

PSD/23/ **000437**

29th December, 2023.

FORMAT-A

(Circular No. 28/2021)

To,

Maha RERA

Bandra Kurla Complex,

Bandra (East),

Mumbai 400 051.

LEGAL TITLE REPORT

Sub.: Title Clearance Report with respect to all those pieces and parcels of well defined and demarcated land total admeasuring 16450 square meters being (i) portion admeasuring 96.50 Ares i.e. 9650 square meters carved out of Survey No. 5 Hissa No. 18 total admeasuring 1 Hectare 93 Ares assessed at Rs. 8=07 paise and (ii) Survey No. 5 Hissa No. 19 admeasuring 68 Ares i.e. 6800 square meters assessed at Rs.02=87 paise lying, being and situate at village Dhanorie, Taluka Haveli, District Pune and within the limits of Pune Municipal Corporation and within the jurisdiction of the Sub Registrar Haveli Nos. 1 to 27, Pune (Hereinafter referred to as "the said Land").

(1) I have the investigated the title of the said Land based on the request of **M/s. Rising Associates**, a partnership firm duly registered under the provisions of the Indian Partnership Act, 1932 having its principal place of business at: Office No. 102, 1st floor, Wing "A" ICC Trade Towers, 22 Senapati Bapat Road, Pune 411016 through the hands of one of its Partner Mr. Vineet K. Goyal and based on the following documents and information viz.

(I) Description of the said Land

All those pieces and parcels of well defined and demarcated land total admeasuring 16450 square meters being (i) portion admeasuring 96.50 Ares i.e. 9650 square meters carved out of Survey No. 5 Hissa No. 18 total admeasuring 1 Hectare 93 Ares assessed at Rs. 8=07 paise and (ii) Survey No. 5 Hissa No. 19 admeasuring 68 Ares i.e. 6800 square meters assessed at Rs.02=87 paise lying, being and situate at village Dhanorie, Taluka Haveli, District Pune and within the limits of Pune Municipal Corporation and within the jurisdiction of the Sub Registrar Haveli Nos. 1 to 27, Pune and collectively bounded as follows: -

On or towards the East : By Survey No. 6 of village Dhanorie.
On or towards the South : By Survey No. 5 Hissa Nos. 20 of village Dhanorie.
On or towards the West : By 24 meter D. P. Road.
On or towards the North : By Survey No. 5 Hissa No. 17 of village Dhanorie.

(II) Documents on which the title is based and photocopies perused

- 7/12 extracts for the year 1950 till date.
- All mutation entries referred to in the flow of title save and except as otherwise stated.

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- All documents referred to in the flow of title save and except as otherwise stated.
- All permissions and sanctions referred to in the flow of title save and except as otherwise stated.

(III) Name of the Owners and Developers

Name of Owners: Mr. Rahul Shivajirao Kadam, residing at: 15, Ashirwad Bungalow, Mayur Colony, Kothrud, Pune 411038.

Name of Developers: M/s. Rising Associates, a partnership firm duly registered under the provisions of the Indian Partnership Act, 1932 having its principal place of business at: Office No. 102, 1st floor, Wing "A" ICC Trade Towers, 22 Senapati Bapat Road, Pune 411016 through the hands of one of its Partner Mr. Vineet K. Goyal.

(2) On perusal of the above mentioned documents and other documents pertaining to the title of the said Land, I am of the opinion that title of Mr. Rahul Shivajirao Kadam, residing at: 15, Ashirwad Bungalow, Mayur Colony, Kothrud, Pune 411038 to the said Land is clear and marketable, subject to the outcome of any pending litigation and that M/s. Rising Associates, a partnership firm duly registered under the provisions of the Indian Partnership Act, 1932 having its principal place of business at: Office No. 102, 1st floor, Wing "A" ICC Trade Towers, 22 Senapati Bapat Road, Pune 411016 through the hands of one of its Partner Mr. Vineet K. Goyal have an exclusive right and authority to develop the said Land described in para 1 (I) subject to obtaining the necessary permissions and sanctions and registering the project of construction under the provisions of The Real Estate (Regulation and Development) Act, 2016.

(3) Qualifying Comments/Remarks

The Qualifying comments and remarks are set out in para (3) of the Flow of Title annexed hereto and marked as Annexure "1".

