



RISHABH GANDHI
— AND ADVOCATES —

RGAA/TIR/2022

14th May, 2022

TITLE INVESTIGATION REPORT

1. Under instructions from Dasscon Realty Private Limited (formerly known as IDEB Grand Realty Private Limited), having office at 2S3, S411 048 represented through Mr. Rahul Shinde, we have conducted investigation concerning title rights of Memory Park Co-operative Housing Society in respect of S. No. 26 Hissa No. 4 (old S. No. 26/1+2/2/2) area 2 H 74.3 Ares both situated at Village Kondhwa Khurd, within Pune Municipal Corporation limits, District Pune (Scheduled Property) and our observatory report in respect to development rights of Dasscon Realty Private Limited is as under.
2. We have been provided with the following documents for our perusal for the purpose of title investigation of the scheduled property;

Sr. No.	Particulars of the document	Original/ Photocopy
01	Record of Rights - Form No VII, VII A and XII (7/12 Extracts) of S. No. 26/1+2/2/2 from 1993 to 2002.	Photocopy
02	Sale Deed dated 15/10/1992 Regn No. 600/1992 at Sub Registrar Haveli No. 3 on 16/11/1992	Photocopy
03	Sale Deed dated 15/10/1992 Regn No. 601/1992 at Sub Registrar Haveli No. 3 on 18/11/1992	Photocopy
04	Sale Deeds (six in number) all dated 23/12/1994 bearing Regn No. 716/1994, Regn No. 717/1994, Regn No. 718/1994, Regn No. 719/1994, Regn No. 720/1994 and Regn No. 721/1994 at Sub Registrar, Haveli No. 3	Photocopy
05	Development Agreement dated 01/11/2003 Registration No. 4842/2003 at Sub Registrar, Haveli No. 12	Photocopy





06	General Power of Attorney dated 01/11/2003 Registration No. 4843/2003 at Sub Registrar, Haveli No. 12	Photocopy
07	Assignment Development Agreement dated 10/5/2005 Registration No. 2849/2005 at Sub Registrar, Haveli No. 12	Photocopy
08	General Power of Attorney dated 10/5/2005 Registration No. 2850/2005 at Sub Registrar, Haveli No. 12	Photocopy
09	Zonal Certificate No. 2824 dated 18/9/2017 issued by PMC	Photocopy
10	NA Order No. PRH/NA/SR/254/2004 dated 21/10/2004 issued by Additional Collector, Pune for the lands S. No. 26/3 area 9140 sq. mtrs and S. No. 26/4 area 27430 sq. mtrs	Photocopy
12	Revised building plans vide Commencement Certificate No. CC/4141/2006 dated 28/2/2007 issued by PMC	Photocopy
13	Environment Clearance Order No. 21-1122/2007-IA-III dated 05/6/2009 issued by Government of Maharashtra, Environment Department, Mumbai	Photocopy
14	Mortgage Deed executed and registered in the office of sub registrar Haveli No. 11 at Serial No. 20042/21 dated 21/12/2021	Photocopy

- 1) Pursuant to Form No VII, VII A and XII of the scheduled property, for the last 30 years i.e. 1988 to 1991 (Part) was carried at the Offices of the Joint Sub Registrars, Haveli No. 1 and No. 2; for the period 1991 (Bal) to 2002 at Haveli No. 3; for the period from 2002 to 2017 computer entries on the web-site of igr.maharashtra.gov available on-line., a rebuttable presumption as to ownership and possession is created in favor of the persons named in third column for the period mentioned in second column.

Sr. No	Flat No.	Name of Purchaser(s)	Registration details of agreement
--------	----------	----------------------	-----------------------------------





