

**SANJAY T. AGARWAL
ADVOCATE**

‘Gopalkrupa’, Revenue Colony,
Shivajinagar, Pune- 411005
Mobile No. 9822097441

To,
Hon’ble MAHARERA Authority,
Address: 6th & 7th floor, Housefin Bhavan,
Plot No. C-21, E Block, Bandra Kurla Complex,
Bandra (E), Mumbai- 400051

LEGAL TITLE REPORT

Subject: Title Clearance Certificate with respect to S. No. 45/1 and 45/2 totally admeasuring area 03 Hector 85 Are situated at Bavdhan Khurd, Taluka: Mulshi, District: Pune

I have investigated the title of the said plot on the request of M/s. VMC Landmark Realty LLP and following documents i.e.

1) Description of the property:

S. No. 45/1 and 45/2 totally admeasuring area 03 Hector 85 Are situated at Bavdhan Khurd, Taluka: Mulshi, District: Pune within the local limits of Pune Municipal Corporation.

2) The documents of allotment of plot:

a) Copy of Sale Deed dated 31/03/2021, Power of Attorney dated 10/06/2021 and Indemnity Bond dated 10/06/2021 registered in the office of Sub-Registrar, Haveli No. IV, Pune at Sr. No. 6839/2021, 6840/2021 and 6841/2021 respectively in respect of S. No. 45/1.

b) Copy of Sale Deed dated 31/03/2021, Power of Attorney dated 10/06/2021 and Indemnity Bond dated 10/06/2021 registered in the office of Sub-Registrar, Haveli No. IV, Pune at Sr. No. 6836/2021, 6838/2021 and 6842/2021 respectively in respect of S. No. 45/2.

3) 7 x 12 extracts & Mutation Entry Nos. 6376 and 6506.

4) Search Report for 36 years from 1986 till 2022.

On perusal of all the above documents and relevant documents relating to title of the said property, I am of the opinion that the title of **M/s. VMC Landmark Realty LLP with respect to S. No. 45/1 and 45/2 totally admeasuring area 03 Hector 85 Are situated at Bavdhan Khurd, Taluka: Mulshi, District: Pune** is clear, marketable and without any encumbrance.

The report reflecting the flow of the title of the owner on the said land is enclosed herewith as Annexure.

ENCL: Annexure:

Date: 24/02/2022


SANJAY T. AGARWAL
SANJAY T. AGARWAL
ADVOCATE

B.Com., L.L.B. Advocate
OFFICE No. 401, 'GOPALKRUPA APARTMENT'
REVENUE COLONY, BEHIND HOTEL SURBHI,
NEAR JANGLI MAHARAJ TEMPLE, JM ROAD,
SHIVAJINAGAR, PUNE 411005
TEL NO: 9764582231

**SANJAY T. AGARWAL
ADVOCATE**

Office No. 401, 'Gopalkrupa
Apartment', Revenue Colony,
Behind Hotel Surabhi, Near
Jangli Maharaj Temple, JM
Road, Shivaji Nagar,
Pune- 411005
Ph. No. 9822097441

SEARCH AND TITLE REPORT

This is a Search and Title Report, in respect of lands bearing S. 45/1 and 45/2 each admeasuring area 01 Hector 92.5 Are including potkharaba admeasuring area 2.50 Are assessed at Rs 8 and paise 60 each, total land admeasuring area 03 Hector 85 Are along with all existing trees, well and structures standing there on and things attached thereto with incidental rights therein, situated at Village: Bavdhan Khurd, Taluka: Mulshi, District: Pune (hereinafter referred to and called as 'the said lands').

- 1) I was entrusted with an assignment by M/s. VMC Landmark Realty LLP, A Limited Liability partnership, registered as per provisions of the Limited Liability Partnership Act, 2008, bearing registration no. AAV2962, Having its registered office at: Office 401-A, Fourth Floor, C Building, City Bay, Boat Club Road, Pune 411001, represented through its Designated Partners, Shri. Sumit Subhash Tayal and Shri. Shyamlal Patiram Goel, Mr. Sunil Rameshwar Agarwal and Mr. Rakesh Chanderbhan

Agarwal to have a Search for the last 36 years and issue Title Report, in respect of the said lands.