(4) This Report reflecting the flow of title in respect of the said Land is annexed hereto and marked as Annexure "1".

Dated this 29th day of December, 2023.

Prasanna S Darade

Advocate

Encl.: Annexure "1"

ANNEXURE "1"

(1) Flow of Title and History

(A) Survey No. 5 Hissa No. 18

(a) It appears that one Mr. Keru Krishna Mahar alias Barathe was seized and possessed of and solely and exclusively entitled to the said Survey No. 5/18 of village Dhanorie prior to the year 1934 and holding the same as Mahar and Ramoshi Watan Class VI lands.

(b) It appears that pursuant to the Phalini, the said Survey No. 5/18 came to the exclusive allotment and ownership of Mr. Keru Krishna Mahar and his name was accordingly mutated in the revenue records. The same is reflected vide mutation entry no. 341. It is clarified that the said mutation entry no. 341 is not clearly visible and is incomplete and the said fact has only been ascertained from the notings on the 7/12 extract.

(c) It appears that the said Mr. Keru Krishna Mahar expired on or about the year 1950 leaving behind his legal heirs namely (i) Mr. Dagadu Keru Mahar – son, (ii) Mr. Dhondiba Keru Mahar – son and (iii) Mr. Kondiba Keru Mahar – son each having 5 anna 4 pai share therein. Pursuant thereto the names of the said legal heirs were mutated in the revenue records. The same is reflected vide mutation entry no. 710.

(d) It appears that the name of a simple tenant was mutated in the revenue records vide mutation entry no. 724. It is clarified that the said mutation entry no. 724 has not been produced for inspection at the time of issuance of this report. It appears that since the said Survey No. 5/18 was an Watan Inam Land, the name of the simple tenant mutated vide mutation entry no. 724 was deleted from the revenue records. The same is reflected vide mutation entry no. 739.

(e) It appears that the said Mr. Kondiba Keru Mahar had obtained a loan to the tune of Rs. 325/- and Rs. 250/- from Dhanorie Vikas Karyakari Seva Society on 30/5/1959. Pursuant thereto the charge of the said society was mutated in the revenue records. The same is reflected vide mutation entry nos. 980 and 984.

(f) It appears that certain corrections were made in the revenue records as regards the area and assessment as per Kami Jasta Patrak and the effect thereto was mutated in the revenue records. The same is reflected vide mutation entry no. 1028.

(g) The said Mahar and Ramoshi Watan was abolished by the provisions of The Bombay Inferior Village Watan Abolition Act, 1958 (for brevity the "Abolition Act") from the date 1/8/1959. It appears that the assessment was fixed and the said land was deleted as Watan Land pursuant to the Order bearing No. 941 dated 24/5/1959 passed by the Tahsildar, Haveli. The same is reflected vide mutation entry no. 992. It is clarified that the said Survey No. 5/18 is not seen in the said mutation entry no. 992, however the said fact is seen from the notings on the 7/12 extract.

(h) It appears that pursuant to the inquiry and Order dated 12/1/1965 passed by the Agricultural Lands Tribunal, the name of the tenant was ordered to be deleted. Pursuant thereto the name of the said tenant was deleted from the revenue records. The same is reflected vide mutation entry no. 1085.

(i) It appears that mutation entry no. 1183 pertains to Maharashtra State Weights and Measures Enforcement Act, 1958 and Indian Coinage Act, 1955 and is applicable to the entire village Dhanorie.

(j) As per the provisions of the said Abolition Act on payment of 13 times of assessment the aforesaid watan lands were liable to be granted back to the authorized holder/ex-watandar of Watan lands on new tenure. It appears that the said land was regranted in favour of the original owner by an Order bearing No. Watan/751/1971 dated 7/5/1971 passed by the Tahsildar on payment of 13 times assessment. The same is reflected vide mutation entry no. 1538.

(k) It appears that the said Mr. Dagadu Keru Barathe (Mahar) expired intestate on 30/10/1968 leaving behind is legal heirs namely (i) Mr. Gautam Dagadu Barathe – son, (ii) Mrs. Kausalyabai Sarjerao Jadhav – daughter, (iii) Mrs. Ratnamala Dashrath Sonawane daughter, (iv) Mrs. Bebibai Jagannath Sonawane – daughter and (v) Smt. Rakhambai Dagadu Barathe – widow. Pursuant thereto the name of the said Mr. Gautam Dagadu Barathe was mutated in the revenue records as karta of the HUF. The same is reflected vide mutation entry no. 3256.

