

ADV. PUSHPA BAKSHANI,

**A-102, Kohlnoor Vayona, Opp. PCMC Bulding, Pimpri, Pune
411018.**

E-Mail: pushpa2012pune@gmail.com

FORMAT -A

(Circular No. 28 /2021)

To,

Hon'ble MahaRERA Authority,
At- 6th& 7th Floor Housefin Bhavan,
Plot No.- C-21, E Block, Bandra Kurla Complex,
Bandra (E), Mumbai- 40051.

LEGAL TITLE REPORT

Subject: Title clearance certificate with respect to S. No. 134/1, situated at Wakad, Taluka Mulshi, Dist; Pune.(Hereinafter referred to as "Said Property" for the sake of convenience and the said property is the subject matter of this Search and title report).

I have investigated the title of the said property on the request of M/s. RAGA Developers through its partners Mr. Tirathdas alias Tirathram Narayandas Keswani and others, on the basis of following documents i.e.:

1) DESCRIPTION OF THE PROPERTY

All that piece and parcel of the land admeasuring out of the total land admeasuring 70 Ares, bearing Survey no. 134/1, situated at village Wakad, Taluka Mulshi, District Pune being and lying within the limits of Pimpri Chinchwad Municipal Corporation, Pune and within the jurisdiction of the Sub-Registrar of Assurances, Pune (Together with access road, all



the things, easement, appurtenances, right of way, etc. attached thereto and forming part of this land.)

2) The Documents of allotment of Land:

1. Sale Deed dated 10/01/1992, bearing registered serial No. 16/304/245 to 251/1992, executed by Dattoba M Kalate in favour of Shri Tirathdas Narayandas Keswani and Smt Bhagwanti Tirathdas Keswani.
 2. Irrevocable Power of attorney between land owners and M/s. Raga Developers dated 21/08/2019 registered at Haveli No. 26 bearing No. 13674/2019
 3. Copy of revised Demarcation Certificate as per Mo. R. No. 1322/2019 dated 03/08/2019.
 4. Copy of Commencement Certificate issued by Pimpri Chinchwad Municipal Corporation bearing No. B.P/Layout/Wakad/166/2019, dated 30/08/2019.
 5. Copy of Non-Agriculture Land permission issued by the Tahasildar, Mulshi bearing No. 42 B/ Jamin/SR/29/2020, dated 07/08/2020.
 6. Copy of mutation entry No. 16456/2021 dated 22/05/21 with respect to the said property.
 7. Copy of Revised Commencement Certificate issued by The Pimpri Chinchwad Municipal Corporation bearing No. B.P/Wakad/57/2022, dated 31/03/2022.
 7. M.O.U. Dated 20.04.22 related to the said property.
 8. True Copy of Blue Print of sanctioned Layout Plan of the said Property.
3. 7/12 extract issued by Talathi Mulshi & various Mutation Entries bearing number 991, 16456.
4. Search Report for 30 years from 1992 to 2022.

On perusal of the above mentioned documents and all other relevant documents and all other relevant documents which are provided by M/s. Raga Developers to me, relating to title of the said property, I am of the opinion that, the title of M/s. RAGA Developers



through its partners i.e. "THE PROMOTORS/ DEVELOPERS AND BUILDERS' is clear, marketable and without any encumbrances .

Owners of the land:

S. No.	Land Area	Name of Owners
134/1	0 H 70 R	Mr. Tirhadas alias Tirathram Narayandas Keswani is the Owner cum Co developer/ promoter M/s. Raga Developers , through its partner Mr Tirhadas N keswani are the Power of attorney holders of the Owner and are the Developers

The report reflecting the flow of the title of M/s. RAGA Developers through its partner Mr. Tirathdas alias Tirathram Keswani and others on the said land is enclosed herewith as annexure.