1.	C-203	Shri Aditya V. Salunkhe and Mrs. Sarika A. Salunkhe	Dated 18/03/2009 No. 1526/2009 at Sub Registrar, Haveli No. 12
2.	D-801	Mrs. Shilpa Jagdish Kamat and Shri Jagdish Anant Kamat	Dated 13/4/2009 No. 2013/2009 at Sub Registrar, Haveli No. 12
3.	D-802	Mrs. Shilpa Jagdish Kamat and Shri Jagdish Anant Kamat	Dated 13/4/2009 No. 2014/2009 at Sub Registrar, Haveli No. 12
4.	D-803	Mrs. Shilpa Jagdish Kamat and Shri Jagdish Anant Kamat	Dated 13/4/2009 No. 2015/2009 at Sub Registrar, Haveli No. 12
5.	C-608	Shri Pranay Kamlesh Jain and Mrs. Lila Kamlesh Jain	Dated 29/4/2009 No. 2382/2009 at Sub Registrar, Haveli No. 12
6.	A-203	Mrs. Charu Ajmati Malik and Shri Alok Chandra Malik	Dated 30/4/2009 No. 3105/2009 at Sub Registrar, Haveli No. 12
7.	C-404	Shri Mansoor Mehta	Dated 30/6/2009 No. 3869/2009 at Sub Registrar, Haveli No. 12
8.	C-704	Shri Gagandip singh Gupta	Dated 06/7/2009 No. 4056/2009 at Sub Registrar, Haveli No. 12
9.	A-302	Shri Moin Rashid	Dated 21/7/2009 No. 4508/2009 at Sub Registrar, Haveli No. 12
10.	C-301	Kailas Vahan Udyog Ltd (Shri H. K. Agarwal)	Dated 03/8/2009 No. 4855/2009 at Sub Registrar, Haveli No. 12
11.	C-604	Shri Aslam Hendi and Shri Ibrahim Hendi	Dated 03/8/2009 No. 4856/2009 at Sub Registrar, Haveli No. 12
12.	D-701	Shri P. S. Kathani	Dated 01/10/2009 No. 6287/2009 at Sub Registrar, Haveli No. 12





13.	A-104	A. J. Construction (Shri Furniturewala)	Dated 01/10/2009 No. 6302/2009 at Sub Registrar, Haveli No. 12
14.	C-202	Shri Amwati Kumar Bagga and Shri Punit Bagga	Dated 15/10/2009 No. 6702/2009 at Sub Registrar, Haveli No. 12
15.	C-701	A. D. construction	Dated 23/10/2009 No. 6866/2009 at Sub Registrar, Haveli No. 12
16.	A-504	Shri Vivek Saini and Mrs. Dimple Saini	Dated 28/3/2008 No. 2442/2008 at Sub Registrar, Haveli No. 19
17.	B-601	Shri Amit Singh and Shri Samir Singh	Dated 28/3/2008 No. 2444/2008 at Sub Registrar, Haveli No. 19
18.	C-304	Shri Madhusudan Kosarao and Mrs. Shobhana Kalyan Sundaram	Dated 08/5/2008 No. 3588/2008 at Sub Registrar, Haveli No. 19
19.	B-502	Shri Tejas Subhash Bhosale and Shri Subhash Bhanudas Bhosale	Dated 27/5/2008 No. 5452/2008 at Sub Registrar, Haveli No. 11
20.	A-404	Mrs. Richa Joshi and Shri Sanjiv Joshi	Dated 02/6/2008 No. 4017/2008 at Sub Registrar, Haveli No. 19
21.	B-102	Shri Bhimrao Ramchandra Kavthekar and Mrs. Shobhana Bhimrao Kavthekar	Dated 02/6/2008 No. 4021/2008 at Sub Registrar, Haveli No. 19
22.	B-501	Shri Mohammad Nissar Khan and Mrs. Rubina Khan	Dated 15/7/2008 No. 7164/2008 at Sub Registrar, Haveli No. 11
23.	B-302	Shri Altaf Shaikh and Mrs. Shabana	Dated 15/7/2008 No. 7165/2008 at Sub Registrar, Haveli No. 11
24.	B-402	Shri Prakash Chandu Butani and Shri Chandu Gubalrao Butani	Dated 16/7/2008 No. 5994/2008 at Sub Registrar, Haveli No. 12





