

Ref. No.: 309/2023

Date : 8th October, 2023**TITLE CERTIFICATE****I. DESCRIPTION OF PROPERTY :**

All the pieces and parcel of the project "*La Montana*", non-agricultural land or ground situate at village Vadgaon, Taluka Maval, District Pune, situated within the Registration District of Pune, situate within the Grampanchayat limits of Panchayat Samiti Maval as mentioned herein below :

Sr. No.	Survey No.	Area in H.A.S.	Bounded towards the			
			North by	South by	East by	West by
1.	126/2	3 - 47 - 00	Survey No.133	Forest and part of Survey No.126	Survey No.127	Survey No.125 and part of Survey No.126
2.	133 ¹	1 - 99 - 50	Survey No.134	Survey No.134	Survey No.134	Survey No.134
3.	133	1 - 51 - 50	Survey No.132	Survey No.133 (part) and 126	Survey No.129	Survey No.133 (part)
4.	134/4C	-00 - 92 - 91	Survey No.134	Survey No.133	Survey No.133	Survey No.135
5.	134/4A/2 ²	0 - 21 - 00	Mumbai Pune Road	Survey No.134/3C	Survey No.134/4A	Survey No.134/2 (part)
6.	134 H. no. ½	00 - 12 - 09	Survey no. 135	Survey nos. 133, 125	Survey no. 134/4C	Survey no. 135

Notes:

1. Plot bearing survey no. 133 totally admeasuring 3 Hectare 51.5 Are purchased by Owner through two separate instruments.
2. As per handwritten 7/12 extract. In the digital 7/12 extract, the survey number is reflecting as 134/4/A/2.

II. DESCRIPTION OF OWNER :

Tata Value Homes Limited (formerly known as "Smart Value Homes Pvt. Ltd."), a Company incorporated under the Companies Act, 1956, having its registered office at Voltas Premises, E Block, T.B. Kadam Marg, Chinchpokli, Mumbai - 400 033.

III. **TITLE CERTIFICATIONS :**

Title Certificate dated 5th March, 2010 obtained from "M/s. Dua Associates", Advocates, having their office at World Trade Centre, Centre -I, 7th Floor, Cuffe Parade, Mumbai - 400 005 in respect of search carried out for the period of 30 years (1980 - 2009).

IV. **TERMS OF REFERENCE :**

Pursuant to the instructions received from **Tata Value Homes Limited**, to conduct a due diligence, any entries and report, especially in respect of land, for the period between 2010 (since 5th March, 2010) and 2023 verifying Owner's title to the Property, we commenced to exercise in order to evaluate the Property based on the following documents set out herein below.

V. **ASSUMPTIONS AND QUALIFICATIONS :**

- (i) The Title Certificate to the Property is completely based on the documents provided to us by Tata Value Homes Limited, searches conducted in the office of the Sub-Registrar of assurance, both at Vadgaon and Lonavala as well as online search obtained from governmental website/portal.
- (ii) Title Certificate to the Property is based on the findings made on the examination of the photocopies and available documents in the records of the office of the Sub-Registrar of assurance.
- (iii) Transaction and events which are not recorded and which were not disclosed to us have not been commented upon.
- (iv) This opinion is addressed to the Owner alone for being disclosed or furnished by the Owner as may be required in connection with or in relation to any submissions by the Owner to the Nagar Panchayat, Vadgaon in support of the application for revised layout plan or to any other local body for the stated purpose.

VI. **GENERAL SEARCH IN THE OFFICE OF THE SUB-REGISTRAR OF ASSURANCE VADGAON AND LONAVALA :**

- (a) Searches were carried out in the office of Sub-Registrar of assurances, Vadgaon and Lonavala for the period of 14 years (2010 - 2023).
- (b) During searches, it is noticed that Index II, registers are not maintained properly and are unreadable and are in torn conditions and not available for search.
- (c) Except as referred to above in this report no adverse entry has been found.