(l) It appears that pursuant to the Order bearing No. MH/Watan/1830/2346/93 dated 5/3/1994 passed by the Commissioner, Pune and subsequent Letter dated bearing no. PTK/SR/128,129/11 Pune -1 dated 16/7/1994 issued by the Collector, Tenancy Branch, Pune, the said Survey No. 5/18 was regranted from New tenure to Old tenure vide the regular regrant order and further permission of sale of the said land was granted on certain conditions including that in the event of the land to be used for other than agriculture purpose amount equivalent to 50% of the market price should be deposited to the Government by way of nazarana.

(m) It appears that pursuant thereto by a Sale Deed dated 15/1/1994 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 3225/1994, the said Mr. Kondiba Keru Barathe, Mr. Dhondiba Keru Barathe, Smt. Rakhambai Dagadu Barathe, Mrs. Kausalyabai Sarjerao Jadhav, Mrs. Ratnamala Dashrath Sonawane and Mrs. Bebibai Jagannath Sonawane have sold and conveyed the said Survey No. 5/18 unto and in favour of Mr. Prakash Sahadeo Mhaske and Mrs. Vaibhavi Sunil Patil for consideration

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and on certain terms and conditions. Pursuant thereto the names of the said purchasers were mutated in the revenue records along with the conditions as per the regrant order dated 5/3/1994. The same is reflected vide mutation entry no. 7493 and 8584. It is clarified that as per the Sale Deed the area of Survey No. 5/18 which is sold is 1 Hectare 93 Ares however the mutation entry no. 7493 shows an area of 1 Hectare 89 Ares only. It is further clarified that the said regrant order has not been produced for inspection at the time of issuance of this report and the said fact has only been ascertained from the recitals in the Sale Deed dated 15/1/1994 and notings in mutation entry no. 7493.

(n) It appears that the said Mr. Shekhar Sahadeo Mhaske and Mr. Prakash Sahadeo Mhaske had obtained a loan from Citizens Co-operative Bank Ltd. to the tune of Rs. 1,00,00,000/- and Rs. 1,25,00,000/- and pursuant thereto had mortgaged the said Survey No. 5/18 and other lands. Pursuant to the Letters dated 8/12/2000 and 30/3/2002, the charge of the said bank was in the revenue records. The same is reflected vide mutation entry nos. 13259 and 14511. It appears that the said Mr. Shekhar Sahadeo Mhaske and Mr. Prakash Sahadeo Mhaske had repaid the loan to Citizens Co-operative Bank Ltd., merged with Abhyudaya Cooperative Bank Ltd. and pursuant to the Letter dated 27/12/2014 issued by the said bank, the charge of the said bank was deleted from the revenue records. The same is reflected vide mutation entry no. 21894.

(o) It appears that by a Development Agreement dated 20/10/2005 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 7919/2005, the said Mr. Prakash Sahadeo Mhaske, Mr. Shekhar Sahadeo Mhaske, Mr. Shivaji Dhondiba Barathe, Smt. Lilabai Chindu Barathe, Ms. Sangeeta Chindu Barathe, Mr. Chandrakant Chindu Barathe, Ms. Kavita Chindu Barathe, Ms. Savari Machindra Mhaske, Mr. Nakul Machindra Mhaske and Mr. Siddhant Machindra Mhaske have granted the exclusive development rights and authority to develop a portion admeasuring 96.5 Ares out of Survey No. 5/18 and other lands unto and in favour of Mr. Vijay Tirthram Sharma, Mr. Jitendra Vijay Sharma, Mrs. Suman Vijay Sharma and Mr. Rahul S. Kadam for consideration and on certain terms and conditions. In pursuance to the said Development Agreement dated 20/10/2005, the said Mr. Prakash Sahadeo Mhaske and others have executed a Power of Attorney dated 20/10/2005 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 7920/2005 in favour of Mr. Vijay Tirthram Sharma, Mr. Jitendra Vijay Sharma, Mrs. Suman Vijay Sharma, Mr. Rahul S. Kadam inter alia vesting in them with several powers and authorities pertaining to a portion admeasuring 96.5 Ares out of Survey No. 5/18 and other lands.

