

Sarika Taori

Advocate

B.S.L. LL.B.

505, Pride House,
S.No.108/7, Pune University Road
Shivajinagar, Pune 411016

Title Opinion

Date 22/05/2020

To,

Pride Builders LLP (previously known as Pride Builders Pvt Ltd.)

504 Pride House, 108/7 Ganesh Khind Road,
Shivaji Nagar, Pune 411016

Subject: All that piece and parcel of land bearing S. no. 129/1, 129/2, 130/1, 130/2A, 130/2B, 130/2C, 130/3, 131/1 and 141/2/2 total area admeasuring 2002 Ares, situated at village Charholi, Tal Haveli, Dist. Pune, within the jurisdiction of Haveli no. 8, and within the limits of Pimpri Chinchwad Municipal Corporation, Pune.

(1) List of Documents given for my perusal are as follows:

A] 129/1 and 129/2

- 1] Copies of 7/12 extracts
- 2] Copies of mutation entries
- 3] Copy of Sathe Khat dated 22.06.1987 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
- 4] Copy of Power of Attorney ddated 24.06.1987 of S.No. 129/1 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain .
- 5] Copy of Tabepavati dated 17/05/1989 of S. No. 129/1, by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
- 6] Copy of Sathe Khat dated 22.06.1987 of S. No. 129/2 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
- 7] Copy of Power of Attorney dated 22.06.1987 of S. No. 129/2 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
- 8] Copy of Tabepavati dated 17.05.1989 of S. No. 129/2 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.



- 9] Copy of Sale Deed dated 04.06.2001 of S. No. 129/1 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 3145/2001.
- 10] Copy of Sale Deed dated 04.06.2001 of S. No. 129/2 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 3459/2001.
- 11] Copy of Confirmation Deed dated 04.06.2001 of S.No. 129/1 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 3144/2001.
- 12] Copy of Confirmation Deed dated 04.06.2001 of S.No. 129/2 by Shri Dadu Sakharam Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 3146/2001.
- 13] Copy of Confirmation Deed dated 02.12.2004 of S. No. 129/1 and 129/2 by Smt. Anjanabai Dadu Bhosale and others in favour of Shri Jaydeep Pukhraj Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 9006/2004.

B] S.No. 130/1

- 1] Copies of 7/12 extracts
- 2] Copies of mutation entries
- 3] Copy of Sathe Khat dated 22.06.1987 by Shri Shantaram Dattatray Bhosale and others in favour of Shri Pukhraj Babhutmal Jain .
- 4] Copy of Power of Attorney dated 22.06.1987 by Shri Shantaram Dattatray Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
- 5] Copy of Tabepavati dated 17.05.1989 by Shantaram Dattatray Bhosale in favour of Shri Pukhraj Babhutmal Jain
- 6] Copy of Deed of Confirmation dated 04.06.2001 by Shri Shantaram Dattatray Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 3155/2001.
- 7] Copy of Sale Deed dated 04.06.2001 by Shri Shantaram Dattatray Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 3156/2001.
- 8] Copy of Deed of Confirmation dated 12.04.2004 by Smt. Indubai Dattatray Bhosale and others in favour of Shri Jaydeep Pukhraj Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 2483/2004 on 13/04/2004.

C] S.No. 130/2A, 130/2B and 130/2C

- 1]. Copies of 7/12 extracts



- 2] Copies of mutation entries
- 3] Copy of Sathe Khat dated 22.06.1987 by Shri Kisan Sawalaram Bhosale and others in favour of Shri Pukhraj Babhutmal Jain .
- 4] Copy of Power of Attorney dated 24.06.1987 by Shri Kisan Sawalaram Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
- 5] Copy of Tabepavati dated 17.05.1989 by Shri Kisan Sawalaram Bhosale in favour of Shri Pukhraj Babhutmal Jain
- 6] Copy of Deed of Confirmation dated 04.06.2001 by Shri Kisan Sawalaram Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 3147/2001.
- 7] Copy of Sale Deed dated 04.06.2001 by Shri Kisan Sawalaram Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 3158/2001.
- 8] Copy of Deed of Confirmation dated 27.10.2004 by Smt. Kamala Pralhad Bhosale and others in favour of Shri Jaydeep Pukhraj Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 7970/2004.
- D] 130/3**
 - 1] Copies of 7/12 extracts
 - 2] Copies of mutation entries
 - 3] Copy of Sathe Khat dated 22.06.1987 by Shri Pandharinath Ranghanth Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
 - 4] Copy of Power of Attorney dated 24.06.1987 by Shri Pandharinath Ranghanth Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
 - 5] Copy of Tabepavati dated 17.05.1989 by Shri Pandharinath Ranghanth Bhosale and others in favour of Shri Pukhraj Babhutmal Jain.
 - 6] Copy of Confirmation Deed dated 02.06.2001 of S.No. 130/3 by Shri Pandharinath Ranganath Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 3074/2001.
 - 7] Copy of Sale Deed dated 02.06.2001 of S.No. 130/3 by Shri Pandharinath Ranganath Bhosale and others in favour of Shri Pukhraj Babhutmal Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 3077/2001.
 - 8] Copy of Confirmation Deed dated 28.10.2004 by Shri Pandharinath Ranganath Bhosale and others in favour of Shri Jaydeep Pukhraj Jain, registered at the Office of Sub Registrar Haveli No. 8, at Sr. No. 8098/2001.