- 2) Accordingly, a search for the last 36 years has been carried out and completed in respect of the said lands, in the Office of the Sub-Registrar, Haveli, (Pune), vide Search Receipt No. MH007243320202122P dated 07/10/2021 and No. MH013594623202122U dated 24/02/2022 issued by Sub-Registrar Haveli No. 21 (Pune). The said Original Receipts are attached to this Report, forming part of it.
- 3) The search for the transactions for the period from the year 1986 till the year 2022 is taken online from the official website of IGR. The search for the period from 01/01/1986 to 23/02/2022 was taken physically in the office of Sub Registrar Haveli No. 21 Pune. However, the physical record is not properly maintained. Some of the registers were missing and few were in torn condition. Except the transaction referred hereunder no record of any other transaction was found or revealed during the search.
- 4) The copies of certain documents and revenue record were also made available for my inspection, which have been referred to in this Report. Therefore, this Report is prepared solely based on the record and documents, those were made available for my inspection and presuming the same to be true and genuine.
- 5) The said lands were originally part of the larger land of Survey No. 45 of village Bavdhan Khurd, (hereinafter for the

sake of brevity referred to as the “Larger Land”. The said Larger Land was originally owned and possessed by Mr. Martand Trimbak Gadre prior to the year 1933. Mr. Martand Trimbak Gadre had sold the larger land to Mr. Vishnu Narayan Vartak by Sale Deed dated 23/03/1933. Accordingly, name of Mr. Vishnu Narayan Vartak was recorded to the revenue extract by Mutation Entry bearing No. 172. By and under a Deed of Purchase dated 08/06/1950 duly registered with the Sub-Registrar of Assurances, Maval at Serial No. 760/1950, Shri Damodar Vishnu Vartak, Shri Ganesh Vishnu Vartak and Shri Anant Vishnu Vartak sold and transferred their undivided right, title, interest and share in Survey No. 45 to one Shri Mahadeo Bhimaji Bhagwat. Vide Mutation Entry No. 471, name of the Purchaser Shri Mahadeo Bhimaji Bhagwat was mutated in Revenue Records as holder/owner of the said Survey No. 45 Bavdhan Khurd. Thereafter partition took place between Mr. Mahadeo Bhimaji Bhagwat, Mr. Chandrakant Mahadeo Bhagwat and Mr. Maruti Mahadeo Bhagwat in respect of the said larger land and other lands. According to the said Partition Deed dated 04/03/1980, the larger land was divided into two parts i.e. Survey No. 45/1 admeasuring area 1 Hector 92.5 Are and Survey No. 45/2 admeasuring area 1 Hector 92.5 Are. On the basis of the aforesaid Partition Deed, two separate 7/12 extracts of original Survey No. 45 Bavdhan Khurd were prepared. As per the said Partition Deed Survey No. 45/1

was allotted to Mr. Chandrakant Mahadeo Bhagwat and Survey No. 45/2 was allotted to Mr. Maruti Mahadeo Bhagwat. The effect of the said Partition Deed was recorded to the revenue extract vide Mutation Entry No. 1353. After the effect of the said Partition Deed, Mr. Chandrakant Mahadeo Bhagwat was in the exclusive possession of the land bearing Survey No 45/1 and Mr. Maruti Mahadeo Bhagwat was in the exclusive possession of the land bearing Survey No 45/2.