(p) It appears that by a Sale Deed dated 24/11/2011 registered with the office of the Sub Registrar Haveli No. 2 at serial no. 10986/2011, the said Mr. Prakash Sahadeo Mhaske, Mr. Shekhar Sahadeo Mhaske, Mr. Shivaji Dhondiba Barathe, Smt. Lilabai Chindu Barathe, Ms. Sangeeta Chindu Barathe, Mr. Chandrakant Chindu Barathe, Ms. Kavita Chindu Barathe, Ms. Savari Machindra Mhaske, Mr. Nakul Machindra Mhaske and Mr. Siddhant Machindra Mhaske have with the consent of Mr. Jitendra Vijay Sharma and Mrs. Suman Vijay Sharma have absolutely sold and conveyed a portion admeasuring 96.5 Ares out of Survey No. 5/18 and other lands unto and in favour of Mr. Rahul Shivajirao Kadam for consideration and on other terms and conditions as stated therein. Pursuant thereto the names of the said purchasers were mutated in the revenue records. The same is reflected vide mutation entry nos. 19865 and 21861.

(q) It appears that one Mr. Datta Bhagwan Barathe had filed a Civil Suit bearing No. Regular Civil Suit No. 1179/2015 against Mr. Bhagwan Kondiba Barathe and others and Mr. Rahul Shivajirao Kadam for declaration and injunction. The said parties to the said suit have settled their disputes and differences and as informed they have filed the necessary consent terms and have withdrawn the said suit to the extent of the said Survey No. 5/18 and other lands as per the recitals in Deed of Confirmation dated 22/10/2020.

(r) It appears that by a Deed of Confirmation dated 22/10/2020 registered with the office of the Sub Registrar Haveli No. 17 at serial no. 7698/2020, the said Mr. Datta Bhagwan Barathe, Mr. Bhagwan Kondiba Barathe, Mrs. Laxmi Bhagwan Barathe, Smt. Swati Gautam Barathe, Mrs. Sarika Mahesh Road nee Ms. Sarika Gautam Barathe, Mr. Balu Kondiba Barathe, Mrs. Gunita Balu Barathe, Mr. Aniket Balu Barathe, Ms. Ankita Balu Barathe, Mrs. Sarubai alias Sakubai Madhukar Gaikwad; Mrs. Alka Mahadu Gaikwad, Mr. Santosh Bhagwan Barathe, Mr. Ganesh Bhagwan Barathe and Mrs. Archana Vishal Nikalaje have confirmed the Sale Deed dated 15/9/1994 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 3225/1994, Development Agreement dated 20/10/2006 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 7919/2005 and the Sale Deed dated 24/11/2011 registered with the office of the Sub Registrar Haveli No. 2 at serial no. 10986/2011 in favour of Mr. Rahul Shivajirao Kadam and declared the same to be binding on them for consideration and further covenanted to have the said suit withdrawn by filing consent terms and further have assigned all their right, title and interest in the said lands if any in favour of Mr. Rahul Shivajirao Kadam for consideration and on certain terms and conditions.

(B) Survey No. 5 Hissa No. 19

(a) It appears that one Mr. Janaba alais Jana Dhondi Mahar was seized and possessed of and solely and exclusively entitled to the said Survey No. 5/19 of village Dhanorie prior to the year 1934 and holding the same as Mahar and Ramoshi Watan Class VI lands.

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(b) It appears that the said Mr. Janaba Dhondi Mahar expired intestate on 7/6/1934 leaving behind his legal heir and son Mr. Babu Janaba Mahar. Pursuant thereto the name of the said legal heir was mutated in the revenue records. The same is reflected vide mutation entry no. 331.

(c) It appears that pursuant to the Phalini, the said Survey No. 5/19 came to the exclusive allotment and ownership of Mr. Babu Janaba Mahar and his name was accordingly mutated in the revenue records. The same is reflected vide mutation entry no. 341. It is clarified that the said mutation entry no. 341 is not clearly visible and is incomplete and the said fact has only been ascertained from the notings on the 7/12 extract.