E] S.No. 131/1

- 1] Copies of 7/12 extracts.
- 2] Copies of mutation entries
- 3] Copy of Sathe Khat dated 22.06.1987 by Shri Damu Sayaji Bhosale and others in favour of Shri Pukhraj Bhabutmal Jain.
- 4] Copy of Power of Attorney dated 24.06.1987 by Shri Damu Sayaji Bhosale and others in favour of Shri Pukhraj Bhabutmal Jain.
- 5] Copy of Tabepavati dated 17.05.1989 by Shri Damu Sayaji Bhosale and another in favour of Shri Pukhraj Bhabutmal Jain
- 6] Copy of Deed of Confirmation dated 02.06.2001 by Shri Damu Sayaji Bhosale and another in favour of Shri Pukhraj Bhabutmal Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 3099/2001.
- 7] Copy of Sale Deed dated 02.06.2001 by Shri Damu Sayaji Bhosale and another in favour of Shri Pukhraj Bhabutmal Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 3101/2001.
- 8] Copy of Deed of Confirmation dated 30.06.2005 by Shri Raghunath Damu Bhosale and others in favour of Shri Jaydeep Pukhraj Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 5073/2005.
- 9] Copy of Sathe Khat dated 15.12.1993 by Shri Chandrakant Mahadu Bhosale and others in favour of Shri Pavan Mahavirprasad Agarwal and another.
- 10] Copy of Deed of Sale dated 02.06.2001 by Shri Chandrakant Mahadu Bhosale and others in favour of Shri Pavan Mahavirprasad Agarwal and another, registered at the Office of Sub Registrar Haveli 8 at Serial No. 3094/2001.
- 11] Copy of Power of Attorney dated 3.8.2002 by Smt. Radhadevi Madhusudan Jajodiya in favour of Shri Chandrakumar Madhusudan Jajodiya, registered at the Office of Sub Registrar Amaravati at Serial No. 3520/2002
- 12] Copy of Power of Attorney dated 05.04.2003 by Sou Renu Pavankumar Agarwal in favour of Shri Chandrakumar Madhusudan Jajodiya, registered at the Office of Sub Registrar Amaravati at Serial No. 1395.
- 13] Copy of Power of Attorney dated 05.04.2003 by Shri Pavankumar Agarwal in favour of Shri Chandrakumar Madhusudan Jajodiya, registered at the Office of Sub Registrar Amaravati at Serial No. 1396.

F] S.No. 141/2/2

- 1] Copies of 7/12 extracts
- 2] Copies of mutation entries



- 3] Copy of Sathe Khat dt. 22.6.1987 by Smt. Bhagirathibai Mahadeo Bhosale and others in favour of Shri Pukhraj Babhootmal Jain.
- 4] Copy of Power of Attorney dt. 22.6.1987 by Smt. Bhagirathibai Mahadeo Bhosale and others in favour of Shri Pukhraj Babhootmal Jain.
- 6] Copy of Confirmation Deed dt. 20.6.2001 by Smt. Bhagirathibai Mahadeo Bhosale and others in favour of Shri Pukhraj Babhootmal Jain, registered at the Office of Sub Registrar Haveli 8 at Serial No. 3628/2001.
- 7] Copy of Sale Deed dt. 14.1.2005 by Dnyaneshwar Mahadeo Bhosale and others in favour of Shri Jaydeep, registered at the office of Sub Registrar A Haveli No. 8 at Serial No. 953/2005.
- G] Copy of Release Deed dated 28.04.2003 by Mrs. Raksha J. Shah and another in favour of Shri Jaydeep Jain, registered at the Office of Sub Registrar Haveli No. 15 at Serial No. 1228/2003 (presently not available)
- H] Copy of Development Agreement dated 24.08.2004 by Shri Jaydeep Pukhraj Jain in favour of Pride Builders Pvt. Ltd, registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 6108/2004.
- I] Copy of Power of Attorney dated 26.08.2004 by Shri Jaydeep Pukhraj Jain in favour of Arvind Premchand Jain, registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 6109/2004.
- J] Copy of Development Agreement dated 05.07.2005 by Shri Jaydeep Pukhraj Jain in favour of Pride Builders Pvt. Ltd. registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 5208/2005.
- K] Copy of Irrevocable General Power of Attorney dated 05.07.2005 by Shri Jaydeep Pukhraj Jain in favour of Shri Arvind Premchand Jain registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 4/5209/2005.
- M] Copy of Development Agreement dated 05.12.2005 by Shri Jaydeep Pukhraj Jain in favour of Pride Builders Pvt. Ltd. with the consent of Shri Chandrakumar Madhusudan Jajodiya, registered at the Office of Sub Registrar Haveli No. 19 at Serial No. 4439/2005.
- N] Copy of Irrevocable General Power of Attorney dated 05.12.2005 by Shri Jaydeep Pukhraj Jain and Jajodiya in favour of Shri Arvind Premchand Jain registered at the Office of Sub Registrar Haveli No. 19 at Serial No. 4440/2005.



- O]** Copy of Sale Deed dated 12.12.2005 by Shri Jaydeep Pukhraj Jain in favour of Mahaveer Co-operative Housing Society Ltd. , registered at the Office of Sub Registrar Haveli No. 19 at Serial No. 7640/2005.
- P]** Death Certificate of Pukhraj Jain
- Q]** Copy of plaint in Spl. Civil Suit No. 751/2001.
- R]** Copy of withdrawal Pursis dated 27.10.2004
- S]** Copy of plaint in Spl. Civil Suit No. 937/2005.
- T]** Copy of Order of Civil Judge Senior Division, Pune dated 06.10.2006 in respect of S. Nos. 130/2A, 130/2B, 130/2C, 132/7A, 132/7B, 132/7C and 127/2.
- U]** Copy of Compromise Pursis filed in the Court of Civil Judge Senior Division, Pune in respect of S.Nos. 131/1, 132/5, 298/2, 132/4, 135/6 and 132/2.
- V]** Copy of Order of Civil Judge Senior Division, Pune dated 06.02.2006 in respect of S.Nos. 131/1, 132/5, 298/2, 132/4, 135/6 and 132/2.
- W]** Copies of Order under Urban Land (Ceiling and Regulation) Act, 1976 dated 28.01.1999.
- X]** Copy of order under Urban Land (Ceiling and Regulation) Act, 1976 dated 28.01.2000.
- Y]** Copy of order of Additional Collector and Competent Authority, Pune Urban Agglomeration dated 31.08.2006 under Urban Land (Ceiling & Regulation) Act, 1976.
- Z]** Zone Certificates dated 08.01.2007.
- AA]** Copy of Demarcation Plan
- AB]** Search Report dated 18/02/2013 and 19/02/2013, and receipt bearing No. 3822/2013 & 4717/2013
- AC]** Transfer deed dated 31/03/2013 registered in the office of Sub registrar Haveli no. 12 at Sr. No. 6409/2013 on 29/07/2013
- AD]** Search Report dated 13/02/2014, and receipt bearing No. 7027/2014
- AE]** Search Report dated 09/06/2015, and GRAS receipt bearing No. MH001454620201516E
- AF]** Agreement of Assignment is registered at the office of the Sub Registrar Haveli 15 at Sr. No.1306/2007
- AG]** Cancellation Agreement dated 03/04/2014 registered at the Office of the Sub-Registrar Haveli 15 at Serial No. 2370/2014