25.	C-702	Shri Ashish Mukund Joshi and Mrs. Dolly Joshi	Dated 25/7/2008 No. 6335/2008 at Sub Registrar, Haveli No. 12
26.	B-104	Shri Lesli Victor Paul	Dated 26/8/2008 No. 7094/2008 at Sub Registrar, Haveli No. 12
27.	B-301	Mrs. Mumtaz Banu Mohammad and Shri Rafiq Memon	Dated 18/9/2008 No. 7527/2008 at Sub Registrar, Haveli No. 12
28.	B-304	Mrs. Shehnaz Abdul Kadar Shaikh	Dated 20/12/2008 No. 11899/2008 at Sub Registrar, Haveli No. 11
29.	B-403	Shri Dinesh Adiga and Mrs. Sandhya Adiga	Dated 18/3/2009 No. 1511/2009 at Sub Registrar, Haveli No. 12
30.	B-502	Mrs. Satya Rajesh Pillai and Shri Rajesh Shivshankar Pillai	Dated 18/3/2009 No. 1512/2009 at Sub Registrar, Haveli No. 12
31.	--	Transfer of area to PMC by Memory Park Society	Transfer Deed dated 30/7/2009 Regn No. 4964/2009 at Sub Registrar, Haveli No. 19
32.	B-203	Shri P. S. Satya	Dated 15/2/2010 No. 1351/2010 at Sub Registrar, Haveli No. 12
33.	Row House CASA No. 13	Shri Vishnu Garg	Dated 17/3/2010 No. 2460/2010 at Sub Registrar, Haveli No. 10
34.	Row House CASA No. 16	Super Star Real. Pvt Ltd	Dated 28/9/2010 No. 8864/2010 at Sub Registrar, Haveli No. 12
35.	Row House CASA No. 17	Dreamland Nirman Pvt Ltd	Dated 28/9/2010 No. 8865/2010 at Sub Registrar, Haveli No. 12
36.	Row House	Kapil Gupta	Dated 28/9/2010 No. 8866/2010 at Sub Registrar,





	CASA No. 18		Haveli No. 12
37.	C-201	Shri Asit Arun	Dated 26/10/2010 No. 9630/2010 at Sub Registrar, Haveli No. 10
38.	Row House CASA No. 10	M/s Diwan Steel	Dated 25/8/2011 No. 6619/2011 at Sub Registrar, Haveli No. 12
39.	Row House CASA No. 8	Shri Vinod Garg	Dated 25/8/2011 No. 6621/2011 at Sub Registrar, Haveli No. 12
40.	Row House CASA No. 12	Shri Rajiv Garg	Dated 25/8/2011 No. 6623/2011 at Sub Registrar, Haveli No. 12
41.	Row House CASA No. 14	Shri Diwan Sales	Dated 25/8/2011 No. 6624/2011 at Sub Registrar, Haveli No. 12
42.	A-604	Shri Akshay Jain	Dated 07/11/2012 No. 8744/2012 at Sub Registrar, Haveli No. 12
43.	C-101	Mrs. Anju Singhaniya	Dated 20/11/2012 No. 9073/2012 at Sub Registrar, Haveli No. 12
44.	A-602	Mrs. Leandra Stefny D'Souza and Shri Kollan Joseph D'Souza	Dated 28/12/2012 No. 10307/2012 at Sub Registrar, Haveli No. 12
45.	B-103	Shri Amir Ali J. Dossa	Dated 29/9/2013 No. 4573/2013 at Sub Registrar, Haveli No. 10
46.	B-801	Ms. Gulnaz Dossa	Dated 06/03/2013 No. 2231/2013 at Sub Registrar, Haveli No. 12
47.	A-601	Shri Madhulal	Dated 05/8/2015 No.



		Choudhary	6269/2015 at Sub Registrar, Haveli No. 23
48.	A-601	Shri Madhulal Choudhary	Dated 05/8/2015 No. 6269/2015 at Sub Registrar, Haveli No. 23
49.	A-201	Shri Manohar Ramdev Kriplani	Dated 27/9/2017 No. 10659/2017 at Sub Registrar, Haveli No. 23