Date: 20/04/2022

Bakshani

Place: Pune. **Adv. Pushpa Bakshani.**

Mrs. Pushpa Bakshani
Advocate
A-102, KOHINOOR VAYONA,
Opp. PCMC. Bldg., Pimpri, Pune 411



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FORMAT - A

(Circular No. 28 /2021)

FLOW OF THE TITLE OF THE SAID LAND

Sr. No.	Particulars
1.	All that piece and parcel of the land admeasuring out of the total land admeasuring 70 Ares, bearing Survey no. 134/1, situated at village Wakad, Taluka Mulshi, District Pune being and lying within the limits of Pimpri Chinchwad Municipal Corporation, Pune and within the jurisdiction of the Sub-Registrar of Assurances, Pune
2.	Mutation Entries bearing number 991, 16456.
3.	Search Report for 30 years from 1992 till 2022 taken from Sub- Registrar Office at Pune.
4.	Any other relevant document on my perusal: a) Sale Deed b) Power of Attorney c) M O U
5	Litigation --- Nil

Place: Pune

Date: 20/04/2022

Bakshani

Adv. Pushpa Bakshani

Mrs. Pushpa Bakshani

Advocate

A-102, KOHINOOR VAYONA,
Opp. PCMC. Bldg., Pimpri, Pune 18



ADV. PUSHPA BAKSHANI,

A-102, Kohinoor Vayona, Opp. PCMC Building, Pimpri, Pune
411018.

Date: 5/8/2019.

TO WHOMSOEVER IT MAY CONCERN

SEARCH AND TITLE REPORT

I have been instructed to carry out search/ investigation of title of the property as described in the schedule mentioned hereunder for the period of last 30 years from 1989 to 2019 which is as under:

Scope of Work:

The Scope of my legal due diligence exercise, as per instructions has been restricted to review (a) 7/12 extract (b) Mutation Entries (c) Prima facie legality and validity of the ownership rights of the persons appearing in the column of Owners of below Schedule property.

SCHEDULE OF THE PROPERTY

All that piece and parcel of the land admeasuring 00H 70Are out of the total land admeasuring 1 Hectare 08 Ares, bearing Survey no. 134/1, situated at village Wakad, Taluka Mulshi, District Pune being and lying within the limits of Pimpri Chinchwad Municipal Corporation, Pune and within the jurisdiction of the Sub-Registrar of Assurances, Pune and the total land is bounded as under:

On or towards East: Survey no. 133

On or towards West: Survey no. 135



On or towards North: Survey no. 134 (Part)

On or towards South: Survey no. 143

Boundaries of the property bearing S.No. 134/1 (part), in the name Shri Tirathdas N Keswani:

On or towards East: Survey no. 133

On or towards West: Survey no. 135

On or towards North: Survey no. 134/1 (part)

On or towards South: Survey no. 143, and part of S.no. 134/1.

(Together with access road, all the things, easement, appurtenances, right of way, etc. attached thereto and forming part of this land.)

(Hereinafter referred to as "Said Property" for the sake of convenience and the said property is the subject matter of this Search and title report).

Following documents have been provided for the said Search and Title Report:

1. Copy of 7/12 Extract in respect of land bearing Survey no. 134/1 of village Wakad.
2. Mutation Entries bearing no. 991 and 4839 of village Wakad.
3. Copy of Sale Deed dated 10.1.1992 bearing registered serial no. 16/304/245 to 251 of 1992, executed by Dattoba M Kalate in favour of Shri Tirathdas Narayandas Keswani and Smt. Bhagwantibai Tirathdas Keswani.
4. Demarcation Certificate.
5. MSEB Bill.
6. Other relevant documents.



HISTORY OF THE TITLE:

1. After perusal of mutation entry bearing no.991, it appears that land bearing Survey no. 134/1, admeasuring about 1 Hectare 74 R situated at village Wakad, Taluka Mulshi, District Pune, was in the name of Dattoba Mahatu Kalate since 1950. One Gangaram Padale is shown as the owner of the said property in the revenue records . On 25.5.1950 the said land was transferred in the name of Dattoba Kalate as per Mutation Entry no. 991. (hereinafter referred to as "Original Owner").
2. Subsequently after mutual discussion and negotiations in the year 1992 Shri Dattoba Kalate sold the said land to Shri Tirathdas Narayandas Keswani and Smt. Bhagwantibai Tirathdas Keswani. They entered into a Sale Deed dated 10.1.1992, for an area admeasuring 1 Hectore 15 Are, which is duly registered in the office of the Sub-Registrar, Paud, Mulshi at serial no. 16/304/245 to 251 of 1992. Thus in view of the said Sale Deed, name of the Purchasers came to be mutated into record of rights vide mutation entry no. 4839 respectively and since then the said Purchaser is in vacant and peaceful possession of the said schedule property, as lawful owner thereof.
3. As soon as the names of both the Purchasers were mutated on the copy of 7/12 Extract, the purchasers came to know that the Original Owner has already sold an area of 07 Ares to different persons whose names were not mutated on the copy of 7/12 extract and the Original Owner also did not inform the purchasers of the same. Thus the area left with the Original Owner was 001H 08Ares, while the original owner sold an area of 01H 15Are to the Purchasers i.e. an excess area of 07Ares than the actual holding by the original owner. Therefore the Purchasers filed the Revision Application before the Additional Commissioner, Pune Division,



Pune bearing RTS/RA/185/1999 and thereby an area of 07Ares was reduced and the remaining area of 01H and 08Ares was reflected on the copy of 7/12 Extract, and the same is assessed at 5.96ps. vide mutation entry no. 10286.

4. Thereafter in the year 1999, the legal heirs of the original owner filed Special Civil Suit no. 105 of 1999 in the court of the Civil Judge, Senior Division, Pune for cancellation of the Sale Deed and for Injunction. They had filed the said suit claiming the said property to be ancestral property, but subsequently it was decided by the Hon'ble Courts, that it was the self acquired property. The said suit was opposed by the Purchasers and their Advocates and the learned Civil Judge, Senior Division, Pune was pleased to dismiss the said suit no. 105/1999 dated 21/2/2001. Against the order of the trial Court Civil Appeal no. 585/2001 was filed by the legal heirs of the original owners in the District Court. The learned Vth Additional Ad-Hoc Additional District Judge, Pune was pleased to dismiss the said Civil Appeal no. 585/2001 dated 12.12.2003. Against the order of the District Judge Second Appeal no. 1271 of 2004 alongwith Civil Application no. 990 of 2004 was filed by the legal heirs of the original owners before the High Court of Judicature at Bombay, Civil Appellate Jurisdiction. The High Court of Judicature at Bombay dismissed the said second appeal 1271 of 2004 and disposed of the application no. 990 of 2004 accordingly dated 20/8/2018. Against the said order of the High Court of Judicature at Bombay, the legal heirs of the original owners filed a Special Leave Petition (civil)... Diary no (3) . 41065/2018 at the Supreme Court of India, Delhi. The application for permission to file the Special Leave Petition was accordingly rejected dated 3/1/2019, by Supreme Court of India, Delhi.
5. Thereafter the present owners have made an application under section 85 of the Maharashtra Land Revenue Rules 1966, before The Tehsilder Mulshi (Paud) bearing case no. Hano / SR /85/2/2019, Paud, dated 26/6/2019, for Correction/Division of 7/12 extract. As per the order of the Tehsildar, Mulshi (Paud) the



land bearing S.No. 134/1, the copy of 7/12 extract shows total area admeasuring 01H 08R, out of the said total area, an area admeasuring 00H 70R belongs to Shri Tirathdas Narayandas Keswani and an area admeasuring 00H 38R is in the name of Smt. Bhagwanti Tirathdas Keswani, dated 26/6/2019, and the said Partition entry was mutated into the record of rights vide mutation entry no. 16456.

6. Thereafter the present owners have made an application before the Land Revenue Department, Maharashtra Shasan for Demarcation Certificate and fixing of boundaries as per the Partition, for the land bearing S.No.134/1, village Wakad, Taluka Mulshi, in the name of Shri Tirathdas Narayandas Keswani, the same was carried on 30/7/2019, and the boundaries fixed on 30/7/2019, and the Demarcation Certificate was issued on 3/8/2019, by Mo.R.No. 1321/2019.