- AH]** Mortgage deed dated 01/08/2014, registered in the office of Sub registrar Haveli 15 at Sr. No. 5616/2014
- AI]** Search Report dated 03/02/2016, and GRAS receipt bearing No. MH006986329201516E
- AJ]** Search Report dated 18/01/2017
- AK]** Regular Civil suit bearing no. 1981/2016
- AL]** Tabepavati in favour of Pimpri Chinchwad Municipal Corporation dated 10/02/2017 registered at sr. no. 1018/2017.
- AM]** Correction deed dated 23/01/2018 registered at sr. no. 639/2018.
- AN]** Tabepavati in favour of Pimpri Chinchwad Municipal Corporation dated 27/03/2017 registered at sr. no. 2103/2017.
- AO]** Search Report dated 21/02/2018
- AP]** Search Report dated 16/02/2019 and Search report dated 20/05/2020

(2) DESCRIPTION OF PROPERTY :

All those pieces and parcels of land and ground situate at Mouje Charholi, within the Registration Sub-Dist. Taluka Haveli, Dist. Pune and within the limits of Pimpri Chinchwad Municipal Corporation, totally admeasuring an area of 08 Hectors 49 Are and as per Sale Deeds Bounded as follows :

Sr. No.	Survey No.	Area H=Are	On or towards the East	On or towards the South	On or towards the West	On or towards the North
1	129/1	5=15	S. No. 122 part	S. No. 130/1,2,3	S. No. 129/2 141/1	S. No. 141/1, 128
2	129/2	6=98	S. No. 129/1	S. No. 131/1, 2, 130/3	S. No. 135/6, 139	S. No. 141/1, 141/2/1, 141/2/2
3	130/1	3=26	S. No. 120, 121	S. No. 132/1	S. No. 129/1, 130/2	S. No. 129/1, 122
4	130/2A	0=57	S. No. 130/1	S. No. 132	S. No. 130/3	S. No. 129
5	130/2B	0=56	S. No. 130/2A	S. No. 132	S. No. 130/2C	S. No. 129
6	130/2C	0=56	S. No.	S. No. 132	S. No. 130/3	S. No. 129

			130/2B			
7	130/3	1=66	S. No. 130/2	S. No. 132	S. No. 130/2C	S. No. 129
8	131/1	1=11	S. No. 130/3	S. No. 132/4	S. No. 131/2	S. No. 129/2
9	141/2/2	1=07	S.No. 129	S.No. 129	S.NHo. 140 & 139	S.No. 142

(3) S. no. 129/1 & 129/2.

- a) It is seen from the mutation entry bearing no. 1737 dated 19/8/38, as per Phalani Bara survey no. 129 was sub-divided into 2 parts consisting of survey no. 129/1 area 12 Acre 29 Guntha in the name of Sakham Mahadu Chaugule 2) S.No. 129/2 area 17 Acre 10 Guntha in the name of Trust Devasthan Chinchwad.
- b) It is seen from the mutation entry bearing no. 2382 dated 13/04/1937 that as per the order of civil judge Bahadur Pune dated 10/11/1936, has appointed Shri Chintaman Dharnidhar Dev (chief trustee), Ramchandra Gajanan Dev(trustee), Shankar Dhonduraj Wagh, Laxman Raghunath Gokhale, Ramchandra Govind Dandvate of Shri Devsthan Chinchwad, and hence forth charge of all estate of devsthan Chinchwad will be taken by these 5 people and they cultivate the land, hence their name recorded, on land bearing S. No. 129/2 alongwith other lands.
- c) It is seen from the mutation entry bearing no. 3615 dated 29/7/1949 that name of Sakham Mahadu Chaugule as protective tenant under tenancy act recoded in S.No. 129 /2 in other right column
- d) It is seen from the mutation entry bearing no. 4201 dated 4/3/1955 Sakham Mahadu Chaugule died 4 years before at his village his legal heir's sons 1. Dadu 2. Prabhu Sakham Chougule, as his only legal heirs and representatives, and accordingly their names are recorded on 7/12 Extract at the Owners Column.
- e) It is seen from the mutation entry bearing no. 4337 dated 31/1/1956 that the said mutation entry created out of award no .1248 passed on dated 4/1/1956 in regard to property S.No. 129/2 and report of the Chinchawad Devsthan Trust that Shri Chintamani Dharnidhar Dev name was deleted and name of Devkund Chintamani Dev taken on record of said property 7/12 extract as trustee of the said trust .
- f) It is seen from the mutation entry bearing no. 4812 dated 12/12/57, that Kar Bhari Swasthan Chinchawad its award no. 395 and As per Mamledar Haveli