(d) The said Mahar and Ramoshi Watan was abolished by the provisions of The Bombay Inferior Village Watan Abolition Act, 1958 (for brevity the "Abolition Act") from the date 1/8/1959. It appears that the assessment was fixed and the said land was deleted as Watan Land pursuant to the Order bearing No. 941 dated 24/5/1959 passed by the Tahsildar, Haveli. The same is reflected vide mutation entry no. 992. It is clarified that the said Survey No. 5/19 is not seen in the said mutation entry no. 992, however the said fact is seen from the notings on the 7/12 extract.

(e) It appears that certain corrections were made in the revenue records as regards the area and assessment as per Kami Jasta Patrak and the effect thereto was mutated in the revenue records. The same is reflected vide mutation entry no. 1028.

(f) It appears that that one Mr. Gabaji Valku Tingare was a protected tenant in the said land and pursuant thereto the name of the said tenant was mutated in the revenue records. It is clarified that no mutation entry has been found as to how his name was mutated in the revenue records.

(g) It appears that pursuant to the inquiry and Order dated 12/1/1965 passed by the Agricultural Lands Tribunal, the name of the tenant was ordered to be deleted. Pursuant thereto the name of the said tenant was deleted from the revenue records. The same is reflected vide mutation entry no. 1085.

(h) It appears that mutation entry no. 1183 pertains to Maharashtra State Weights and Measures Enforcement Act, 1958 and Indian Coinage Act, 1955 and is applicable to the entire village Dhanorie.

(i) As per the provisions of the said Abolition Act on payment of 13 times of assessment the aforesaid watan lands were liable to be granted back to the authorized holder/ex-watandar of Watan lands on new tenure. It appears that the said land was regranted in favour of the original owner by an Order bearing No. Watan/751/1971 dated 7/5/1971 passed by the Tahsildar on payment of 13 times assessment. The same is reflected vide mutation entry no. 1540. It is clarified that on certain 7/12 extract the mutation entry no. 1540 has been shown as mutation entry no. 1542.

(j) It appears that the said Mr. Babu Janaba alias Jabaji Barathe (Mahar) expired intestate on 28/5/1977 leaving behind his legal heirs namely (i) Mr. Shankar Baburao Barathe - son, (ii) Mr. Vitthal Baburao Barathe - son and (iii) Smt. Anusaya Baburao Barathe - widow. Pursuant thereto the names of the said legal heirs were mutated in the revenue records. The same is reflected vide mutation entry no. 6529.

(k) It appears that pursuant to the Order bearing No. MH/Watan/1830/2346/93 dated 5/3/1994 passed by the Commissioner, Pune and subsequent Letter dated bearing no. PTK/SR/128,129/11 Pune -1 dated 16/7/1994 issued by the Collector, Tenancy Branch, Pune, the said Survey No. 5/18 was regranted from New tenure to Old tenure vide the regular regrant order and further permission of sale of the said land was granted on certain conditions including that in the event of the land to be used for other than agriculture purpose amount equivalent to 50% of the market price should be deposited to the Government by way of nazarana.

(l) It appears that pursuant thereto by a Sale Deed dated 18/1/1995 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 6426/1996 (old no. 270/1995, the said Mr. Shankar Baburao Barathe, Mr. Vitthal Baburao Barathe and Smt. Anusaya Baburao Barathe have sold and conveyed the said Survey No. 5/19 unto and in favour of Mr. Shekhar Sahadeo Mhaske for consideration and on certain terms and conditions. Pursuant thereto the name of the said purchaser was mutated in the revenue records along with the conditions as per the regrant order dated 5/3/1994. The same is reflected vide mutation entry no. 7495.

(m) It appears that the said Mr. Shekhar Sahadeo Mhaske and Mr. Prakash Sahadeo Mhaske had obtained a loan from Citizens Cooperative Bank Ltd. to the tune of Rs. 1,25,00,000/- and pursuant thereto had mortgaged the said Survey No. 5/19 and other lands. Pursuant to the Letter dated 30/3/2002, the charge of the said bank was in the revenue records. The same is reflected vide mutation entry no. 14511. It appears that the said Mr. Shekhar Sahadeo Mhaske and Mr. Prakash Sahadeo Mhaske had repaid the loan to Citizens Cooperative Bank Ltd., merged with Abhyudaya Cooperative Bank Ltd. and pursuant to the Letter dated 27/12/2014 issued by the said bank, the charge of the said bank was deleted from the revenue records. The same is reflected vide mutation entry no. 21894.

