Saste, Smt. Shantabai Ananta Saste and Smt. Hirabai Ananta Saste by Deed of Release dated 29.05.2006, registered in the Office of Sub Registrar Haveli No.18 at the Sr.No.3973/2006 on 31/05/2006, the said effect was recorded vide mutation entry no.2485 dated 03.06.2006, to the record of rights thereof,
- d. there was partition between the heirs of deceased Anant Balkrishan Saste by name Balu Ananta Saste, Chandrakant Ananta Saste, Sandeep Ananta Saste and the heirs of deceased Hiranman Balkrishan Saste on 31.08.2009, in the said partition the portion admeasuring Hectare 4.29 Ares out of Gat No.275 given into the share of Balu Ananta Saste, Chandrakant Ananta Saste, Sandeep Ananta Saste, Smt. Shantabai Ananta Saste and Hirabai Ananta Saste, same also confirmed by Deed of Confirmation dated 19.04.2011, registered in the Office of Sub Registrar Haveli No.19 at the Sr.No.3901/2011 on 21/04/2011.



- e. there was again partition of portion admeasuring Hectare 4.29 Ares out Gat No.275, between Balu Ananta Saste, Chandrakant Ananta Saste, Sandeep Ananta Saste, Smt. Shantabai Ananta Saste and Hirabai Ananta Saste on 04.09.2009, registered in the office of Sub Registrar Haveli No.19 at the Sr.No.4007/2009 on the same day, in the said partition (i) portion admeasuring Hectare 1.40 Ares given in to the share of Balu Ananta Saste, (ii) portion admeasuring Hectare 1.40 Ares given in to the share of Chandrakant Ananta Saste, (iii) portion admeasuring Hectare 1.40 Ares given in to the share of Sandeep Ananta Saste, (iv) portion admeasuring Hectare 0.05 Ares given in to the share of Smt. Shantabai Ananta Saste and (v) portion admeasuring Hectare 0.04 Ares given in to the share of Hirabai Ananta Saste, said effect was recorded vide mutation entry no. 3569 dated 01.10.2009 to the record of rights thereof.
- f. by the Development Agreement and a power of attorney, both dated 09.08.2011, registered in the office of Sub.Registrar, Haveli No.19, at the serial No.7810/2011 and 7811/2011 on 10.08.2011 respectively, the Balu Ananta Saste, Laxmi Balu Saste, Reshma Balu Saste, Dhanraj Balu Saste, Pallavi Balu Saste, Chandrakant Ananta Saste, Madhuri Chandrakant Saste, Akanksha Chandrakant Saste, Sandip Ananta Saste, Varsha Sandip Saste, Shivraj Sandip Saste, Srushti Sandip Saste, Smt. Shantabai Ananta Saste and Hirabai Ananta Saste, granted development rights of portion admeasuring 9064.90 sq.mt. out of tentative Plot No. B totally admeasuring 11458.83 sq.mt. out of larger portion admeasuring 4.29 Ares, out of Gat No.275 (old Gat Number 1393) to Developer, so also agreed to convey their rights unto and in favour of the ultimate purchasers, as contemplated by the Maharashtra Ownership Flats Act,1963



by retaining 40% construction in the building and said Owners also appointed Developer as the Attorney Holder for Development of said Plot by power of attorney dated 09.08.211, registered in the office of Sub. Registrar, Haveli No.19, at the serial No.7811/2011 on 10.08.2011,

- g. by the second Development Agreement and a power of attorney, both dated 09.08.2011, registered in the office of Sub.Registrar, Haveli No.19, at the serial No.7812/2011 and 7813/2011 registered on 10.08.2011, the Owners Balu Ananta Saste, Laxmi Balu Saste, Reshma Balu Saste, Dhanraj Balu Saste, Pallavi Balu Saste, Chandrakant Ananta Saste, Madhuri Chandrakant Saste, Akanksha Chandrakant Saste, Sandip Ananta Saste, Varsha Sandip Saste, Shivraj Sandip Saste, Srushti Sandip Saste, Smt. Shantabai Ananta Saste and Hirabai Ananta Saste, granted development rights relating to tentative Plot No. C total admeasuring 15948.25 sq.mt. out of larger portion admeasuring 4.29 Ares, out of Gat No.275 (old Gat Number 1393) total admeasuring Hectare 6.39 Ares, to Developer, so also agreed to convey their rights unto and in favor of the ultimate purchasers, as contemplated by the Maharashtra Ownership Flats Act,1963 by retaining 40% construction in the said building, and said Owners also appointed Developer as the Attorney Holder for Development of the said Land by power of attorney dated 09.08.211, registered in the office of Sub.Registrar, Haveli No.19, at serial No.7813/2011 registered on 10.08.2011,
- h. the Shantabai Ananta Saste and Hirabai Annata Saste released also their right, title and interest in the land bearing Gat No.275 together with others land in favor of Balu Ananta Saste, Chandrakant Ananta Saste, Sandip Ananta Saste by Deed of Release dated 31/01/2017, registered in the Office

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of Sub Registrar Haveli No. 14 at the Sr. No. 580/2017 the said effect was recorded vide mutation entry no. 7315 dated 22/07/2020 to the record of rights thereof,