- order no. WS/2340/57 dated 1/12/1957. name of the Shridev Swasthan recorded and entered name of other trustees.
- g) It is seen from the mutation entry bearing no. 5309 dated 21/4/1961 that as per 5th Honble Court Haveli order no. 100/1960 passed on 7/2/1961, that on the said property Kul not applicable because said property under possession of the Chinchawad Sawsthan and the same was effected by said mutation entry.
- h) It is seen from the mutation entry bearing no. 5832 dated 5/1/1966 that the owner of the property Shri Sakharam Chaugule has filed application in the office of Talathi that his surname Chaugule was change and as per Mumbai Gazzet new surname Bhosale was publish on dt- 21/05/1965 said application filed on revenue record and register.
- I) It is seen from the mutation entry bearing no. 5965 dated 5/7/1966 that Karbhari Trustee inform to ,that old trustee name remove and replace them by recording name of 1. Dharnidhar Chintamani Dev, 2.Digambar Govind Dev 3. Vinayak Govind Wagh 4. Gopal Prabhakar 5. Malhar Ramchandr Dhekane.
- J) It is seen from the mutation entry bearing no. 8420 dated 08/05/1972 Shri Dadu Sakharam Bhosale Purchased the said land S.No. 129/2 as per 32G/Charholi br/381 dated 17/03/1972 thus his name from other right column for KUL has been deleted and recorded as owner in the ownership column.
- K) It is seen from the mutation entry bearing no. 8482 dated 17/10/1973 that Shri Dadu Sakharam Purchased the land from Chinchwad Devsthan Trust through its trustees Shri Dharnidhar Chintaman Dev, Gajanan Heramb Dev, Vasant Keshav Naik, Govind Bhaskar Panse Malhar Ramchandra Dhekane vide sale deed dated 17/07/1971.
- L) It is seen from the mutation entry bearing no. 11780 dated 8/7/2001 that Sale Deed executed between Pukharaj Bhabutmal Jain Purchaser and Land owner 1) Dadu Sakharam Bhosale (Chougule) Hindu Undivided Family Karata /Maneger 2) Vilas 3) Gorakh Dadu Bhosale all through Power of attorney holder Pukharaj Bhabutmal Jain on 16/6/2001 registered at sr. no. 3459/2001 for consideration of Rs. 774611/- and the has been recorded on revenue record
- m) It is seen from the mutation entry bearing no. 11782 dated 8/7/2001 that Sale Deed executed between Pukharaj Bhabutmal Jain Purchaser frm Land owner 1) Dadu Sakharam Bhosale Hindu Undivided Family Karata /Maneger 2) Pabhakar Sakharam Bhosale 3) Pandit Sopan Bhosale 4) Raghu Sopan Bhosale Chaugule 5) Yashwant Sopan Bhosale (Chougule) Hindu all above



Family Karata /Maneger all through attorney holder Pukharaj Bhabutmal Jain above mention vide sale deed dated 6/6/2001 registered at sr. no. 3145/2001 for consideration of Rs. 276813/- and accordingly it has been mutated on revenue record.

(4) S No 130/1

- a) It is seen from the mutation entry bearing no. 1738 dated 19/8/38, as per Phalani Bara survey no. 130 was sub-divided into 3 parts consisting of survey no. 130/1 area 8 Acres 2 Guntha in the name of Genu Ravaji Chaugule 2) S.No. 130/2 area 4 Acre 7 Guntha in the name of Hari Savala Chougule on behalf his Mother 3) S.No. 130/3 Area 4 Acre 4 Gunthe on the name of Rangu Namdev Chaugule.
- b) It is seen from the mutation entry bearing no. 3475 dated 22/06/1949 that internal partition effected between Genu Ravaji Chaugule 2) Genu Ravaji Chaugule 3) Eknath Genba Chaugule 4) Baban Genaba Caugule divided their share as per said mutation entry. As per partition 1) Sadashiv Genu Chaugule received land S.No. 125/1 area 10 Acre 15 Guntha , S. No. 127/1 S.No. 142/3 area 6 Acre 38 Guntha 143/2 area 3Acre 27 Guntha , S.No. 144/1 area 2 Acre 7 Guntha 2) Genu Ravaji Chaugule received various other lands which are not related to this title report 3)Eknath Genba Chaugule received land S.No. 135/5, 130/1, 132/3, 132/6 4) Baban Genaba Caugule received various other lands which are not related to this title report.
- c) It is seen from Mutation Entry No. 4857 dated 21.05.1958 that Shri Eknath Genba Chougule expired on 11.03.1958 leaving behind him his wife Smt.Tulsabai, son Dattatray and a daughter Sou Changunabai Jagannath Bhegde as his only legal heirs. It is seen from Mutation Entry No. 4858 dated 25.05.1958 that upon an application of Sou. Changunabai Jagannath Bhegde her name was deleted from 7/12 record by the said mutation entry.
- d) It is seen from Mutation Entry No. 5418 dated 18.06.1962 that Shri Dattatray Eknath Chougule expired in the year 1961 leaving behind him his mother Tulsabai, wife Indubai and a minor son Shantaram as his only legal heirs. The names of the said heirs were mutated in 7/12 record for 1/3rd (5 Anna 4 Pai) share therein by the said mutation entry.
- e) It is seen from Mutation Entry No. 5746 dated 24.05.1965 that upon an application of Smt. Tulsabai Eknath Chougule name of Changunabai Jagannath Bhegde was mutated in 7/12 record by the said mutation entry and the shares



were rearranged each of the owners having $\frac{1}{4}$ th (4 Anna) share in the said lands.