VII. **SOURCE OF INFORMATION OBTAINED FROM :**

We conducted a due diligence of the documents provided by Tata Value Homes Limited, online search obtained from governmental website/portal, searches conducted by our advocates in the office of Sub-Registrar of assurances, both at Vadgaon and Lonavala.

VIII. **DOCUMENTS FURNISHED :**

- (1) Conveyance Deed dated 8th March, 2010 executed by Dr. Suresh Chandanmal Sanghvi, the Vendor therein, Smart Value Homes Private Limited, the Purchaser therein and M/s. APL Developers, the Confirming Party, vide registration no. *MVL-1702-2010 dated 8th March, 2010* in respect of the Property, mentioned in the above Table at Sr. No.3, along with an intimation, u/s. 150(2) of Maharashtra Land Revenue Code, 1966, (hereinafter referred to as "MLRC") to all interested person/s in respect of the recording of Mutation Entry No.8419 duly recorded in the register of mutations.
- (2) Power of Attorney dated 8th March, 2010 executed by Dr. Suresh Chandanmal Sanghvi and M/s. APL Developers in favour of Smart Value Homes Private Limited, in respect of the Property, mentioned in the above Table at Sr. No.3, duly registered, vide registration no. *MVL-1703-2010 dated 8th March, 2010*.
- (3) Conveyance Deed dated 8th March, 2010 executed by the Sahyadri Park Co-operative Housing Society Limited, the Vendor therein, Smart Value Homes Private Limited, the Purchaser therein, Mr. Jitendra Babu Patil, for self and as a proprietor of M/s. Sahyadri Land Development Corporation, the Confirming Party no.1 therein and M/s. APL Developers, the Confirming Party no.2 therein, vide registration no. *MVL-1704-2010 dated 8th March, 2010* in respect of the Property, mentioned in the above Table at Sr. No.1,2,4 and 5 along with an intimation, u/s. 150(2) of Maharashtra Land Revenue Code, 1966 to all interested person/s in respect of the recording of Mutation Entry No.8420 duly recorded in the register of mutations.
- (4) Power of Attorney dated 8th March, 2010 executed by the Sahyadri Park Co-operative Housing Society Limited, M/s. Sahyadri Land Development Corporation, through the proprietor, Mr. Jitendra Babu Patil and M/s. APL Developers in favour of Smart Value Homes Private Limited, in respect of the Property, mentioned in the above Table at Sr. No.1,2,4 and 5 duly registered, vide registration no. *MVL-1705-2010 dated 8th March, 2010*.
- (5) Title Certificate dated 5th March, 2010 obtained from M/s. Dua Associates, Advocates, having their office at World Trade Centre, Centre -I, 7th Floor, Cuffe Parade, Mumbai - 400 005 in respect of search carried out for the period of 30 years (1980 - 2009).
- (6) Lease Agreement dated 14th March, 2012 executed between Maharashtra State Electricity Distribution Company Limited (MSEDCL) and Smart Value Homes Private Limited, vide registration no. *MVL-1386-2012 dated 14th March, 2012* in respect of the Survey No.133 admeasuring 00 Hectare - 04 Ares out of the area comprising of 1 Hectare - 99.5 Ares.
- (7) Deed of Exchange dated 4th September, 2015 executed between Tata Value Homes Limited, formerly known as "Smart Value Homes Private Limited", Mr. Sitaram Shivram Dhore, Mr. Chandrakant Shivram Dhore, Mr. Balu Shivram Dhore and Mr. Raju Shivram Dhore, registered vide registration no. *LVL-3060-2015 dated 4th September, 2015*.
- (8) Mutation Entry No.10407 duly recorded 11th September, 2015.