8. **DEVELOPMENT:**

- a. the portion admeasuring Hectare 4.29 Are out of said Land bearing Gat No. 275 has also been demarcated by the office of the Taluka Inspector of Land Records under the Maharashtra Land Revenue Code, 1966 at Very Urgent *Mojni* Register No. 2778/12 demarcated on 07.11.2012, under the Maharashtra Land Revenue (Boundaries and Boundary Marks) Rules, 1969, framed under Chapter-IX of the Maharashtra Land Revenue Code, 1966.
- b. as per the sanction Development Plan of Pimpri Chinchwad Municipal Corporation the Gat No. 275 shown in the residential zone including the said Plot. This is witnessed by zone certificate No. 175/2011 dated 25.05.2011 issued by the Pimpri Chinchwad Municipal Corporation.
- c. the Hon'ble Collector of Pune also granted permission to use the said Plots for non-agricultural purposes of commerce *vide* his Order dated 05.02.2014 bearing No. पमह/एनए/एसआर/793/13.
- d. the Pimpri Chinchwad Municipal Corporation sanctioned the sub division layout of larger portion admeasuring Hectare 4.29 Are out of Gat No.275 into Plots bearing Numbers A, B+C, D, E F and G *vide* Sanction No. BP / Layout / Moshi/ 37/2013 dated 02.09.2013 and also granted building permission for construction of the buildings for the purpose of residence and commercial in the Plot No. B+C and revision

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there to dated 26.04.2014 vide No. BP/Moshi/Borhadewadi/23/2014 dated 26.04.02.2014.

- e. the Pimpri Chinchwad Municipal Corporation sanctioned the buildings for the construction of residential and commercial buildings in the said Plot *vide* revised BP / Borhadewadi/ 37/2022 dated 15.06.2022
- f. the Developer developing the building No. A, B, C and D on the north side Plot No. B+C adjoint to the DP Road into Phases, comprising of Buildings A, B, B1, C, D, accordingly, the Developer developed the Buildings C and D, the Pimpri Chinchwad Municipal Corporation issued Part Completion Certificate No.246/2021 dated 30.06.2021 and Developer and Owners also disposed of the Units constructed therein to the respective purchases,
- g. The real estate project for the Building No. C and D on the said Plot No. B+C has also been registered under section 3(1) r/w section 5 of the Real Estate (Regulation and Development) Act,2016 ("RERA" hereinafter) r/w Rule 6 of the Maharashtra Real Estate (Regulation and Development) (Registration of Real Estate Projects, Registration of Real Estate Agents, Rates of Interest and Disclosures on Website) Rules 2017 with the Real Estate Regulating Authority, Maharashtra *vide* Registration Certificate of Project No.P52100000851 dated 23.07.2017 relating to phase named as building No. C and D
- h. the Anshul Bhosale Realty, partnership firm converted into Anshul Bhosale Realty LLP under section 58(1) of the LLP Act 2008 and issued certificate No. LLP Identification Number

AAX-0883 dated 20.05.2021 by the Asst. Registrar of Companies.

- i. now the Developer developing the Building No. A in the Plot No.B+C as per permission granted by the Pimpri Chinchwad Municipal Corporation vide revised No. BP/Borhadewadi/37/2022 dated 15.06.2022

9. Court Litigation:

- a. Spl. Civil Suit No. 1568/2012 was filed by Plaintiff i.e. Dadu Dinkar Khalase and others against Defendants Owners, Developers and others in the Court of Civil Judge Sr. Division Pune, for demolition of compound wall which was constructed by the Developer on the boundary of portion admeasuring 13 Are and said Plot out of larger land bearing Gat No.275, however injunction application under Ex.5 was rejected on 04.05.2013 subject to do not the disturb the possession of the Plaintiff of suit land, However the said portion admeasuring 13 Are and Plot of the Owners No. B+C are the separate Properties they are no concern to each other, hence the plaintiff have no merit in the said Suit.
- b. said Dadu Dinkar Khalase and others are filed 2nd Suit bearing Reg. Civil Suit No.62/2022 against Defendants Owners, Developers and others in the Court of Civil Judge Jt. Division Pune, for declaration of ownership as per adverse possession of portion admeasuring 13 Are out of Gat No.275, however said Dadu Dinkar Khalase himself is not in possession of suit property, hence the plaintiff have no merit in the said Suit.



- c. the Upper Tahasildar Pimpri Chinchawd, Taluka Haveli, Dist. Pune issued Order dated 01/04/2014 in the case No.Royalti/SR/83/2013 to pay royalty together with interest there of total Rs. 01,29,55,709/- against said Plot and incumbrances of this amount recorded in 7/12 extract of the said Plot vide mutation 6736 to the record of rights thereof, however the Developer filed Appeal No. 354/2021, before the Sub Divisional Officer Haveli, same is pending for final hearing.

10. **OPINION:**

On the basis of the perusal of the documents, search and information gathered, as herein before mentioned, I am of the opinion that,

- a. the Plot No. B+C is owned Balu Ananta Saste, Chandrakant Ananta Saste and Sandip Ananta Saste and Owners granted development rights of portion admeasuring 25013.15 sq.mt. including the said Plot B+C.
- b. the said Developer is entitled to develop the Building No. A in the said Plot No. B+C and to dispose of the same or the units constructing therein to any intending purchasers after registration under RERA Act.



H N JAGTAP,
Advocate

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