- f] It further appears from Mutation Entry No. 10846 dated 02.07.1993 that upon an application of Shri Shantaram Dattatray Bhosale that since more than 13 years his Grand Mother Smt. Tulsabai Eknath Chougule is missing and her name should be deleted from the 7/12 record, the name of Tulsabai was deleted from the 7/12. Affidavit given by Shri Shantaram Dattatray Chougule to delete the name of Smt. Tulsabai is not given for my perusal and this Title Opinion is given relying on the said mutation entry
- g] It is seen from mutation entry bearing no. 11792 dated 8/7/2001 that the Sale Deed executed between Pukharaj Bhabutmal Jain Purchaser and Original Land owner 1)Shantaram Dattarya Bhosale (Chougule)Hindu Undivided Family Karata /Maneger , 2) Bebi Shantaram Bhosale Chaugule , 3) Indubai Dattary Bhosale all above Hindu Undivided Family Karata /Maneger all through Power of attorney holder Pukharaj Bhabutmal Jain on 4/6/2001 and the same is registered at sr. no. 3156/2001 on 06/06/2001, for consideration Rs 434017/- .

(5) S. No. 130/2A, 130/2B, 130/2C and 130/3

- a] It is seen from mutation entry bearing no. 1650 dated 07/07/1934 that Namdev Raghu Chougule died leaving behind his legal heirs Rangu Namdev Chougule.
- b] It is seen from mutation entry bearing no. 1738 dated 19/8/38, as per Phalani Bara survey no. 130 was sub-divided into 3 parts consisting of survey no. 130/1 area 8 Acers 2 Guntha in the name of Genu Ravaji Chaugule Chaugule 2) S.No. 130/2 area 4 Acre 7 Guntha in the name of Hari Savala Chougule on behalf his Mother 3) S.No. 130/3 Area 4 Acre 4 Gunthe on the name of Rangu Namdev Chaugule.
- c] It is seen from mutation entry bearing no. 3127 dated 3/11/1947 that internal partition effected between 1) Hari Savalaram Chaugule 2) Pandurang Savalaram Chaugule 3) Kisan Savalaram Chaugule they divided their equal share and as per said mutation entry 1) Hari Savalaram Chaugule received land bearing S.No 130/2C, 2)Pandurang Savalaram Chaugule received land S.No. 130 /2A Area 1 Acre 16 Guntha , 3) Kisan Savalaram Chaugule received land S.No. 130/2B, Area 1 Acre 15 Guntha, 4) jointly with Hari, Kisan and Pandurang land bearing S. No. 127/2.



- d] It is seen from the mutation entry bearing no. 3669 04/2/1950 that Hari Savala Chaugule was died leaving behind him no any son and daughter only his wife Yashodabai Hari Chaugule which was his only legal heirs and representatives, and accordingly her name recorded in 7/12 Extract in the Owners Column.
- e] It is seen from the mutation entry bearing no. 5649 dated 2/8/1964, that Kisan Savalaram Chaugule and Pandurang alias Babn Savlaram Chaugule filed application to talathi that said S.No.130/2A, 132/1C name of Yashodabai Haribhau Chougule to be removed as poklist and name of Kisan Savalaram Chaugule and Pandurang alias Babn Savlaram Chaugule entered name of 7/12 extract owner column.
- f] It is seen from the mutation entry bearing no. 6037 dated 6/1/1966 said mutation entry is in regards to S.No. 130/3 that Rangu Namdev Chaugule was died in 1962 at his village and leaving behind him Son - name Pandharinath Rangu Chaugule ,Eknath Rangu Chaugule , Daughter 1- Sonubai Bapu Abhale 2. Kaiosabai Maruti Suyarvanshi and wife -Durpabai Rangu Chaugule which was his only legal heirs and representatives, and accordingly their names are recorded in said property but name of Pandharinath Rangu Chaugule was recorded as Karata Manager 7/12 Extract at the Owners Colum.
- g] It is seen from the mutation entry bearing no. 8280 dated 16 /8/1970 it is in regards property s.no- 130/2B, 132/7B owner of the property Kisan Savaleram Chaugule has filed application in the talathi office that his name Kisan Savaleram Chaugule was change and as per Mumbai Gazette new name Kisan Savaleram Bhosale was publish on dt- 30/10/1969 said application filed on revenue register.
- h] It is seen from the mutation entry bearing no. 8281 dated 16 /8/1970 that is in regards property s.no- 130/2A, 132/7B owner of the property Pandurang alias Baban Savaleram Chaugule has filed application in the talathi office that his name Pandurang alias Baban Savaleram Chaugule was change and as per Mumbai Gazette new name Pandurang alias Baban Bhosale was publish on dt- 30/10/1969 said application filed on revenue register.
- i] It is seen from the mutation entry bearing on. 8282 dated 16 /8/1970 that it is in regard to property s.no- 132/8, 130/3 owner of the property Pandarinath Rangnath Chaugule has filed application on dated-30/10/1969 in the talathi office that his name Pandarinath Rangnath Chaugule was change and as per Mumbai



Gazette new name Pandarinath Rangnath Bhosale was publish on dt- 30/10/1969 said application filed on revenue register.