- 1) As per Mutation Entry No. 834 dated 16.10.1946, it appears that Shri Avdaji Mhaskuji Lonkar and his ancestral (who owned and possessed the property, the land bearing S. No. 26/1+2 area 20 Acres 8 Gunthas assessed for land revenue at Rupaye 9 Annas 14 Pai 0) situate at Village Kondhwa Khurd, then within grampanchayat limits, Tal: Haveli, Dist: Pune, died intestate on 25.09.1946. He was succeeded by leaving behind, four sons/ legal heirs namely: Shri Jagannath, Shri Vithoba, Shri Nivrutti and Shri Ganpat as legal heirs. Consequently names of Shri Jagannath, Shri Vithoba, Shri Nivrutti and Shri Ganpat were mutated on Form No. VII, VII A and XII of the scheduled property as the 'Karta of HUF' vide M. E. No. 834 dated 16/10/1946.
- 2) As per Mutation Entry No. 969 dated 19.02.1952, it appears that Shri Jagannath Avdaji Lonkar had taken a Tagai loan of Rupaye 308 Annas 2 and had mortgaged the said land to Government. Thereafter, it is seen that as he failed to repay the said Tagai loan and the land was put to auction by the Mamlatdar, Haveli. The auction was done on 14/07/1952 for nominal bid amount and possession of the land was taken by the Mamlatdar, Haveli for and on behalf of Government were retained from VII, VII A and XII of the scheduled property.
- 3) As per Mutation Entry No. 1586 dated 01.01.1974, it appears that Shri Jagannath Avdaji Lonkar repaid the entire Tagai loan amount together with notice fee, fine etc to Government and, therefore, the said land came to be allotted to and in the name of Shri Jagannath Avdaji Lonkar and entry of 'Government' came to be deleted by the said M.





granted development rights of the land bearing S. No. 26/4 area 2 H 74.3 Ares in favour of M/s Ascon Developers through its Partners Shri Shyam Vipin Sanghavi and Shri Atul Ishwardas Chordia vide a Development Agreement and Power of Attorney dated 07/11/2003 which are duly registered at the Office of the Sub – Registrar Haveli No. 12 at Serial No. 4842/2003 and 4843/2003 respectively. (ii) Similarly, Shri Nooruddin M. Somji also granted development rights of the land bearing S. No. 26/3 area 0 H 91.4 Ars in favour of M/s Ascon Developers through its Partners Shri Shyam Vipin Sanghavi and Shri Atul Ishwardas Chordia vide Development Agreement and Power of Attorney dated 25/11/2004 which are duly registered at the Office of the Sub-Registrar Haveli No. 12 at Serial Nos. 5852/2004 and 5853/2004 respectively.

- 13) It is found that M/s Ascon Developers through its Partners Shri Shyam Vipin Sanghavi and Shri Atul Ishwardas Chordia (Assignor/Developer) PLUS Shri Nooruddin M. Somji (Land-owner/Consenting Party No. 1) + M/s Memory Park Co-operative Housing Society Ltd through its Chairman Shri Chandrakant Vallabhbhai Patel and Secretary Shri Minesh Ambalal Patel (Land-owner/Consenting Party No. 2) assigned and transferred the development rights in favour of M/s Sigma Buildcon through its Partner UKN Properties Pvt Ltd represented by Shri Gautam Nambisan (Purchaser/Developer) by executing registered Development Agreement dated 10/5/2005 Regn No. 2849/2005 and General Power of Attorney No. 2850/2005 both at Sub Registrar, Haveli No. 12 for lands (a) S. No. 26 Hissa No. 3 (old S. No. 26/1+2/2/1) area 0 H 91.4 Ars and (b) S. No. 26 Hissa No. 4 (old S. No. 26/1+2/2/2) area 2 H 74.3 Ars. (ii.) Name of the said Developer i.e. 'Sigma Buildcon' a partnership firm constituted under Partnership Deed dated 07/05/2004 was firstly changed to 'M/s IDEB Buildcon' by Deed of Re-constitution of Partnership dated 31/01/2006 and thereafter secondly it was converted into a private limited company in the name and style 'IDEB Grand Reality Private Ltd' duly registered under the Companies Act 1956. Consequently names were recorded on Form No. VII, VII A and XII of the scheduled property.