- 6) Said Mr. Chandrakant Mahadeo Bhagwat sold Survey No. 45/1 admeasuring area 1 Hector 92.5 Are to Mr. Laxminarayan Jagannath Rathi, Mrs. Sundarbai Laxminarayan Rathi, Mr. Kishor Laxminarayan Rathi, Mrs. Aruna Kishor Rathi, Mr. Madhusudan Laxminarayan Rathi, Mrs. Prema Madhusudan Rathi, Mr. Sudarshan Laxminarayan Rathi, Mrs. Nirmala Sudarshan Rathi, Mr. Ramchandra Jagannath Rathi, Mrs. Leelabai Ramchandra Rathi, Mr. Vasant Ramchandra Rathi, Mrs. Anuradha Vasant Rathi, Mr. Vijaykumar Ramchandra Rathi, Mrs. Mridula Vijaykumar Rathi, Dr. Ramwilas Jagannath Rathi, Mrs. Kusum Ramwilas Rathi, Mr. Pradeepkumar Ramwilas Rathi, Mrs. Subhadra Pradeepkumar Rathi, Mr. Balkrishna Jagannath Rathi, Mrs. Kusum Balkrishna Rathi, Mr. Ajoy Balkrishna Rathi, Mrs. Nisha Ajoy Rathi, Mr. Rajesh Balkrishna Rathi, Mr. Harinarayan Jagannath Rathi, Mrs. Kamala Harinarayan Rathi, Mr. Sunil Harinarayan Rathi,

Mr. Nilesh Harinarayan Rathi, Mr. Narayandas Jagannath Rathi, Mrs. Suman Narayandas Rathi and Mr. Anuj Narayandas Rathi by executing a Sale Deed dated 14/07/1988. The said Sale Deed was registered in the office of Sub-Registrar Maval at Serial No.3319/1988. Accordingly, names of the Purchasers therein were entered in the Revenue Record by virtue of Mutation Entry No. 1871. Possession of the said S. No. 45/1 was handed over to the Purchasers therein by their Vendors against the execution of aforesaid Deed of Sale in the year 1988 itself. In the said Sale Deed, percentage of holding of each of the purchaser under the said Sale Deed was specifically stated. Thus, all the purchasers under the said Deed of Sale were holding specific undivided share in the said land S. No. 45/1.

7) So also Mr. Maruti Mahadeo Bhagwat and Mr. Manoj Maruti Bhagwat had sold Survey no 45/2 admeasuring area 1 Hector 92.5 Aare to Mr. Laxminarayan Jagannath Rathi, Mrs. Sundarbai Laxminarayan Rathi, Mr. Kishor Laxminarayan Rathi, Mrs. Aruna Kishor Rathi, Mr. Madhusudan Laxminarayan Rathi, Mrs. Prema Madhusudan Rathi, Mr. Sudarshan Laxminarayan Rathi, Mrs. Nirmala Sudarshan Rathi, Mr. Ramchandra Jagannath Rathi, Mrs. Leelabai Ramchandra Rathi, Mr. Vasant Ramchandra Rathi, Mrs. Anuradha Vasant Rathi, Mr. Vijaykumar Ramchandra Rathi, Mrs. Mridula Vijaykumar Rathi, Dr. Ramwilas Jagannath Rathi, Mrs. Kusum Ramwilas Rathi, Mr. Pradeepkumar

Ramwilas Rathi, Mrs. Subhadra Pradeepkumar Rathi, Mr. Balkrishna Jagannath Rathi, Mrs. Kusum Balkrishna Rathi, Mr. Ajoy Balkrishna Rathi, Mrs. NishaAjoy Rathi, Mr. Rajesh Balkrishna Rathi, Mr. Harinarayan Jagannath Rathi, Mrs. KamalaHarinarayan Rathi, Mr. Suunil Harinarayan Rathi, Mr. Nilesh Harinarayan Rathi, Mr. Narayandas Jagannath Rathi, Mrs. Suman Narayandas Rathi and Mr. Anuj Narayandas Rathi by executing a Sale Deed dated 14/07/1988. The said Sale Deed was registered in the office of Sub Registrar Maval at Serial No 3320/1988. Accordingly, names of the Purchaser therein were entered in to the revenue record by virtue of mutation entry No 1870. Possession of the said S. No. 45/2 was handed over to the Purchasers therein by their Vendors against the execution of aforesaid Deed of Sale in the year 1988 itself. In the said Sale Deed, percentage of holding of each of the purchaser under the said Sale Deed was specifically stated. Thus, all the purchaser under the said Deed of Sale were holding specific undivided shares in the said land S. No. 45/2.