- j] It is seen from the mutation entry bearing no. 9051 dated 15/08/1981 that Hari Sawalaram Bhosale died 25 years back, leaving behind his legal heirs brother Kisan Sawalaram Bhosale age 65, Baban Sawalaram Bhosale 60 and after enquiry the said Mutation has been certified.
- k] It is seen from the mutation entry bearing no. 9164 dated 28/6/1982 it is in regard to property s.no. 130/2A, 130/2A, 132/7A, 132/7B that Pandurang Savala Bhosale was died on 16/5/1981 at his village and leaving behind his legal heir 1. Dilip Pandurang Bhosale Age-22 [2] Ashok Pandurang Bhosale Age- 19 [3] Raju Pandurang Bhosale , Age- 15 , Daughter - [1] Hirabai Damodar Valake Age- 33, [2] Subhdara Jayavant Pawar , Age-30 [3] Thkubai Yashvant Khandave Age- 27 [4] Manda Pandurang Bhosale Age- 17, wife- Seetabai Pandurang Bhosale which was his only legal heirs and representatives, and accordingly their names are recorded in said properties owner column.
- l] It is seen from the mutation entry bearing no. 10843 dated 1/6/1998 it is in regard to property S.No.130/2C ,132/7B ,130/2B that Kisan Savleram Bhosale died on 20/2/1992 at his village and leaving behind his legal heir Son - [1] Prahalad Kisan Bhosale Age- 53 2] Ganapat Kisan Bhosale Age-50 , [3] Anada Kisan Bhosale Age-45, 4] Ramesh Kisan Bhosale, Age- 32 , Daughter - Janabai Shantaram Thankge Age- 30 and his wife is predeceased him, and they are the only legal heirs and representatives, and accordingly their names were recorded on said property.
- m] It is seen from the mutation entry bearing no. 10950 20/8/1995 that the said mutation entry is in regard to S.No. 130/2B, 130/2C, along with other lands. Shri Prahalad Kisan Bhosale was filed application that his name recorded on 7/12 extract as Karata / Manager and as the said property is an ancestral property and as per annewari all family member entitle for respective share . 1. Prahalad Kisan Bhosale , Suresh Pralhad Bhosale, Sunil Prahalad Bhosale Chandrakant Pralhad Bhosale all 4 person together 4 anna share, 2. Anand Kisan Bhosale, Atmaram ananda Bhosale, Sanjay Ananda Bhosale all 3 together 4 Anna, Ganpat Kisan Bhosale 4 Anna, Ramesh Kisan Bhosale Janabai Shantaram Thange together 4 Anna.
- n] It is seen from the mutation entry bearing no. 11790 dated 08/07/2001 that Pukharaj Bhabutmal Jain purchased the said land from Kisan Sawalaram



Bhosale, (HUF), Dilip Pandurang Bhosale, Ashok Pandurang Bhosale, Raju Pandurang Bhosale, Seetabai Pandurang Bhosale all through POA P B Jain vide sale deed dated 04/06/2001 no. 3158/2001 on 06/06/2001, but the remark is said mutation entry was kept on certification and confirmation and subsequently it is confirmed by virtue of mutation entry bearing no. 12313.

- o] It is seen from the mutation entry bearing no. 12012 dated 25/12/2003 (Khatе no. 54 & 285) no S. no is mentioned, that Suresh Pralhad Bhosale filed an application that his father Pralhad Kisan Bhosale died on 24/08/2002 leaving behind him his legal heirs widow Kamal Pralhad Bhosale, son Suresh, Sunil, Chandrakant, daughter Shaila Balaso Gaware and accordingly taken on record.

(6) S.No. 131/1

- a] It is seen from Mutation Entry Nos. 1739 dated 19/8/38, as per Phalani Bara no. 12 survey no. 131 was sub-divided into 2 parts consisting of survey no. 131/1 area 2 Acre 30 Guntha in the name of Sayaji Gopal Chaugule Chaugule 2) S.No. 131/2 area 2 Acre 37 Guntha in the name of Genu Ravaji Chaugule & Amruta Ravaji Chaugule..
- b] It is seen from Mutation Entry No. 4372 dated 19.06.1956 that since before 1944 said land was owned by Shri Sayaji Gopala Chougule and that he expired in or about the year 1944 leaving behind him two sons Damu and Soma as his only legal heirs. The name of Shri Damu Chougule was mutated in the 7/12 record as Karta and Manager of Hindu Undivided Family vide the said mutation entry.
- c] It seen from Mutation Entry No. 5834 dated 05.04.1966 that Shri Damu Sayaji Chougule had adopted surname Bhosale instead of Chougule and records were changed accordingly.
- d] It is seen from Mutation Entry No. 10751 that by a Deed of Exchange dated 01.11.1991 Shri Damu and Somu Sayaji Chougule exchanged. It appears that the said Exchange Deed was registered at the Office of Sub-Registrar Haveli-8 at Serial No. 291/1991.
- e] It is seen from Mutation Entry No. 10783 that Shri Damu and Somu Bhosale partitioned various lands owned by them by a registered Partition Deed dated 15.06.1992, whereby lands bearing S.No. 128, 131/1 and 132/5 were kept joint between them. The said Partition Deed appears to have been registered at Serial No. 1461.



- f) It is seen from Mutation Entry No. 10928 dated 05.04.1995 that Shri Damu Sayaji Bhosale expired on 26.03.1995 leaving behind him his wife Leelabai, son Raghunath and two married daughters – Sharda Tukaram Todkar and Shalan Babanrao Shivale as his only legal heirs. The names of the said heirs were mutated in 7/12 record.
- g) It is seen from Mutation Entry No. 11778 dated 08.07.2001 and copy of Sale Deed dated 02.06.2001 Pavan Mahavir Agrawal and Sou. Renu Pawan Agrawal has purchased property bearing survey no. 131/1, out of area adm. 0H 55.5R, survey no. 132/5, out of area adm. 0H 57.5R S. No. 298/2 area 02 H 38 Ares from 1) Chandarkant, 2) Suresh, 3) Vitthal, 4) Ramakant, 5) Balasaheb Mahadu Bhosale, 6) Sou. Mukatabai Chandarakant Bhosale, 7) Sou. Laxmibai Suresh Bhosale, 8) Mangal Vittal Bhosale, 9) Sou. Asha Ramakant Bhosale, 10) Sou. Nirmal Balasaheb Bhosale, 11) Sou. Shoba Raju Pahad, 12) Sou. Nanda Chandarkant Pathare, 13) Tulasabai Maahadu Bhosale, 14) Shankar Bala Bhosale, 15) Vagheshawar Shankar Bhosale, 16) Rajendr Shankar Bhosale, 17) Sou. Sangita Vagheshawar Bhosale, 18) Sou. Manda Dattary Thakur, 19) Sou. Lilabai Bhagavan Bhosale, 20) Balasaheb Alise Sandeep Bhagavan Bhosale, 21) Soma Smbhaji Bhosale, 22) Vishawas Soma Bhosale, 23) Bhausahab, 24) Bayadabai, 25) Chanpabai Soma Bhosale by sale deed dated 2/6/2001 vide serial no. 3094 /2001 with consideration Rs- 920000/-. Their names were mutated in 7/12 record by the said mutation entry.
- h) It is seen from Mutation Entry No. 12315 dated 08.03.2006 and copy of Compromise Decree dated 05.12.2005 that Sp. C.S. No. 937/2005 that was filed by Shri Jaydeep Pukhraj Jain against Shri Pavan Mahavir Jain, Sou Renu Pawan Agarwal, Smt. Radhadevi Madhusudan Jajodia and Shri Chandrakumar Madhusudan Jajodia was compromised between the parties, wherein ownership of Shri Jaydeep Pukhraj Jain of the said land was confirmed.
- i) It is seen from Mutation Entry No. 12300 dated 11.02.2006 that by Sale Deed dated 13.12.2005 Shri Jaydeep Pukhraj Jain and Pride Builders Pvt. Ltd. sold various lands including the aforesaid lands to Mahaveer Co-operative Housing Society Ltd. The said Sale Deed is registered at the Office of the Sub Registrar Haveli – At Sr. No. 7640/2005. The name of the purchaser was however mutated in various survey numbers except survey numbers which were under litigation. However it appears from Mutation Entry No. 12319 dated 08.03.2006