- (9) The Report of the Survey Officer dated 22nd March, 2016 for measurement and classification of the aforesaid Property along with drawing of the Property.
- (10) Conveyance Deed dated 30th September, 2015 executed by Tata Value Homes Limited and Office of the Collector, Pune, authorized representative, Mr. Rajkumar Ramchandra Bhogale, Tahsildar Office, Maval, Pune, vide registration no. *MVL-6190-2015 dated 30th September, 2015* in respect of the aforesaid Property.
- (11) Mutation Entry No.12547 duly recorded 9th February, 2023 thereby Collector, Pune approved or granted permission for residential and non-agricultural area in respect of the aforesaid Properties.
- (12) Apart from the aforesaid entries concerning the land specifically, rest of the entries are in respect of the Agreement for Sale, Sale Deed, Gift Deed, Release Deed, etc. either duly executed by and between Smart Value Homes Private Limited and respective purchasers of the flat or their respective dealings between the parties thereof in respect of the flat duly constructed on the said Property, to which, as per the instructions received have not been dealt with in this report.

IX. **TITLE REPORT :**

FINDING BASED ON THE DOCUMENTS EXAMINED :

- (a) By document no. MVL-1702-2010 dated 8th March, 2010 through Conveyance Deed dated 8th March, 2010 executed by Dr. Suresh Chandanmal Sanghvi, the Vendor therein, Smart Value Homes Private Limited, the Purchaser therein and M/s. APL Developers, the Confirming Party, the Vendor therein conveyed unto the Purchaser therein i.e. the Owner herein referred, for good and valid consideration all those pieces and parcels of non-agricultural land or ground bearing Survey No. 133 admeasuring 01 Hectare 51.5 Ares or thereabouts, situated at Village: Wadgaon, Taluka Maval, District and Sub District of Pune situated within the grampanchayat limits of panchayat samiti Maval. Document no.1702-2010 has been stamped with the stamp duty of Rs.9,00,000/-.
- (b) By document vide Mutation Entry No.8419 duly recorded in the Register of Mutation, an intimation u/s. 150(2) of Maharashtra Land Revenue Code, 1966, to all interested person/s in respect of the recording of Mutation Entry.
- (c) By document no. MVL-1703-2010 dated 8th March, 2010 through Power of Attorney dated 8th March, 2010 executed by Dr. Suresh Chandanmal Sanghvi and M/s. APL Developers in favour of Smart Value Homes Private Limited, the said Dr. Suresh Chandanmal Sanghvi and M/s. APL Developers granted certain powers to the Owner to do all such acts, deeds and things in respect of Survey No. 133 admeasuring 1 Hectare – 51.5 Ares, situated at Vadgaon, Taluka Maval, District and Sub District of Pune. Document no.1703-2010 has been stamped with the stamp duty of Rs.200/-.
- (d) By document no.MVL-1704-2010 dated 8th March, 2010 through Conveyance Deed dated 8th March, 2010 executed by the Sahyadri Park Co-operative Housing Society Limited, the Vendor therein, Smart Value Homes

Private Limited, the Purchaser therein, Mr. Jitendra Bapu Patil, for self and as a proprietor of M/s. Sahyadri Land Development Corporation, the Confirming Party no.1 therein and M/s. APL Developers, the Confirming Party no.2 therein, the Vendor therein conveyed unto the Purchaser therein i.e. the Owner herein referred, for good and valid consideration all those pieces and parcels of non-agricultural land or ground bearing Survey No. 126/2 admeasuring 3 Hectare 47 Ares, Survey No. 133 admeasuring 1 Hectare 99.5 Ares, Survey No. 134/4C admeasuring 01 Hectare 05 Ares and Survey No. 134/4A/2 admeasuring 0 Hectare 21 Ares situated at Village: Vadgaon, Taluka Maval, District and Sub District of Pune situate within the grampanchayat limits of panchayat samiti Maval. Document no.1704-2010 has been stamped with the stamp duty of Rs.51,00,000/-.