- 8) Laxminarayan Rathi, Shri Ramchandra Rathi, Dr. Ramvilas Rathi, Shri Balkrishna Rathi, Shri Harinarayan Rathi and Shri Narayandas Rathi were real brothers i.e. sons of Shri Jagannath Rathi and that all of them jointly purchased the said piece of lands in their own names and Shri Laxminarayan Rathi, Shri Ramchandra Rathi, Dr. Ramvilas Rathi, Shri Balkrishna Rathi in the names of their respective

family members each having 16.7% share and Shri Harinarayan Rathi and Shri Narayandas Rathi and their family members each having 16.6% undivided share in the said lands. Thus Mr.Laxminarayan Jagannath Rathi and the aforesaid co-owners were joint owners of the said Lands and were in vacant and peaceful possession of the said lands along with all rights, title and interests therein.

9) Thereafter Mr. Sudarshan Laxminarayan Rathi and Mrs. Nirmala S. Rathi had sold their 4% undivided share i.e. admeasuring area 7.6 Aare in the land bearing Survey No 45/1 to and in favour of Mr. Madhusudan Laxminarayan Rathi and Mrs. Prema Madhusudan Rathi by Sale Deed dated 28/10/1999. The said Sale Deed is registered in the office of Sub Registrar Mulshi (Paud) at Serial No 4053/1999. Effect of the same has been given into the revenue record in respect of Survey No 45/1 vide mutation entry No. 4557. Mr. Sudarshan Laxminarayan Rathi and Mrs. Nirmala S. Rathi also sold their 4% undivided share i.e. admeasuring area 7.7 Aare in the land bearing Survey No 45/2 to and in favour of Mr. Madhusudan Laxminarayan Rathi and Mrs. Prema Madhusudan Rathi by Sale Deed dated 28/10/1999. The said Sale Deed is registered in the office of Sub Registrar Mulshi (Paud) at Serial No 4052/1999. Effect of the same has been given into the revenue record in respect of Survey No 45/2 vide mutation entry No. 4555.

10) Thereafter various documents within the Rathi family came to be executed, the same are as under:

- a) One of the joint owners Mrs. Suman Narayandas Rathi expired on 24/07/1995 leaving behind her last Will and Testament dated 16/02/1995. As per the said Will she had bequeathed her share in the said lands to her husband Mr. Narayandas Jagannath Rathi. Accordingly, name of Mr. Narayandas J. Rathi is recorded in the Revenue Record of the said lands vide Mutation Entry bearing No 2539.
- b) One of joint owners Mr. Ramchandra Jagannath Rathi expired on 04/09/1998 leaving behind his last will and Testament dated 07/03/1998. As per the said Will he had bequeathed his share in the said lands to and in favour of his wife namely Smt. Leela Ramchandra Rathi. Accordingly, name of Smt. Leela Ramchandra Rathi is recorded to the Revenue Record 4727 of the said lands vide Mutation Entry bearing No. 3340.
- c) All the joint owners of the Rathi family have divided their respective share by executing Partition Deed dated 13/08/2001. The said Partition Deed is registered in the office of Sub Registrar, Mulshi (Paud) at Serial No 4312/2001. Accordingly, effect of the same was recorded to the revenue record of the said lands by Mutation Entry No. 3936. However, it was very difficult to ascertain the respective share of each owner. Therefore, the then Circle

officer has rejected the said Mutation entry. Therefore, there is no effect of the Partition Deed recorded to the revenue record of the said lands.