(n) It appears that by a Development Agreement dated 20/10/2005 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 7919/2005, the said Mr. Prakash Sahadeo Mhaske, Mr. Shekhar Sahadeo Mhaske, Mr. Shivaji Dhondiba Barathe, Smt. Lilabai Chindu Barathe, Ms. Sangeeta Chindu Barathe, Mr. Chandrakant Chindu Barathe, Ms. Kavita Chindu Barathe, Ms. Savari Machindra Mhaske, Mr. Nakul Machindra Mhaske and Mr. Siddhant Machindra Mhaske have granted the exclusive development rights and authority to develop the said Survey No. 5/19 and other lands unto and in favour

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of Mr. Vijay Tirthram Sharma, Mr. Jitendra Vijay Sharma, Mrs. Suman Vijay Sharma and Mr. Rahul S. Kadam for consideration and on certain terms and conditions. In pursuance to the said Development Agreement dated 20/10/2005, the said Mr. Prakash Sahadeo Mhaske and others have executed a Power of Attorney dated 20/10/2005 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 7920/2005 in favour of Mr. Vijay Tirthram Sharma, Mr. Jitendra Vijay Sharma, Mrs. Suman Vijay Sharma. Mr. Rahul S. Kadam interalia vesting in them with several powers and authorities pertaining to said Survey No. 5/19 and other lands.

(o) It appears that by a Sale Deed dated 24/11/2011 registered with the office of the Sub Registrar Haveli No. 2 at serial no. 10986/2011, the said Mr. Prakash Sahadeo Mhaske, Mr. Shekhar Sahadeo Mhaske, Mr. Shivaji Dhondiba Barathe, Smt. Lilabai Chindu Barathe, Ms. Sangeeta Chindu Barathe, Mr. Chandrakant Chindu Barathe, Ms. Kavita Chindu Barathe, Ms. Savari Machindra Mhaske, Mr. Nakul Machindra Mhaske and Mr. Siddhant Machindra Mhaske have with the consent of Mr. Jitendra Vijay Sharma and Mrs. Suman Vijay Sharma have absolutely sold and conveyed the said Survey No. 5/19 and other lands unto and in favour of Mr. Rahul Shivajirao Kadam for consideration and on other terms and conditions as stated therein. Pursuant thereto the names of the said purchasers were mutated in the revenue records. The same is reflected vide mutation entry nos. 19865.

(p) It appears that one Mr. Datta Bhagwan Barathe had filed a Civil Suit bearing No. Regular Civil Suit No. 1179/2015 against Mr. Bhagwan Kondiba Barathe and others and Mr. Rahul Shivajirao Kadam for declaration and injunction. The said parties to the said suit have settled their disputes and differences and as informed they have filed the necessary consent terms and have withdrawn the said suit to the extent of the said Survey No. 5/19 and other lands as per the recitals in Deed of Confirmation dated 22/10/2020.

(q) It appears that by a Deed of Confirmation dated 22/10/2020 registered with the office of the Sub Registrar Haveli No. 17 at serial no. 7698/2020, the said Mr. Datta Bhagwan Barathe, Mr. Bhagwan Kondiba Barathe, Mrs. Laxmi Bhagwan Barathe, Smt. Swati Gautam Barathe, Mrs. Sarika Mahesh Road nee Ms. Sarika Gautam Barathe, Mr. Balu Kondiba Barathe, Mrs. Gunita Balu Barathe, Mr. Aniket Balu Barathe, Ms. Ankita Balu Barathe, Mrs. Sarubai alias Sakubai Madhukar Gaikwad, Mrs. Alka Mahadu Gaikwad, Mr. Santosh Bhagwan Barathe, Mr. Ganesh Bhagwan Barathe and Mrs. Archana Vishal Nikalaje have confirmed the Sale Deed dated 15/1/1994 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 3225/1994, Development Agreement dated 20/10/2006 registered with the office of the Sub Registrar Haveli No. 8 at serial no. 7919/2005 and the Sale Deed dated 24/11/2011 registered with the office of the Sub Registrar Haveli No. 2 at serial no. 10986/2011 in favour of Mr. Rahul Shivajirao Kadam and declared the same to be binding on them for consideration and further covenanted to have the said suit withdrawn by filing consent terms and further have assigned all their right, title and interest in the said lands if any in favour of Mr. Rahul Shivajirao Kadam for consideration and on certain terms and conditions.