- (e) By document vide Mutation Entry No.8420 duly recorded in the Register of Mutation, an intimation u/s. 150(2) of Maharashtra Land Revenue Code, 1966 to all interested person/s in respect of the recording of Mutation Entry.
- (f) By document MVL-1705-2010 dated 8th March, 2010 through Power of Attorney dated 8th March, 2010 executed by the Sahyadri Park Co-operative Housing Society Limited, M/s. Sahyadri Land Development Corporation, through the proprietor, Mr. Jitendra Bapu Patil and M/s. APL Developers in favour of Smart Value Homes Private Limited the said Sahyadri Park Co-operative Housing Society Limited, M/s. Sahyadri Land Development Corporation, through the proprietor, Mr. Jitendra Bapu Patil and M/s. APL Developers granted certain powers to the Owner to do all such acts, deeds and things in respect of Survey No. 126/2 admeasuring 3 Hectare – 47 Ares, Survey No. 133 admeasuring 1 Hectare – 99.5 Ares, Survey No. 134/4C admeasuring 1 Hectare – 05 Ares and Survey No. 134/4A/2 admeasuring 0 Hectare – 21 Ares situated at Vadgaon, Taluka Maval, District and Sub District of Pune. Document no.1705-2010 has been stamped with the stamp duty of Rs.300/-.
- (g) By document no.MVL-1386-2012 dated 14th March, 2012 through Lease Agreement dated 14th March, 2012 executed between Maharashtra State Electricity Distribution Company Limited (MSEDCL) therein referred as the Lessee and Smart Value Homes Private Limited therein referred as the Lessor, the Lessor therein (i.e. the Owner herein) demised unto the Lessee therein, the demised premises admeasuring 00 Hectare - 04 Ares out of the Property herein above mentioned for the purpose of erecting, maintaining and operating an electrical transformer sub-station for supply of electrical energy to the Owner and to the consumers of the Lessee. Document no.1386-2012 has been stamped with the stamp duty of Rs.42,750/-.
- (h) By document no. LVL-3060-2015 dated 4th September, 2015 through Deed of Exchange dated 4th September, 2015 executed between Tata Value Homes Limited, formerly known as "Smart Value Homes Private Limited" therein referred as the First Party, (1) Mr. Sitaram Shivram Dhore, (2) Mr. Chandrakant Shivram Dhore, (3) Mr. Balu Shivram Dhore and (4) Mr. Raju Shivram Dhore therein referred as the Second Party, whereby *inter alia* the Second Party conveyed unto the First Party all those pieces and parcels of non-agricultural land or ground admeasuring 1209.03 sq.mtrs out of the land admeasuring 02 Hectares 46.5 Ares forming part of survey no. 134 Hissa no. ½ of Village Vadgaon, Taluka Maval, District Pune situated within the registration sub-district of Pune, situate within the grampanchayat limits of panchayat samiti Maval in exchange for equivalent area out of the land bearing survey no. 134/4C belonging to the Owners. Document no.3060-2015 has been stamped with the stamp duty of Rs.3,53,700/-.

- (i) Mutation Entry No.10407 duly recorded 11th September, 2015.
- (j) The Report of the Survey Officer dated 22nd March, 2016 for measurement and classification of the aforesaid Property along with drawing of the Property.
- (k) By document no.MVL-6190-2015 dated 30th September, 2015 through Conveyance Deed dated 30th September, 2015 executed by Tata Value Homes Limited and the Collector, Pune, through its authorized representative, Mr. Rajkumar Ramchandra Gabhale, Tahsildar Office, Maval, Pune all that pieces and parcel of land admeasuring 7404.52 sq.mtrs out of the property mentioned in Paragraph 1 above, which portion was reserved for road under the regional plan came to be conveyed to the District Collector, Pune. Document no.6190-2015 has been stamped with the stamp duty of Rs.500/-
- (l) Mutation Entry No.12547 duly recorded 9th February, 2023 thereby Collector, Pune approved or granted permission for residential and non-agricultural area in respect of the aforesaid Properties.
- (m) Having perused the non-agricultural order dated 21st November, 2012 bearing no. PMA/NA/SR/213/12 it appears that an area admeasuring 1084.85 sq.mtrs. is required to be maintained towards green belt. Accordingly, a balance area admeasuring 73,910.63 sq.mtrs. is available for use by the Owner for the purpose of residential development.