- 14) As per Zonal Certificate No. 2824 dated 18/9/2017 issued by PMC, the S. No. 26 of Village Kondhwa Khurd falls partly in residential





zone and partly in Hill Top Hill zone and 24 meter wide D. P. road passes through the same. (ii) The Additional Collector, Pune has granted NAA permission for the lands S. No. 26/3 area 9140 sq.mtrs and S. No. 26/4 area 27430 sq.mtrs vide Order No. PRH/NA/SR/254/2004 dated 21/10/2004. (iii) PMC has sanctioned revised building plans vide Commencement Certificate No. CC/4141/2006 dated 28/2/2007. (iv) The Government of Maharashtra, Environment Department, Mumbai has granted Environment Clearance vide Order No. 21-1122/2007-IA-III dated 05/6/2009 in the name of 'IDEB Grand Reality Private Ltd' for the project named 'Villagio Toscana'. (v) The said Developer - IDEB Grand Reality Private Ltd filed application on 27 Sep 2017 for registration under Maha-RERA for the project named 'Villagio Toscana' and Registration Certificate of Project bearing No. P52100003373 dated 05/8/2017 has been granted by MahaRERA.

15) Shri Jagannath Awadaji Lonkar (for himself and as Karta of HUF), Shri Vishwanath Jagannath Lonkar, Shri Kisan Jagannath Lonkar, Shri Santosh Jagannath Lonkar, Shri Vitthal Awadaji Lonkar (for himself and as Karta of HUF), Shri Maruti Vitthal Lonkar, Shri Ananta Vitthal Lonkar, Shri Nivrutti Awadaji Lonkar (for himself and as Karta of HUF), Smt. Sulochana Ganpat Lonkar, Mrs. Chhaya Rohidas Dhandekar nee Chhaya Ganpat Lonkar, Shri Pandurang Ganpat Lonkar, Shri Mahadeo Jagannath Lonkar executed Sale Deed dated 15/10/1992 Regn No. 600/1992 at Sub Registrar Haveli No. 3 on 16/11/1992 for an area covering 06 Hectares 40 Ares (with specific area purchased by each purchaser stated in the sale deed) out of S. No. 26/1+2 totally admeasuring 08 Hectares 17 Ars in favour of Shri Tajuddin Mohammadbhai Somji (area purchased 3 H 20 Ars), Shri Sadrudin Mohammadbhai Somji (area purchased 1 H 60 Ars) and Shri Nuruddin Mohammadbhai Somji (area purchased 1 H 60 Ars). were retained on Form No. VII, VII A and XII of the scheduled property.

16) Shri Tajuddin Mohammadbhai Somji, Shri Sadrudin Mohammadbhai Somji and Shri Nuruddin Mohammadbhai Somji executed a Sale Deed dated 15/10/1992 Regn No. 601/1992 at Sub Registrar Haveli No. 3 on 18/11/1992 and transferred an area admeasuring 02 Hectares 74.3 Ares from their holding of 3 H 20 Ars from land bearing S. No.





26/1+2/2 in favour of Mrs. Parvatibai Vishwanath Lonkar, Mrs. Alka Kisan Lonkar, Mrs. Rohini Satish Lonkar, Mrs. Laxmi Maruti Lonkar, Mrs. Pramila Anant Lonkar and Miss Nisha Nivrutti Lonkar (Purchasers) were retained on Form No. VII, VII A and XII of the scheduled property.

17) Mrs. Parvatibai Vishwanath Lonkar, Mrs. Alka Kisan Lonkar, Mrs. Rohini Satish Lonkar, Mrs. Laxmi Maruti Lonkar, Mrs. Pramila Anant Lonkar and Miss Nisha Nivrutti Lonkar (Land-owners) sold and transferred their respective $1/6^{\text{th}}$ undivided share in the land bearing S. No. 26/1+2/2/2 totally admeasuring 02 Hectares 74.3 Ares vide separate six Sale Deeds all dated 23/12/1994 bearing Regn No. 716/1994, Regn No. 717/1994, Regn No. 718/1994, Regn No. 719/1994, Regn No. 720/1994 and Regn No. 721/1994 at Sub Registrar, Haveli No. 3 in favour of Memory Park Co-operative Housing Society (Proposed) through its Chief Promoters Shri Minesh Ambalal Patel and Shri Chandrakant Vallabhbhai Patel (Purchaser) were retained on Form No. VII, VII A and XII of the scheduled property.

18) Memory Park Co-operative Housing Society Limited* granted development rights of the land bearing S. No. 26/4 area 2 H 74.3 Ars vide a Development Agreement and Power of Attorney dated 07/11/2003 which are duly registered at the Office of the Sub – Registrar Haveli No. 12 at Serial No. 4842/2003 and 4843/2003 respectively in favour of M/s Ascon Developers through its Partners Shri Shyam Vipin Sanghavi and Shri Atul Ishwardas Chordia were retained on Form No. VII, VII A and XII of the scheduled property.

