

Kirankumar Shantilal Shah and Mr. Kirankumar Shantilal Shah have become the absolute owners of the Property bearing Gat No. 118 having Old Gat No. 1238 having total admeasuring area of 00 H. 15 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune.

HISTORY OF GAT NO. 140/1 & 140/2 :-

42) That as per the order bearing No. Con/SR/287, Pune dated 05/02/69 of the Hon'ble Deputy Director of Land Records and published in Maharashtra Government Gazette Part I, dated 20/02/69, scheme under Consolidation of Holdings Act has been implemented and given effect to the lands of the village Moshi on 30/03/69 and separate record of rights was prepared in respect of the same and thus the properties of village Moshi were given Gat numbers from 1 to 1456 and Mutation Entry No. 1 was certified to that effect on 17/01/70. Accordingly property bearing Survey No. 137 was given Gat No. 1260 and hence Old Survey No. 137 was converted into Gat No. 1260.

43) That thereafter Mr. Mahadu Shankar Borate had submitted an application with the Revenue Authorities to mutate the name of his real brother i.e. Mr. Kisan Shankar Borate along with his name with equal share and hence the same was recorded in 7/12 extract vide Mutation Entry No. 1177.

44) That the properties of Borhadewadi under village Moshi were defined in separate revenue village and separate "Aakarband" and Gat Suchi by the District Inspector of Land Records. That for the Village Borhadewadi effect was given to the said "Aakarband" and separate Record of Rights for the village Borhadewadi was prepared and accordingly Mutation Entry No. 1 was certified on 28/09/1989 to that effect. That due to the said separate "Aakarband"/Wadi Vibhajan the Gat No. 1260 of village Borhadewadi was changed to New Gat No. 140.

45) That thereafter as per the Order bearing No. Tahao/Watap/SR/26/91 Pune dated 26/08/1991 passed by the Hon'ble Tahasildar, Taluka Haveli, Pune partition was effected between Mr. Mahadu Shankar Borate and Mr. Kisan Shankar Borate as per Section 85 of the Maharashtra Land Revenue Code, 1966 in respect of the properties from the Account No.143. That in pursuance of the said partition the area admeasuring 01 H. 19 Ares from the Property bearing Gat No. 140/1 along with the other properties of village Borhadewadi came to the share, ownership and possession of Mr. Tukaram Mahadu Borate, Mr. Raghunath Mahadu Borate, Mr. Laxman Mahadu Borate and Mr. Khandu Mahadu Borate. That the area admeasuring 01 H. 20 Ares from the Property bearing Gat No. 140/2 along with the other properties of village Borhadewadi came to the share, ownership and possession of Mr. Balu Kisan Borate, Mr. Namdeo Kisan Borate and Mr. Rama Kisan Borate. That their names were duly mutated in the record of



7/12 extract and other revenue records of the said properties vide Mutation Entry No. 215 as owners thereof.

46) That the names of the under mentioned legal heirs of Mr. Kisan Shankar Borate were not recorded in the Revenue record of 7/12 extract as per their say and affidavit given by them with the Revenue Authorities, That these heirs are namely Mrs. Thakubai Bhau Banekar, Mrs. Yamunabai Haribhau Raskar, Mr. Prabhakar Sadashiv Alhat, Mr. Nana alias Sanjay Sadashiv Alhat, Mrs. Sarubai Dashrath Perkar, Mrs. Anjanbai Vasant Gaikwad, Mrs. Baidabai Digambar Bag, Mrs. Vithabai Shankar Saykar, Mr. Laxman Sitaram Mehtre, Mr. Sahadu Sitaram Mehtre, Mr. Narayan Sitaram Mehtre, Mrs. Sunita Ashok Hole and Mrs. Sangeeta Chandrakant Lendhkar.

That as per the Release Deed the above mentioned heirs released, relinquished and surrendered all their claim, right, title and interest acquired by them in the ancestral properties in the share of Mr. Kisan Shankar Borate, by receiving consideration in favour of Mr. Balu Kisan Borate, Mr. Namdeo Kisan Borate, and Mr. Rama Kisan Borate. That the said Release Deed is duly executed and Registered with the Sub Registrar Haveli No. 5, Pune at their Serial No. 9138/2007 dated 13/11/2007.

47) That the names of the under mentioned legal heirs of Mr. Mahadu Shankar Borate were not recorded in the Revenue record of 7/12 extract as per their say and affidavit given by them with the Revenue Authorities, That these heirs are namely Mrs. Thakubai Bhau Banekar, Mrs. Yamunabai Haribhau Raskar, Mr. Prabhakar Sadashiv Alhat, Mr. Nana alias Sanjay Sadashiv Alhat, Mrs. Sarubai Dashrath Perkar, Mrs. Anjanbai Vasant Gaikwad, Mrs. Baidabai Digambar Bag, Mrs. Vithabai Shankar Saykar, Mr. Laxman Sitaram Mehtre, Mr. Sahadu Sitaram Mehtre, Mr. Narayan Sitaram Mehtre, Mrs. Sunita Ashok Hole and Mrs. Sangeeta Chandrakant Lendhkar.