X. **ENCUMBRANCES ON THE PROPERTY :**

On meticulous perusal of the deeds and documents provided and search taken, we have not found any encumbrances, especially in respect of land/Property described in the Table above named, of whatsoever nature.

XI. **LAND ACQUISITION:**

It appears that the Maharashtra State Government through its Public Works Department issued a notification bearing no. PPP-2011/CR-262(LB-2/Part-3)-Maval/Road-8 dated 17th May, 2022 under section 18(1) of the Maharashtra Highways Act, 1955 for acquiring land described in the Schedule to the said notification for building, maintenance, management or operation of the Pune (Eastern) Ring Road (State Highway (Special) No. 1). The schedule appended to the said notification includes reference to survey numbers forming part of the Property indicating certain portion of the Property could be impacted. Other than publication of the above mentioned notification, the Government or any of its officers or authorities appointed for this matter has/have not issued any notice to the Owner in this regard till date. It is informed that the Owner has challenged the above notification through a writ petition preferred before the High Court of Judicature at Bombay, details whereof are summarized below "Litigation" section of this report.

XII. **USE OF THE PROPERTY :**

Considering the perusal of documents and especially, Mutation Entry duly recorded in the Register of Mutation, vide Mutation No.12547, the Property has been permitted

for non-agricultural, residential use and occupation including common amenities such as Retail, Health Care center, School and Playground.

XIII. **LITIGATION :**

According to information provided by the Owner, the following litigation matters involving the Owner in connection with the Project are sub-judice at the time of issuing this report:

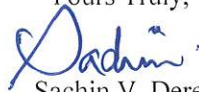
Case Number	Case Summary
<u>WP/3422/2020</u> <u>before the High</u> <u>Court of Judicature</u> <u>at Bombay</u>	On obstruction application filed by adjacent landowner Mr. Shivaji Raghu Dhore before the Tahsildar, Vadgaon, Maval, seeking removal of an alleged obstruction caused by the Owners, the Tahsildar had passed the Order bearing no. Land No./Road No./SR/223/2015 dated 21 st June, 2016 allowing the obstruction application and directing the Owners to open the path in the Property for being used by the said Mr. Shivaji Raghu Dhore. The Owners have thereafter approached the Sub-Divisional Officer Maval, Mulshi Sub-division, Pune seeking a revision/re-examination of the order passed by the Tahsildar, Maval. The SDO vide his Order bearing no. <i>IRTSIAJSR/190/23J6</i> dated 24 th September, 2018 rejected the revision application of the Owner. Aggrieved, by the arbitrary order of the SDO, the Owner has filed the present writ petition against (i) Sub Divisional Officer, (ii) State of Maharashtra through its Revenue Dept. and (iii) Mr. Shivaji Raghu Dhore, <i>inter alia</i> praying for quashing and setting aside the impugned order passed by the SDO. The case is yet to be taken up for hearing.
<u>WP/9222/2023</u> <u>before the High</u> <u>Court of Judicature</u> <u>at Bombay</u>	Writ Petition filed by the Owner against (i) State of Maharashtra through its PWD Dept. (ii) Maharashtra State Road Development Corporation and (iii) Sub-Divisional Officer-Maval praying for quashing of a Notification dated 17 th May 2022 issued by the State of Mah. u/s. 18(1) of the Maharashtra Highways Act, 1955 to the extent of land forming part of the Property sought to be acquired. for building of Pune (Eastern) Ring Road. The case is yet to be taken up for hearing.

As informed by the Owner, there are no orders putting any kind of restraints on the Owner in connection with the Project including from carrying out construction on the Property or from selling the constructed premises in the project.

XIV. **CONCLUSION :**

In light of the aforesaid, the Title of the Owner, Tata Value Homes Limited has clear and marketable title to the Property.

Place : Mumbai.
Date : 08.10.2023

Yours Truly,

Sachin V. Dere
(Advocate)