19) M/s Ascon Developers through its Partners Shri Shyam Vipin Sanghavi and Shri Atul Ishwardas Chordia (Assignor/Developer) PLUS Shri Nooruddin M. Somji (Land-owner/Consenting Party No. 1) + M/s Memory Park Co-operative Housing Society Ltd through its Chairman Shri Chandrakant Vallabhbhai Patel and Secretary Shri Minesh Ambalal Patel (Land-owner/Consenting Party No. 2) assigned and transferred the development rights by executing registered Development Agreement dated 10/5/2005 Regn No. 2849/2005 and General Power of Attorney No. 2850/2005 both at Sub Registrar, Haveli No. 12 for lands (a) S. No. 26 Hissa No. 3 (old S. No.



26/1+2/2/1) area 0 H 91.4 Ars and (b) S. No. 26 Hissa No. 4 (old S. No. 26/1+2/2/2) area 2 H 74.3 Ars. in favour of M/s Sigma Buildcon through its Partner UKN Properties Pvt Ltd represented by Shri Gautam Nambisan (Purchaser/Developer). Later the name of the said Developer i.e. 'Sigma Buildcon' a partnership firm constituted under Partnership Deed dated 07/05/2004 was firstly changed to 'M/s IDEB Buildcon' by Deed of Re-constitution of Partnership dated 31/01/2006 and thereafter secondly it was converted into a private limited company in the name and style 'IDEB Grand Reality Private Ltd' duly registered under the Companies Act 1956 were retained on Form No. VII, VII A and XII of the scheduled property.

20) That thereafter, it appears that Memory Park Co-operative Housing Society Ltd availed a loan from Aditya Birla Finance Limited against the scheduled property vide Mortgage Deed executed and registered in the office of sub registrar Haveli No. 11 at Serial No. 20042/21 dated 21/12/2021.

21) Following documents are required to be examined and the present report issued subject thereto:

- a. Copy of Deed of Confirmation dated 7/11/2003 Regn No. 4841/2003 at Sub Registrar, Haveli No. 12 about change of name of Memory Park Co-operative Housing Society Ltd may please be supplied. Further, this change in name i.e. 'Memory Park Co-operative Housing Society Limited' may please be got entered on the 7 x 12 extract of the land by proper mutation entry.
- b. Necessary Declaration-cum-Indemnity as required under Urban Land Ceiling Repeal Act in respect of Shri Nuruddin Mohammadbhai Somji may please be supplied.
- c. The blue prints sanctioned by PMC under revised Commencement Certificate No. CC/4141/2006 dated 28/2/2007 may please be supplied.
- d. The Developer - IDEB Grand Reality Private Ltd has started development of the said land with the project 'Villagio Toscana'. It contains residential flats and row-houses. It is found that the Developer - IDEB Grand Reality Private Ltd has already executed some registered agreements for sale of





	the plaintiff) would continue till the claim therein is satisfied or turned down by the court.
R.C.C 4968/2010	The matter is kept for filing of filing of Evidence before charge since 27.07.2018
CC/203/19	Evidence Affidavit to be filed
Spl. Civ. Suit No. 757/2011 and Special Darkhast bearing No. 85/2016	All the three suit were consolidated and ordered to record the common evidence in Spl. C. S. No. 757/2011.
Spl. C. Suit No. 758/2011	In common judgment it was decided that : "The charge on property is kept till realization of amount as follows:
Spl. Civ. Suit No. 1721/2011 and Special Darkhast bearing No. 86/2016	Spl. C.S. No. 757/2011 filed by Mr. Naresh N. Chhabria and other i. the charge of Rs. 30,77,120/- of Spl. C.S. No. 757/2011 is kept on the title deed of the suit flat A-201. Thereafter Mr. Naresh N. Chhabria filed Special Darkhast bearing No. 85/2016 against IDEB Grand Reality Pvt. Ltd. Stage: Mediation/Compromise/Settlement. Spl. C.S. No. 758/2011 filed by Mr. Kirti Zaveri and other ii. the charge of Rs. 19,50,598/- of Spl. C.S. No. 758/2011 is kept on the land Survey 26 Hissa No. 3 and 4 of mouje Kondhawa Khurd, Tal. Haveli, District Pune. Spl. C.S. No. 1721/2011 filed by Mrs.