- d) One of joint owners Dr. Ramwilas Jagannath Rathi expired on 16/01/2003 leaving behind his last will dated 28/07/1994. Through the said Will he had bequeathed his share in the said lands to his grandson namely Mr. Rahul Pradeep Rathi. Accordingly, name of Mr. Rahul P.Rathi is recorded to the revenue record of the said lands vide Mutation Entry bearing No 4155.
- e) One of the joint owners Mr. Laxminarayan Jagannath Rathi expired on 01/06/2003 leaving behind his last will and Testament dated 03/01/2000. As per the said Will he had bequeathed his share in the said lands to his two sons namely Mr. Kishor Laxminarayan Rathi and Mr. Madhusudan Laxminarayan Rathi. Effect of the same is recorded to the revenue records of the said lands by mutation entry bearing no 4183.
- f) Shri Balkrishna Jagannath Rathi expired on 7th March, 2007 leaving behind his last Will and Testament dated 17th March, 2003 whereby he bequeathed his undivided share in the said lands to his sons, Shri Ajay Balkrishna Rathi and Shri Rajesh Balkrishna Rathi and daughter in laws viz. Mrs. Nisha Ajay Rathi and Mrs. Rachana Rajesh Rathi vide Mutation Entry No. 4727, names of Shri Ajay Balkrishna Rathi, Shri Rajesh Balkrishna

Rathi, Mrs. Nisha Ajay Rathi and Mrs. Rachana Rajesh Rathi were entered by Talathi Bavdhan in their records. Initially Circle Officer by his order dated 28thJanuary, 2008 cancelled aforesaid Mutation Entry No. 4727 stating that Will of (late) Shri Balkrishna Jagannath Rathi was not signed by a doctor. However, vide Mutation Entry No. 4999 dated 6thOctober, 2008 and sanctioned by Circle Officer on 19th December, 2008, names of Shri Ajay Balkrishna Rathi, Shri Rajesh Balkrishna Rathi, Mrs. Nisha Ajay Rathi and Mrs. Rachana Rajesh Rathi were mutated.

- g) All the owners of the said lands have executed Deed of Declaration dated 22/12/2010 and thereby they declared that the Partition Deed dated 13/08/2001 was never acted upon till now AND no any effect of the said Partition Deed has come into force. By the said Deed of Declaration, the owners accepted and declared that the said Partition Deed is now in-operative and not binding upon the owners. The said Deed of Declaration is registered with Haveli No 8 at Sr. No 2199/2011 on 04/03/2011.
- h) One of the land-owners Smt. Leela Ramchandra Rathi has gifted 03.70% share i.e land admeasuring 4861.80 sq mtrs out of her total undivided share i.e 5.70% undivided share in the said lands to and in favour of Shri Vasant Ramchandra Rathi, Sou. Shashikala SubhashJhamwar,

Sou. Vijaya Tejratan Biyani, Sou. Shubha Rajiv Sarda, Sou. Swati Manoj Bhaiya, Sou. Sarika R. Soni, Shri Vivek Vijay Rathi, Sou. Pooja Raghav Gupta, Kum Sneha Vasant Rathi by executing Gift Deed dated 23rd December, 2010. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 8, Pune at Serial No. 12816/2010 registered on 24/12/2010. The effect of the said Gift Deed is recorded in the revenue record of the said lands vide Mutation Entry No. 5308.

- i) One of the joint owner Mr. Vasant Ramchandra Rathi had gifted his undivided share in the said lands i.e. his total 3% share i.e. 3942 Sq. Mtrs to and in favour of Mr. Vijaykumar Ramchandra Rathi by executing Gift Deed dated 23/12/2010. The said Gift Deed is registered in the office of Sub-Registrar Haveli No. 8 Serial No 12818/2010 registered on 24/12/2010. The effect of the same is recorded to the revenue record of the said lands vide mutation entry bearing No 5309.
- j) Smt. Sundarabai Laxminarayan Rathi has gifted 01.54% out of her 2% undivided share in the said lands i.e. an area of 592.90 Sq. Mtrs. to and in favour of her son Shri Sudarshan Laxminarayan Rathi by executing Gift Deed dated 29th December, 2010. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 8, Pune at Serial No. 13036/2010. The effect of the

same is recorded to the revenue record of the said lands vide Mutation Entry No. 5313.