That as per the Release Deed the above mentioned heirs released, relinquished and surrendered all their claim, right, title and interest acquired by them in the ancestral properties in the share of Mr. Mahadu Shankar Borate, by receiving consideration in favour of Mr. Tukaram Mahadu Borate and Mr. Raghunath Mahadu Borate. That the said Release Deed is duly executed and Registered with the Sub Registrar Haveli No. 5, Pune at their Serial No. 9139/2007 dated 13/11/2007.

48) That thereafter Mr. Tukaram Mahadu Borate and Others had executed Development Agreement and Irrevocable Power of Attorney in respect of Property bearing Gat No. 140/1 having Old Gat No. 1260 having total admeasuring area of 01 H. 19 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune and Property bearing Gat No. 140/2 having Old Gat No. 1260 having admeasuring area of 01 H. 19 Ares situated at Village



Borhadewadi, Taluka Haveli, District Pune in favour of M/s. Aswani & Shah Associates, A Registered Partnership Firm through its Partner Mr. Shrichand Shamdas Aswani and Mr. Kirankumar Shantilal Shah. That the said Development Agreement and Irrevocable Power of Attorney is duly executed and Registered with the Sub Registrar Haveli No. 5, Pune at their Serial No. 10786/2007 and 10787/2007 respectively dated 24/12/2007.

49) That thereafter Mr. Tukaram Mahadu Borate and Others with due consent of M/s. Aswani & Shah Associates, A Registered Partnership Firm through its Partner Mr. Shrichand Shamdas Aswani and Mr. Kirankumar Shantilal Shah had executed Sale Deed in respect of Property bearing Gat No. 140/1 having Old Gat No. 1260 having total admeasuring area of 01 H. 19 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune and Property bearing Gat No. 140/2 having Old Gat No. 1260 having admeasuring area of 01 H. 19 Ares Plus Potkharaba admeasuring area of 00 H. 1 Ares having total admeasuring area of 01 H. 20 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune to M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit Kirankumar Shah. That the said Sale Deed is duly executed and Registered with the Sub Registrar Haveli No. 5, Pune at their Serial No. 2737/2009 dated 12/05/2009. That the same is recorded in the Revenue Records vide Mutation Entry No. 3449.

50) That M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit Kirankumar Shah have submitted building plan in respect of the scheduled properties with Pimpri Chinchwad Municipal Corporation and has got sanctioned the same and has obtained commencement certificate from Pimpri Chinchwad Municipal Corporation on 04/12/2010 by Commencement Certificate No. B.P./Moshi-Borhadewadi/Lay Out/15/2010.

51) That M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit Kirankumar Shah has filed an application before the office of Collector of Pune, Collectorate, Pune (Revenue Branch) for granting permission to make use of said properties for Non-Agricultural purpose i.e. for Residential and Commercial purpose. Accordingly The Collector, Pune has granted permission under order No. PMA/NA/SR/150/2011 on 18/07/2011. That an area admeasuring 19930.01 sq. mtrs. from Gat No. 140/1 and Gat No. 140/2, was permitted to use for Residential purpose, an area admeasuring 142.07 Sq. Mtrs was permitted to use for Commercial purpose & an area admeasuring 3827.92 Sq. Mtrs., was shown as affected under the road widening out of the total area.



52) That thereafter M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit Kirankumar Shah have executed Joint Venture Agreement and Power of Attorney in respect of the Property bearing Gat No. 140/1 having Old Gat No. 1260 having total admeasuring area of 01 H. 19 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune and Property bearing Gat No. 140/2 having Old Gat No. 1260 having admeasuring area of 01 H. 19 Ares Plus Potkharaba admeasuring area of 00 H. 1 Ares having total admeasuring area of 01 H. 20 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune out of an area admeasuring 01 H 61 Ares plus FSI of area admeasuring 39 Ares affected under 18 Mtrs., and 30 Mtrs., wide road as per Development Plan of PCMC i.e. total area admeasuring 02 H 00 Ares i.e. 200 Ares situated at Village Borhadewadi, Taluka Haveli, District Pune in favour of M/s. Prapti Associates A Partnership Firm through its Partners Mr. Mitesh Sureshbhai Patel, Mr. Pravinkumar Ramanbhai Patel and Mr. Hitendrabhai Ramanbhai Patel. The said Joint Venture Agreement and Power of Attorney was duly registered in the office of Sub Registrar Haveli No. 2, Pune at their Serial No. 5186/2011 and 5187/2011 respectively 02/06/2011.