(C) Common flow of title of the said Land

(a) It appears that by an Agreement of Joint Venture dated 16/3/2022 registered with the office of the Sub Registrar Haveli No. 11 at serial no. 5589/2022, the said Mr. Rahul Shivajirao Kadam has entrusted the development rights and authority to develop the said (i) portion admeasuring 9650 square meters out of Survey No. 5/18 and (ii) Survey No. 5/19 admeasuring 6800 square meters being the said Land unto and in favour of M/s. Rising Associates for consideration and on certain terms and conditions as stated therein. Pursuant to the said Agreement for Joint Venture dated 16/3/2022, the said Mr. Rahul Shivajirao Kadam has executed a Power of Attorney dated 16/3/2022 registered with the office of the Sub Registrar Haveli No. 11 at serial no. 5591/2022 in favour of the nominee and partners of M/s. Rising Associates interalia vesting in them with several powers and authorities pertaining to the said (i) portion admeasuring 9650 square meters out of Survey No. 5/18 and (ii) Survey No. 5/19 admeasuring 6800 square meters of village Dhanorie.

(2) Permission and Sanction

(a) As per the Zone Certificate dated 20/5/2122 issued by Pune Municipal Corporation, the said Survey No. 5 is in the residential zone and part thereof is affected by 24 meter road.

(b) As per the Letter dated 22/3/2022 issued by Pune Municipal Corporation, the said Survey No. 5/18 and 5/19 are in the residential zone and part thereof is affected by 24 meter road widening.

(c) The Collectorate Pune vide its Order bearing No. PMC/NOC/SR/06/2021 dated 18/4/2022 has fixed the non-agricultural assessment and permitted the non-agricultural use of the said land.

(d) The Pune Municipal Corporation vide Commencement Certificate bearing No. CC/2392/23 dated 26/12/2023 has sanctioned the layout and building plans in respect of the proposed buildings to be constructed on the said land.

(3) Name of the Owners and Developers

Name of Owners: Mr. Rahul Shivajirao Kadam, residing at: 15, Ashirwad Bungalow, Mayur Colony, Kothrud, Pune 411038.

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Name of Developers: M/s. Rising Associates, a partnership firm duly registered under the provisions of the Indian Partnership Act, 1932 having its principal place of business at: Office No. 102, 1st floor, Wing "A" ICC Trade Towers, 22 Senapati Bapat Road, Pune 411016 through the hands of one of its Partner Mr. Vineet K. Goyal.

(4) Qualifying Comments/Remarks

(a) I have also caused to be carried out on line searches in the Index II registers available in the office of the Sub Registrar of Assurances at Haveli Nos. 1 to 27, Pune for the years from 1994 till date through my associate Mr. Prashant Pansare, Advocate. I have been informed by Mr. Prashant Pansare, Advocate that from the available records during the searches, save and except as herein, no any entry evidencing any encumbrances of whatsoever nature in and upon the said Land are found or traced.

(b) It is clarified that at the specific instructions of my clients, I have not issued any public notice calling for objections and/or claims for the purposes of issuance of this report.

(c) It is clarified that this report is based on the searches carried out at the office of the Sub Registrar of Assurances and on the documents produced before me inter alia title deeds and revenue records for my inspection and certain information supplied to me by my clients.

(d) Certain documents/ correspondence, mutation entries are not made available to me and hence I have assumed and relied on the other documents and/or link facts and/or notings on 7/12 extract to arrive at a conclusion which can be presumed to be correct unless proved or a new entry is lawfully substituted therefore.

(e) It is clarified that the mutation entry nos. 22792 and 23639 pertain to corrections being made in the computerized 7/12 extracts pursuant to the order passed by the Tahsildar, Mulshi.

(f) Litigation: Regular Civil Suit No. 101/2022 pending before the Civil Judge Senior Division, Pune at Pune filed by Mrs. Mangal alias Shakuntala Diwansingh versus Mr. Rahul Shivaji Kadam and others.