that after settlement of litigation name of the purchaser was mutated in respect of those survey numbers accordingly to the court decree.

(7) S.No. 141/2/2

- a] On perusal of mutation entry bearing no. 1744 dated 19/8/38, as per Phalani Bara no. 12 survey no. 141 was sub-divided into 2 parts consisting of survey no. 141/1 area 12 Acre 34 Guntha in the name of Bhiku Kom. Ramkrushna Chaugule 2) S.No. 141/2 area 4 Acre 13 Guntha in the name of Sakharam Mahadev Chaugule, however upon perusal of further revenue record of charholi village wherein the legal heirs of Sakharam Mahadev Chougule recorded in regard to other properties which was *actually owned by Sakharam*, but in none of the revenue record this property is shown and/or owned by Sakharam or his legal heirs and this fact has been also clarified in the Written statement filed by Pride Builders LLP in the RCS no. 1981/2016.
- b] It is seen from 7/12 extract and Mutation Entry bearing No. 5417 dated 16.06.1962 that S.No. 142/2/2 admeasuring 1 Hecter 7 Are formerly belonged to Shri Mahadeo Govinda Chougule. He died on 09.02.1962 leaving behind him his wife Smt. Chinkabai alias Bhagirathibai, son Dnyaneshwar and three daughters – Sou. Sushila Raghunath Gogavale, Sou Venu Rajaram alias Bhausahab Bhagat and Baby Mahadeo Chougule as his only legal heirs. The names of the said heirs were mutated in 7/12 record vide the said mutation entry.
- c] On perusal of mutation entry bearing no. 5449 dated 15/11/1962 that as per application filed by all the owner i.e. Sou. Sushila Raghunath Gogavale 2. Venu Rajaram Bhagat 3. Dyneshwar Mahadev Chaugule was holding equal share in the said land, they filed an application and stated that it should be removed from their name and their mother name i.e. Chinkabai/Bhagirathibai Mahadev Chougule to be recorded accordingly it has been taken on record.
- d] It appears from Mutation Entry No. 11307 dated 26.11.1998 that Smt. Bhagirathibai Mahadeo Chougule expired on 16.10.1998 leaving behind her son Dnyaneshwar and three daughters Sou Sushila Raghunath Gogavale, Sou Venu Rajaram alias Bhausahab Bhagat and Baby Dattatray Borhate as her only legal heirs. The names of the said heirs were mutated in 7/12 record vide the said Mutation Entry in respect of S.No. 141, Hissa No. 2/2 and this opinion is given relying on the 7/12 extracts and mutation entries made available to me.



- e] By Agreement of Sale (Sathekhat) the Original owners agreed to sell the said land to Shri Pukhraj Bhabutmal Jain and also executed General Power of Attorney in his favour. After the agreement of sale, possession was also given by the original owners to Shri Pukharaj Bhabutmal Jain. The said agreements of sale were unregistered and were not properly stamped. The same were got properly stamped in the Amenisty Scheme of the State Government and various Confirmation Deeds were registered by Shri Pukhraj Bhabutmal Jain on behalf of the owners and to the said Confirmation Deeds the said Agreements of Sale, Power of attorney were annexed. The same is registered at the office of Sub-Registrar Haveli No. 8. The details of the said documents are given herein below:

Sr.	Sur no.	Sathekhat date	POA date	Confirmation Deed with Pukharaj Jain date & Serial no.
1	141/2/2	22/06/1987	22/06/1987	20/06/2001, 3628/2001

- f] It is seen from copy of Sale deed dated 14/01/2005 registered at the office of Sub-Registrar Haveli No. 8 at sr. no. 953/2005 on 17/03/2005 that the owners Bhagirathi Mahadev Bhosale (died) her legal heir 1) Dyneshawr Mahadev Bhosale, 2) Sushila Raghunath Gogawale, 3) Venu Bhauso Bhagat 4) Bebi dattatray Bhorade 5) Arvind Alise Balu Dyneshwar Bhosale 6) Ashok Dyneshawr Bhosale 7) Pravin Arvind Bhosale sold captioned property to Shri Jaydeep Pukhraj Jain legal heir of Shri Pukhraj Bhabutmal Jain and his name was mutated in 7/12 record by mutation entry bearing No. 12145 dated 03/03/2005.