- k) Shri Madhusudan Laxminarayan Rathi has gifted 2% out of his 5.35% undivided share i.e. an area of 2628 Sq. Mtrs. in the said lands in favour of his son Shri Adit Madhusudan Rathi by executing Gift Deed dated 29th December, 2010. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 8, Pune at Serial No. 13038/2010 registered on 05/01/2011. The effect of the same is recorded in the revenue record of the said lands vide Mutation Entry No. 5316.
- l) Sou. Prema Madhusudan Rathi has gifted 2% of out of her 4% undivided share in the said lands i.e. an area of 2628 Sq. Mtrs to and in favour of her son Shri Adit Madhusudan Rathi by executing Gift Deed dated 29th December, 2010. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 8, Pune at Serial No. 13039/2010 registered on 05/01/2011. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5315.
- m) Shri Ajay Balkrishna Rathi has gifted 01.298% out of his 04.85 % undivided share in the said lands i.e. an area of 499.73 Sq. Mtrs to and in favour of Sou. Meena Sudhir Maheshwari by executing Gift Deed dated 31st December, 2010. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 8, Pune at Serial No.

13150/2010. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5318.

- n) Shri Rajesh Balkrishna Rathi has gifted 01.298% out of his 04.85 % undivided share in the said lands i.e. an area of 499.73 Sq Mtrs. to and in favour of Sou. Meena Sudhir Maheshwari by executing Gift Deed dated 31st December, 2010. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 8, Pune at Serial No. 13151/2010. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5319.
- o) Shri Nilesh H. Rathi has gifted 0.779 % out of his 4% undivided share in the said lands i.e. an area of 300 Sq. Mtrs. to and in favour of his wife Sou. Smita Nilesh Rathi by executing Gift Deed dated 19th January, 2012. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 2, Pune at Serial No. 578/2012 registered on 20/01/2012. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5499.
- p) Sou. Kamal alias Kamla H. Rathi has gifted 1.558% out of her 4% undivided share in the said lands i.e. an area of 600 Sq. Mtrs. to and in favour of Sou. Vaijayanti S. Jhawar by executing Gift Deed dated 19th January, 2012. The said Gift Deed is duly registered with the Sub-

Registrar of Assurances, Haveli No. 2, Pune at Serial No. 579/2012 registered on 20/01/2012. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5500.

- q) Shri Kishor L. Rathi has gifted 0.85% out of his 3.35% undivided share in the said lands i.e. an area of 327 Sq. Mtrs. to and in favour of his son Shri Rohit K. Rathi by executing Gift Deed dated 25th January, 2012. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 2, Pune at Serial No. 765/2012. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5501.
- r) Shri Sunil H. Rathi has gifted 1.56 % and 0.78 % out of his 4% undivided share in the said lands i.e. an area of 900 Sq. Mtrs. to and in favour of his wife Sou. Preeti S. Rathi and daughter Prerna Rathi by executing Gift Deed dated 25th January, 2012. The said Gift Deed is duly registered with the Sub-Registrar of Assurances, Haveli No. 2, Pune at Serial No. 769/2012. The effect of the same is recorded to the revenue record of the said lands vide Mutation Entry No. 5502.
- s) One of the joint owner Smt. Sundarbai Laxminarayan Rathi expired on 26/04/2015. Effect of the same is recorded to the revenue record by mutation entry bearing no 5782. During her life-time she made her last will and

testament dated 3/1/2012 whereby she bequeathed her remaining undivided share in the said lands to her son Shri Sudarshan Laxminarayan Rathi. The effect of the said will recorded in the revenue record by mutation no. 5786. Thereafter name of Smt. Sundarbai Rathi was deleted and Shri Sudarshan L Rathi became the absolute owner of Smt. Sundarbai Rathi's undivided share in the said lands.

- t) Mr. Sunil Harinarayan Rathi has gifted his undivided share in the said lands i.e. 212 Sq Meters i.e. 0.55% out of his 1.66% undivided share to his son Mr. Vedant Sunil Rathi by executing Gift Deed dated 13/01/2016. The said Gift Deed is registered in the office of Sub-Registrar Haveli No 2, at Serial No. 406/2016. The effect of the same is recorded to the revenue records vide mutation entry no.5841.
- u) One of the joint owners Smt. Leelabai Ramachandra Rathi expired on 19/02/2021 leaving behind her last Will and Testament dated 21/07/2019. As per the said Will, she had bequeathed her remaining share in the said Lands to her daughter-in-laws Mrs. Anuradha Vasant Rathi and Mrs. Mridula Vijaykumar Rathi and her grandson Mr. Vivek Vijaykumar Rathi and grand daughter-in-law Mrs. Sandhya Vivek Rathi. Effect of the same is recorded in the Revenue Record by Mutation Entry bearing No. 6341.