The said suit has been filed for Partition, Declaration, Cancellation of Sale Deed dated 18/1/1995 registered at serial no. 6426/1996, Sale Deed dated 5/12/1998 registered at serial no. 5850/1998, Development Agreement dated 20/10/2005 registered at serial no. 7919/2005, Power of Attorney dated 20/10/2005 registered at serial no. 7920/2005, Sale Deed dated 24/11/2011 registered at serial no. 10986/2011 to the extent of the share of the Plaintiff and others and consequential reliefs. The said suit pertains to Survey No. 5/19 and other lands, but Survey No. 5/18 is not a subject of the said suit.

I have gone through the plaint and application at Ex.5 for interim relief and documents filed in the suit a produced for inspection by my clients. On perusal of the same, I am of the view that the said suit suffers from several latches and pitfalls and the said suit is hit by the Doctrine of Delay and Latches, Doctrine of Estoppel and Acquiescence and Doctrine of Wavier. In view of the said doctrines and moreover other lands being available for partition, the said suit would not affect to the title of Mr. Rahul Shivajirao Kadam to the said land. I have also been informed that no interim or ad interim orders have been passed as on date of issuance of this report.

(g) I have assumed that all members of the Hindu Undivided Family if referred above have been made a party to the documents as discussed hereinabove and no person/s are left out. It is clarified that as the detailed family has not been furnished to me, I have assumed and relied on the correctness as regards all members of Hindu Undivided Family being made a party to the documents. Further as a custom, the titles to said Land is ascertained on the basis of perusal of the village records maintained by the Revenue Department and of which the copies were made available to me by my clients. Relying upon the presumptions under law about the same being correct unless proved otherwise or contrary and an analysis of the same with regards to the applicable laws is used to deduce a chain of title.

(h) It is clarified that verification of pending litigations in respect of the said Land is difficult due to various reasons including (i) litigations can be filed/instituted in various for a depending upon the relief claimed, and/or (ii) records of litigations maintained by courts and other authorities (judicial or otherwise) are not updated not maintained descriptively and not easily available and accessible, and/or (iii) Online searches in Court web portal do not provide any description of the Land and searches based on names is not feasible, and/or (iv) there are no registers maintained in respect of matters referred to arbitration. Considering the aforesaid, I have not conducted any litigation searches before any court of law or before any other authority (judicial or otherwise) to verify whether the said Land is subject matter of any litigation.

(i) It is further clarified for the purposes of issuance of this report, (A) I 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 me as certified or photocopies and have not examined the same, (ii) only photocopies of the documents referred above are produced for inspection and I have assumed the same to be true and correct, (iii) that all permissions, if necessary have been obtained, (iv) the accuracy and completeness of all the factual representations made in the documents and information given to me, (v) that there have been no changes, amendments or modifications to the documents examined by me, (B) I have relied upon the information relating to (i) Lineage on the basis of the revenue records and society records made available and certain

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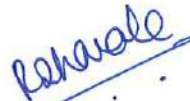
information provided to me by my clients, (ii) there are no litigations/ claims/ applications/etc. of whatsoever nature pending in respect of the said Land before any Court, Forum, Revenue Courts and Authority, Judicial/ Quasi-Judicial Officer or Authority, Arbitrator, etc. as per information provided to me by my clients, (iii) physical areas of the said Land thereof on the basis of the documents made available and information provided to me by my clients and (iv) boundaries of the said Land on the basis of documents and information provided to me by my clients.

(a) It is further clarified that I am not certifying the boundaries of the said Land nor am I qualified to express my opinion on physical identification of the said Land.

(b) It is further clarified that since my scope of work does not include considering aspects within the domain of an architect or surveyor, I have not carried out any physical inspection of the said Land nor have commented on its zoning and development aspects, etc. thereof. Further I am not certifying the boundaries of the said Land nor am I qualified to express my opinion on physical identification of the said Land.

This Title Report is based on the provisions of the law as applicable and prevailing as on date and the facts of the matter which is derived from documents perused and information provided and as I understand them to be. My understanding is based upon and limited to the information and documents provided to me and any variance of facts or of law may cause a corresponding change in my Title Report.

Dated this 29th day of December, 2023.


Prasanna S Darade
Advocate

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