	<p>Renuka Poorswani and other</p> <p>iii. the charge of Rs. 45,11,088/- of Spl. C.S. No. 1721/2011 is kept on the title deed of the suit flat A-401.</p> <p>Thereafter Mrs. Poorswani filed Special Darkhast bearing No. 86/2016 against IDEB Grand Reality Pvt. Ltd. Stage: Mediation/Compromise/Settlement.</p>
Spl. Civ. Suit No. 361/2012 filed by Mr. Sachin Prem Jumani and other	a. Defendants i.e. M/s IDEB Grand Reality Private Limited are directed to pay Rs. 17,77,029/- to the plaintiff within two months in default defendants to pay interest @ 6% on Rs. 17,77,029/- till its realization. – in respect of Flat bearing No. B-604.
Spl. Civ. Suit No. 368/2012 filed by Miss Reshma Prem Jumani	a. The charge on amount of Rs. 22,18,875/- with the interest @ 9% p.a. be entered into the revenue record of rights of the land at Survey No. 26/3 and 4 and construction thereon namely 'Villagio Toscana' at Vill, Kondhwa Khurd, Taluka Haveli District Pune is continued till realization of the amount. b. Plaintiff is entitled for total amount of Rs. 18,23,250/- with future simple rate of interest @ 9% from the date of institution of suit till its realization.
Spl. C. Suit No. 224/2012 filed by Global Systems Investments	The suit is disposed as the dispute was settled amicably between parties.
Spl. Civ. Suit No. 853/2012 filed by Priya Gautam Shahane and other.	The Defendant Nos.1 to 3 are liable to pay jointly and severally Rs.42,98,980/- with interest @ 9% p.a. from 01.04.2009 till its





Special Darkhast bearing No. 166/2018	<p>realization. the charge of Rs. 42,98,980/-</p> <p>The charge of Rs. 42,98,980 Spl. C.S. No. 853/2012 is kept on the land Survey 26 Hissa No. 3 and 4 of mouje Kondhawa Khurd, Tal. Haveli, District Pune.</p> <p>Thereafter Mr. and Mrs. Shahane filed Special Darkhast bearing No. 166/2018 against IDEB Grand Reality Pvt. Ltd. Stage: Appearance of Decree Holder for confirmation of settlement between parties. Settlement Deed is already filed on record.</p>
<p>Spl. Sum. Suit No.116/2013 filed by Savita R. Kulhare and other;</p> <p>Special Darkhast bearing No. 77/2017</p>	<p>The Defendants are liable to pay an amount of Rs. 41,41,900/- to the plaintiffs along with further interest @ 9% p. a. from the date of filing this suit, till realization of decretal amount.</p> <p>Thereafter Mr. and Mrs. Kulhare filed against IDEB Grand Reality Pvt. Ltd.</p> <p>Stage: Awaiting Warrant.</p>
<p>Spl. C. Suit No. 1038/2013 filed by Samir Vinod Chandra Khare and other</p>	<p>The suit is pending for filing of say.</p>
<p>Spl. Civ. Suit No. 263/2012 filed by IDEB Grand Reality Pvt. Ltd. against Jaspreet Singh Rajpal</p>	<p>The suit is disposed as the dispute was settled amicably between parties.</p>

2. The decretal charges as ordered under the decree and directed against the land would go with the said land and therefore the said charges would continue till the same are fully satisfied.



3. It is seen that a number of charges or claims etc. exist as on date and the same will have to be taken into account in finalizing the title of Developers. A confirmation and/or indemnity about non-existence of any other claim or suit or encumbrance or charge etc. other than the above stated ones may please be obtained.