v) One of the joint owners Smt. Kusum Ramwilas Rathi expired on 29/03/2021 leaving behind her last Will and Testament dated 18/03/2018. As per the said Will, she had bequeathed her share in the said Lands to her son Mr. Pradeepkumar Ramwilas Rathi. Effect of the same is recorded in the Revenue Record by Mutation Entry bearing No. 6353.

11) It is noticed that, Smt. Sundarabai L. Rathi and others entered into Memorandum of Understanding dated 03/05/2011 with M/s Marvel Omega Builders Pvt. Ltd. in respect of the said lands. However, there were certain disputes and differences that arose between the parties to the said Agreement which resulted into filing of Special Civil Suit No 923/2013 in Civil Court, Pune. By Marvel Omega Builders Pvt. Ltd against the Smt. Sundarbai Rathi & others. M/s Marvel Omega Builders Pvt. Ltd. had registered the Lis-Pendens notice with respect of the said lands in the Office of Sub Registrar Haveli No 8 at Serial Number 6928/2013 on 26/08/2013. The effect of the same is recorded to the revenue records of the said lands by the Talathi vide mutation entry number 5641. The owners have objected for confirmation of said mutation entry before Circle officer Thergaon, bearing case No. H.No /SR /Bavdhan Khurd/130/2013. Thereafter Circle officer after hearing by both parties passed an order dated 18/2/2014 directed

cancellation of said mutation entry No.5641 after expiry of the appeal period. Hence effect of the said Lis Pendens dated 29/8/2013 was not mutated on revenue record in respect of said lands. Thereafter the parties have amicably settled the disputes and differences among themselves. Accordingly, M/s Marvel Omega Builders Pvt. Ltd had withdrawn the Civil Suit No 923/2013 from court. The Hon'ble court had passed order on 07/11/2014, the parties have also executed Deed of Cancellation dated 20/10/2014 and cancelled the said MOU executed between the parties. M/s Marvel Omega Builders Pvt. Ltd had withdrawn all the claims, rights, title and interests in the said lands. Therein after M/s Marvel Omega Builders Pvt. Ltd have no rights, title and interests on the said lands, as well as there is no suit is pending in any court of law in respect of the said lands. Also, as on date M/s Marvel Omega Builders Pvt. Ltd has not filed any appeal in any court of law as confirmed by the Sellers.

- 12) In this manner, the members of Rathi family mentioned above acquired joint ownership in the said lands and each one of them had undivided but ascertained share in the said lands more particularly described in the Schedule hereunder and were entitled to sell, convey and transfer their respective shares in the said lands. The names of said owners were also entered in 7/12 extract in respect of the said lands as the Co-owners of the said lands.
- 13) That to verify the title of the members of Rathi

family, the Public Notices were published in the Daily Newspaper 'Prabhat' and 'Indian Express' both dated 25/02/2021 through Advocate Mayur Vijay Akolkar. In this context, the said Advocate did not receive any objection from anyone and no one has disputed the rights of members of Rathi family being absolute, free from all encumbrances and transferable.

14) Thereafter members of Rathi family executed Sale Deed dated 31/03/2021 in respect of S. No. 45/1 in favour of M/s. VMC Landmark Realty LLP and transferred, sold and assigned all their right, title and interest in the said land S. No. 45/1 unto and in favour of the Purchasers therein. The said document is registered in the office of Sub-Registrar, Haveli No. IV Pune at Sr. No. 6839/2021. The said vendors executed Power of Attorney dated 10/06/2021 in favour of M/s. VMC Landmark Realty LLP which is registered in the office of Sub-Registrar, Haveli No. IV, Pune at Sr. No. 6840/2021. The said Vendors also executed Indemnity Bond dated 10/06/2021 in favour of VMC Landmark Realty LLP which is registered in the office of Sub-Registrar, Haveli No. IV, Pune at Sr. No. 6841/2021. In pursuance of the said sale, vide Mutation Entry No. 6506, the name of Purchaser M/s. VMC Landmark Realty LLP is recorded on the revenue record in respect of the said land S. No. 45/1. In the said Sale Deed the said land S. No. 45/1 has been absolutely sold, transferred, conveyed,