53) That thereafter M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit Kirankumar Shah have surrendered the land under the reservation of D.P. Road from the Property bearing Gat No. 140/1 having Old Gat No. 1260 having total admeasuring area of 01 H. 19 Ares out of area admeasuring 1906.50 Sq. Mtrs., situated at Village Borhadewadi, Taluka Haveli, District Pune and Property bearing Gat No. 140/2 having Old Gat No. 1260 having total admeasuring area of 01 H. 20 Ares out of area admeasuring 1906.75 Sq. Mtrs., situated at Village Borhadewadi, Taluka Haveli, District Pune in favour of Town Planning Office, Pimpri Chinchwad Municipal Corporation, Pimpri, Pune and Accordingly the Possession Receipt is duly registered with the Sub Registrar Haveli No. 5, Pune at their Serial No. 9010/2011 dated 17/09/2011 and the same is recorded in the Revenue Records vide Mutation Entry No. 4689.

54) That M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit Kirankumar Shah acquired Development Rights in respect of Development Rights Certificate No. 1010 for area admeasuring about 1000 Sq. Mtrs., and Development Rights Certificate No. 1011 for area admeasuring about 800 Sq. Mtrs., issued by Pimpri Chinchwad Municipal Corporation, Pimpri, Pune from Mr. Kirankumar Shantilal Shah, Mr. Rohit Kirankumar Shah and Mr. Jinesh Haresh Harde by a registered Agreement for TDR. That M/s. Aroha Construction & Developers Private Ltd., through its Director Mr. Kirankumar Shantilal Shah, Mrs. Anagha Kirankumar Shah, Mr. Rohit



Kirankumar Shah had utilize the said TDR on the said Properties by obtaining necessary permission form Pimpri Chinchwad Municipal Corporation, Pimpri, Pune vide Order No. Narvi/Kavi/4C/444/2012 dated 28/12/2012.

55) That as per the Order of Hon'ble City Survey Officer, Pimpri Chinchwad, Pune Vide Order No. N. Bhu. A. Pimpri Chinchwad / Moshi / 7 / 12 / Band Ja No. 1641 / 2023 dated 31/05/2023 the 7/12 extract of Property bearing Gat No. 140/1 and Property bearing Gat No. 140/2 situated at Village Borhadewadi, Taluka Haveli, District Pune was reactivated and the same is recorded in the Revenue Records vide Mutation Entry No. 8804 and 8805.

HISTORY OF GAT NO. 143 :-

56) That the Property bearing Gat No. 143 having Old Gat No. 1263 having admeasuring area of 00 H. 54 Ares Plus Potkharaba admeasuring area of 00 H. 1 Ares having total admeasuring area of 00 H. 55 Ares i.e. 5500 Sq. Mtrs., situated at Village Borhadewadi, Taluka Haveli, District Pune was originally owned and possessed by Mr. Laxman Martand Kute and his name was recorded as owner of the aforesaid Property.

57) That Mr. Laxman Martand Kute expired in the year 1974 leaving behind his legal heirs i.e. two son Mr. Baban Laxman Kute, Mr. Kisan Laxman Kute and two daughters Mrs. Sarubai Sadashiv Gavhane, Mrs. Manubai Shankar Sawant and wife Smt. Jaibai Laxman Kute. That the names of Mr. Baban Laxman Kute, Mr. Kisan Laxman Kute were recorded in possessor column and the name of Mrs. Sarubai Sadashiv Gavhane, Mrs. Manubai Shankar Sawant and Smt. Jaibai Laxman Kute were recorded in other rights column and the same is recorded vide Mutation Entry No. 495.

58) That Mr. Baban Laxman Kute expired on 17/08/1988 leaving behind his legal heirs i.e. son Mr. Raju Baban Kute and three daughters Mrs. Manda Arun Shende, Mrs. Majula Laxman Pansare, Mrs. Anjana Ashok Dhumal and wife Smt. Chandrabhaga Baban Kute and their names were mutated vide Mutation Entry No. 407 in 7/12 extract as Owners of the said property.

59) That Mr. Kisan Laxman Kute expired on 13/09/2007 leaving behind his legal heirs i.e. son Mr. Dattatray Kisan Kute and and deceased son Late. Kantilal Kisan Kute through its legal heir i.e. grandson Mr. Ganesh Kantilal Kute, Mr. Sachin Kantilal Kute and daughter in law Smt. Alka Kantilal Kute and three daughters Mrs. Aruna Maruti Sawant, Mrs. Surekha Ravindra Bodake, Mrs. Sangita Rajendra Pisal and wife Smt. Indubai Kisan Kute and their names were mutated vide Mutation Entry No. 2849 in 7/12 extract as Owners of the said property.