4. Mrs. Chhaya Rohidas Dandekar nee Chhaya Ganpat Lonkar filed a Regular Civil Suit No. 822/2011 against Pandurang Ganpat Lonkar etc. 34 (including Memory Park Co-op. Housing Society and Village Toscano Private Limited) in the court of Civil Court Senior Division, Pune. The said Mrs. Chhaya has also lodged Notice of *Lis Pendence* dated 10/10/2013 duly registered at the Office of the Sub-Registrar Haveli No. 10 at Serial No. 11540/2013 rendering due notice of the said pending suit. However, it is stated that the said Mrs. Chhaya was a party to Special Civil Suit No. 94/1982, consent terms and the Sale Deed dated 15/10/1992 executed in favour of Shri Tajuddin Mohammadbhai Somji and others.

5. We have carried out search and inspection of Index II registers kept in the offices of Sub-Registrar Haveli No.1 and on web portal of IGR Maharashtra, for last 30 years, by paying requisite search fee vide GRN No. MH012532662201920E dated 25.02.2020. We have not come across any adverse entry evidencing to create any doubt with respect to the title of the scheduled property except for Mortgage Deed executed and registered in the office of sub registrar Haveli No. 11 at Serial No. 20042/21 dated 21/12/2021.

6. Some of the Index II register and some pages of the registers were torn, half torn, illegible, not available. The web portal showed only uploaded entries. The search is restricted to the documents available. It is pertinent to note that, since November 2005, the Inspector General of Registrar (IGR) has granted permission to register any instrument/document/indenture of any area in any office of the Sub-Registrar of Assurances situated within the limits of Haveli No.1 to 28. Therefore the search has its own limitations, as particularly, it is not possible to carry out the search in all the offices of the Sub-Registrar Haveli and expect the Jt. District Registrar Office, Pune there is no system of centralized search of Index II.

7. We have not conducted search of the cases/suits/proceedings pending before any court. We observe that an enquiry is necessary to be conducted with the Pune Municipal Corporation to find out 1. Whether the scheduled property or any portion thereof has been notified/reserved for public



purpose/amenities or 2. Whether any notice, notification, action, claim is pending against the scheduled property and 3. Whether any portion of the scheduled property is included in the set-back. If there is any notice of set-back to the property, no construction is permitted on the set-back land. An enquiry also needs to be made as to whether the property or any portion thereof is reserved for any public purpose under the Development plan e.g. for garden or school or road or for any other public purpose. In such cases, the buyer may not get permission for construction on the property. The Collector Pune or the Pune Municipal Corporation, in lieu thereof, can grant F.S.I. (Floor Space Index) in respect of set-back land or reservations. It would therefore be necessary to engage an Architect to make necessary enquiries.

8. It is further clarified for the purpose of issuance of this report, 1. We have assumed (i) The right, constitution, deeds or legal capacity of all persons, natural or artificial to execute the documents mentioned herein, genuineness of all signatures, and authenticity of all documents submitted to us as original/certified/photocopies and have not examined the same, (ii) All permissions, if necessary have been obtained, (iii) The accuracy and completeness of all the factual representations made in the documents, (iv) There have been no changes, amendments or modifications to the documents examined by me. 2. We have relied upon the information relating to (i) Lineage and family tree on the basis of the revenue records made available and information provided to us by our clients, (ii) physical areas of the said land or portions thereof on the basis of the revenue records made available and information provided to us by our client and (iii) boundaries of the said land on the basis of documents provided to us by our client. It is further clarified that we are not certifying the boundaries of the scheduled property and we do not express our opinion on physical identification of the land.





9. We have confined our search and title investigation to the scheduled property and we have not investigated title of other properties in that Survey number area. We are instructed not to publish any notice calling for objections. Hence, a part of due diligence remains to be conducted. We have not been provided with the originals of the documents. There are certain documents which are mentioned in the mutation entries however, neither originals nor copies thereof are provided to us for our perusal. This report and opinion is exclusively based on the information and documents provided. The opinion is based on the presumption that photocopies are true and correct as that of the original. This title investigation report shall be read in whole and not in parts.

10. In furtherance to and subject to the observations made hereinabove, we certify that the title rights title rights of Memory Park Co-operative Housing Society in respect of the scheduled property are clear and Dasscon Realty Private Limited (formerly known as IDEB Grand Realty Private Limited) is having comprehensive development rights over the scheduled properties and the same are clean, clear and marketable subject to the Charge Release of Aditya Birla Finance Limited.

Date: 14th May, 2022



Rishabh
Rishabh Gandhi
Advocate