CONCLUSION:

On review of the documents in respect of schedule property as referred above, the following conclusion can be arrived at:

- a) The name of the persons appearing in the column of Owners in 7/12 extract of above said Schedule Survey no. 134/1, have been carried out by respective entries by mutation entry no. 16456.
- b) The encumbrances appearing in the column of other rights of 7/12 extract have been cleared.
- c) There is no notice of lis pendence appearing in the column of other rights of 7/12 extract of said schedule property.
- d) There is Demarcation Certificate bearing no. 754/2019 dated 25/1/2019.
- e) The revised Demarcation Certificate as per Mo.R.No. 1321/2019, dated 3/8/2019.
- f) The Maharashtra State Electricity Distribution Co. Ltd., has sanctioned the electric meter bearing Consumer no. 172014804515, in the name of Shri T N Keswani.

Apart from perusal of all above available documents viz. 7/12 extract, mutation entries, and all other above mentioned documents and apart



from that I have caused search of the said Schedule property in the Sub-Registrar office after payment of necessary charges for the period of last 30 years, since 1989 till 2019, after making necessary online charges vide GRN- MH 010530964201819E dated 11.01.2019. I did not come cross any other transaction in respect of said schedule property than the entries mentioned hereinabove.

OPINION:

On the basis of the search taken, on the basis of the documents produced before me and on the basis of information given to me

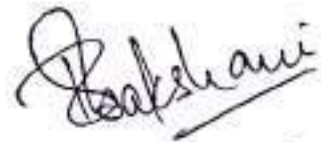
I certify that,

Shri Tirathdas Narayandas Keswani is the legal owner and in vacant and peaceful possession of the said schedule property, and he has clear right, title and interest in the above said property.

Hence, this title report issued and all documents returned back to the owner.

Date: 5/8/2019.

Place: Pune.



Adv. Pushpa Bakshani.

Mrs. Pushpa Bakshani

Advocate

A-102, KOHINOOR VAYONA,
Opp. PCMC. Bldg., Pimpri, Pune 411



ADV. PUSHPA BAKSHANI,

**A-102, Kohlnoor Vayona, Opp. PCMC Building, Pimpri, Pune
411018.**

Date: 08/04/2022.

TO WHOMSOEVER IT MAY CONCERN

SUPPLEMENTARY SEARCH AND TITLE REPORT

I have been instructed to carry out search/ investigation of title of the property as described in the schedule mentioned hereunder for the period from 2019 to 2022 which is as under:

SCHEDULE OF THE PROPERTY

All that piece and parcel of the land admeasuring 00H 70Are out of the total land admeasuring 1 Hectare 08 Ares, bearing Survey no. 134/1, situated at village Wakad, Taluka Mulshi, District Pune being and lying within the limits of Pimpri Chinchwad Municipal Corporation, Pune and within the jurisdiction of the Sub-Registrar of Assurances, Pune and the total land is bounded as under:

On or towards East: Survey no. 133

On or towards West: Survey no. 135

On or towards North: Survey no. 134 (Part)

On or towards South: Survey no. 143



Boundaries of the property bearing S.No. 134/1 (part), in the name Shri Tirathdas N Keswani:

On or towards East: Survey no. 133

On or towards West: Survey no. 135

On or towards North: Survey no. 134/1 (part)

On or towards South: Survey no. 143, and part of S.no. 134/1.

(Together with access road, all the things, easement, appurtenances, right of way, etc. attached thereto and forming part of this land.)

(Hereinafter referred to as "Said Property" for the sake of convenience and the said property is the subject matter of this Search and title report).

DOCUMENTS REFERRED:

The List of Documents referred are more specifically given in Search and Title Report dated 5/8/2019 and in addition to that following documents are called for:

1. Copy of 7/12 Extract in respect of land bearing Survey no. 134/1 of village Wakad.
2. Acknowledgement Slip for Environment Clearance application made by the owner dated 17/1/2020.
3. Copy of Non Agriculture Land permission issued by the Tehsildar, Mulshi bearing no. 42 B/Jamin/SR/29/2020, dated 07/08/2020.
4. Copy of Commencement Certificate issued by the Pimpri Chinchwad Municipal Corporation bearing no.B.P/Layout/Wakad/166/2019, dated 30/08/2019.
5. Copy of Revised Commencement Certificate issued by the Pimpri Chinchwad Municipal Corporation bearing no.B.P/Wakad/57/2022, dated 31/03/22.