assigned to and in favour of said M/s. VMC Landmark Realty LLP and they have become absolute owner thereof. It is also mentioned in the said sale deed that the vacant and peaceful possession of the said land is handed over to M/s. VMC Landmark Realty LLP. Thus M/s. VMC Landmark Realty LLP is legally in possession of the said land S. No. 45/1.

15) Thereafter members of Rathi family executed Sale Deed dated 31/03/2021 in respect of S. No. 45/2 in favour of M/s. VMC Landmark Realty LLP and transferred, sold and assigned all their right, title and interest in the said land S. No. 45/2 unto and in favour of the Purchasers therein. The said document is registered in the office of Sub-Registrar, Haveli No. IV Pune at Sr. No. 6836/2021. The said vendors executed Power of Attorney dated 10/06/2021 in favour of M/s. VMC Landmark Realty LLP which is registered in the office of Sub-Registrar, Haveli No. IV, Pune at Sr. No. 6838/2021. The said Vendors also executed Indemnity Bond dated 10/06/2021 in favour of VMC Landmark Realty LLP which is registered in the office of Sub-Registrar, Haveli No. IV, Pune at Sr. No. 6842/2021. In pursuance of the said sale, vide Mutation Entry No. 6376, the name of Purchaser M/s. VMC Landmark Realty LLP is recorded on the revenue record in respect of the said land S. No. 45/2. In the said Sale Deed the said land S. No. 45/2 has been absolutely sold, transferred, conveyed,

assigned to and in favour of said M/s. VMC Landmark Realty LLP and they have become absolute owner thereof. It is also mentioned in the said sale deed that the vacant and peaceful possession of the said land is handed over to M/s. VMC Landmark Realty LLP. Thus M/s. VMC Landmark Realty LLP is legally in possession of the said land S. No. 45/2.

16) From the above, in my opinion M/s. VMC Landmark Realty LLP have valid, legal right, title and interest in the said lands bearing Survey Nos. 45/1 and 45/2 lying, being and situate at Village: Bavdhan Khurd, Taluka: Haveli, District: Pune, more particularly described in the Schedule hereunder.

SCHEDULE OF THE SAID LANDS

(DESCRIPTION OF THE PROPERTY WHICH IS THE SUBJECT MATTER OF THIS REPORT)

All that piece and parcels of agricultural lands bearing Survey No. 45/1 and 45/2 each admeasuring area 01 hecter 92.5 Are including potkharaba admeasuring area 2.50 Are assessed at Rs 8 and paise 60 each total land admeasuring area 03 Hector 85 Are along with all existing trees, well and structures standing there on and things attached thereto with incidental rights therein, situated at Village: Bavdhan Khurd, Taluka: Mulshi, District: Pune, situated within local limits of Pune Municipal Corporation and within revenue jurisdiction of Sub Registrar, Haveli, Pune and bounded as under:

On or towards the East	:By the land bearing S. No. 62
On or towards the South	:By Paud- Pune Road
On or towards the West	:By the river known as Ramnadi and boundary of Bavdhan Khurd
On or towards the North	:By river known as Ramnadi

Pune

Date: 24/02/2022


SANJAY T. AGARWAL
ADVOCATE

SANJAY T. AGARWAL
B.Com., LL.B. Advocate
OFFICE No. 401, 'GOPALKRUPA APARTMENT'
REVENUE COLONY, BEHIND HOTEL SURBHI,
NEAR JANGI MAHARAJ TEMPLE, JM ROAD,
SHIVAJINAGAR, PUNE 411005
TEL NO: 9764582231

ENCL: Original Challans dated 07/10/2021 & 24/02/2022 in
respect of search.