6. True Copy of Blue Print of Sanctioned Layout Plan of the said property.
7. Copy of Search and Title Report dated 5/8/2019 with respect to the said property.
8. Copy of the Irrevocable Power of Attorney dated 21.8.19 executed by Mr Tirathdas N Keswani in favour of M/s Raga Developers Registered at Sr No. 13674 with the sub Registrar Haveli No. 26 Pune

This is to certify that I have investigated and given the Search and Title Reports dated 5/8/2019 in respect of above mentioned property, carried out by me at the instance of the owner Shri T N Keswani.

Present Supplementary Report is issued in continuation of said Search and Title Report. Hence Search & Title Reports dated 5/8/2019 and present supplementary Search and Title Reports be read together.

Recital of Title of the said property:

- a) After the perusal of Search and Title Reports dated 5/8/2019, it clearly appears that Shri T N Keswani is the Owner of the said Schedule property by way of purchase.
- b) After perusal of relevant documents, I observed that the owner Shri T N Keswani has submitted an application for Environment Clearance before the Ministry and accordingly had obtained the Acknowledgement Slip for Environment Clearance dated 17/1/2020.
- c) After perusal of relevant documents, I observed that the owner Shri T N Keswani has submitted an application to Tahsildar , Collector Office, Pune for change of user of said land. Accordingly had obtained the permission from the Competent Authority to use the said Schedule property for non-agricultural use vide Order bearing no. 42 B/Jamin/SR/29/2020, dated 07/08/2020 with respect to the said Schedule property.
- d) After perusal of relevant documents, I observed that, said owner have prepared layout plan and submitted to Competent Authority viz. Pimpri Chinchwad Municipal Corporation , for its approval and sanction. That PCMC accordingly approved and sanctioned the said plan vide



I have perused all the available documents viz. 7/12 extracts, Search and Title Reports, Layout Sanction Plan, NA Order, etc., and also I have taken the online search of the available records in respect of the said property more particularly described in the schedule written above in the office of the Sub-registrar Haveli since last 4 years for the period from 2019 to 2022. During the Search I did not come across any other entry except those mentioned herein in respect of said land.

CONCLUSION:

On review of the documents in respect of schedule property as referred above, the following conclusion can be arrived at:

- 1) The name of the persons appearing in the column of Owners in 7/12 extract of above said Schedule Survey no. have been carried out by respective mutation entries.
- 2) There are no registered encumbrances appearing in the column of other rights of 7/12 extract of above schedule property.
- 3) There is no notice of lis pendence appearing in the column of other rights of 7/12 extract of said Schedule property.
- 4) The Schedule property is not of restrictive tenure or new tenure as per the provisions of Maharashtra Land Revenue Code.
- 5) The property is not belonging to Schedule Caste or Schedule Tribes.
- 6) There is no notice of acquisition or requisition that has been recorded in other details column of the 7/12 extract.



OPINION:

On the basis of the search taken, on the basis of documents produced before me and on the basis of information given to me I certify that,

The Owner Shri Tirathdas Narayandas Keswani through his Power of Attorney Holders M/s Raga Developers, as stated above have clear title and interest in all that piece and parcel of the land admeasuring 00H 70Are out of the total land admeasuring 1 Hectare 08 Ares, bearing Survey no. 134/1, situated at village Wakad, Taluka Mulshi, District Pune being and lying within the limits of Pimpri Chinchwad Municipal Corporation, Pune and within the jurisdiction of the Sub-Registrar of Assurances, Pune. I am of the opinion that the title of M/s Raga developers through its partners, i.e. " The promoters/ developers and Builders) is clear, marketable and without any encumbrances subject to the existing provision of law.

Hence the report issued and all documents returned.

Date: 08.4.22

Place: Pune.



Adv. Pushpa Bakshani.

Mrs. Pushpa Bakshani
Advocate
A-102, KOHINOOR VAYONA,
Opp. PCMC. Bldg., Pimpri, Pune 18