- (8) By various Agreements of Sale (Sathekhat) the Original owners agreed to sell the said properties to Shri Pukhraj Bhabutmal Jain and also executed General Power of Attorney in his favour. After the agreement of sale, possession was also given by the original owners to Shri Pukharaj Bhabutmal Jain under a letter of Possession dated 17/05/1989. The said agreements of sale were unregistered and were not properly stamped. The same were got properly stamped in the Amenisty Scheme of the State Government and various Confirmation Deeds were registered by Shri Pukhraj Bhabutmal Jain on behalf of the owners and to the said Confirmation Deeds the said Agreements of Sale,



Power of attorney and Possession Receipts were annexed. They were registered at the office of Sub-Registrar Haveli No. 8. The details of the said documents are given herein below:

Sr. No.	Survey no.	Sathekhat date	Tabepavti with Pukhraj Jain Date	Power of Attorney date	Confirmation Deed with Pukharaj Jain date & Serial no.
1	130/1	22/06/1987	17/05/1989	22/06/1987	04/06/2001, 3155/2001
2	129/2, 129/1	22/06/1987, 22/06/1987	17/05/1989, 17/05/1989	22/06/1987, 22/06/1987	04/06/2001, 3146/2001, 04/06/2001, 3144/2001
3	135/5	22/06/1987	17/05/1989	22/06/1987	04/06/2001, 3155/2001
4	135/3,	22/06/1978	17/05/1989	24/06/1987	04/06/2001, 3153/2001
5	130/2A, 130/2B, 130/2C	22/06/1987	17/05/1989	24/06/1987	04/06/2001, 3147/2001
6	131/1	22/06/1987	17/05/1989	24/06/1987	02/06/2001, 3099/2001
7	130/3	22/06/1987	17/05/1989	24/06/1987	02/06/2001, 3074/2001

(9) It is seen from copies of various Sale deeds that by different Sale deeds registered at the office of Sub-Registrar Haveli No. 8 different owners sold lands or portions thereof to Shri Pukhraj Bhabutmal Jain and his name was mutated in 7/12 records by different mutation entries mentioned in the chart given hereinafter.

(10) It is seen from the copy of the Death certificate, and by mutation entry and copies of Confirmation deeds by owners with Shri Jaydeep Pukhraj Jain that Shri



Pukhraj Bhabutmal Jain expired on 09/03/2003 leaving behind him his son Jaydeep and two married daughters Mrs. Raksha J Shah and Mrs Shilpa P Jain as his only legal heirs, his wife Kanta having predeceased him in 1995 and the names of the said legal heirs mutated on 7/12 record vide mutation entry bearing No. 12298 dated 11/02/2006.

- (11) It is seen from different mutation entries and copy of Release deed dated 28/04/2003 that by Release deed dated 28/04/2003 Mrs. Raksha J Shah and Mrs. Shilpa P Jain released all their respective rights, title and interest in the captioned lands in favour of Shri Jaydeep Pukharaj Jain. The said Release deed is registered at the office of the Sub-Registrar Haveli at Sr. No. 1228/2003.
- (12) It is seen from different Deeds of Confirmation executed by different owners, and by different Confirmation deeds the respective Owners admitted and confirmed that Shri Jaydeep Pukhraj Jain had become the sole and absolute owner of the captioned properties. All the deeds of confirmation are registered at the office of Sub-Registrar Haveli 8 and their details along with other details are mentioned herein under:

Sr. No.	Survey no.	Area sold	Sale deed with Pukharaj Jain date & Serial no	Mutation entry no and date by which name of Pukhraj Jain mutated	Confirmation Deed with Jaydeep Jain date & Serial no.
3	130/2A, 130/2B, 130/2C	57 R 56 R 56 R	04/06/2001, 3158/2001	11790, 08/07/2001	27/10/2004, 7970/2004
7	131/1	111 R	02/06/2001, 3101/2001	12315, 08/03/2006	30/06/2005, 5073/2005
9	130/1	326 R	04/06/2001, 3156/2001	11792, 08/07/2001	13/04/2004, 2483/2004
10	130/3	166 R	02/06/2001, 3077/2001	11838, 10/11/2001	28/10/2004, 8098/2004
11	129/1	515 R	04/06/2001, 3145/2001	11782, 08/07/2001	02/12/2004, 9006/2004
12	129/2	698 R	04/06/2001,	11780,	



			3459/2001	08/07/2001	
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(13) **Details of all development rights and Power of attorney in favour of Pride Builders Pvt. Ltd.** executed by Shri Jaydeep Pukharaj Jain, and transferred all his development right in favour of Pride Builders Pvt. Ltd. and in compliance to all these development agreements Shri Jaydeep Pukharaj Jain has also executed an Irrevocable Power of attorney in favour of director of Pride Builders Pvt. Ltd. and the details are as follows:

a] Development Agreement dated 05.07.2005 by Shri Jaydeep Pukharaj Jain in favour of Pride Builders Pvt. Ltd. registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 5208/2005 in respect of land bearing S. no. 130/3, 130/2A, 130/2B, 130/2C, 141/2/2.

b] Irrevocable General Power of Attorney dated 05.07.2005 by Shri Jaydeep Pukharaj Jain in favour of Shri Arvind Premchand Jain registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 4/5209/2005 in respect of land bearing S. no. 130/3, 130/2A, 130/2B, 130/2C, 141/2/2.

c] Development Agreement dated 24.08.2004 by Shri Jaydeep Pukharaj Jain in favour of Pride Builders Pvt. Ltd. registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 6108/2004 in respect of land bearing S. No. 130/1, 129/1, 129/2.

d] Irrevocable Power of Attorney dated 26.08.2004 by Shri Jaydeep Pukharaj Jain in favour of Arvind Premchand Jain, registered at the Office of Sub Registrar Haveli No. 8 at Serial No. 6109/2004 in respect of land bearing S. No. 130/1, 129/1, 129/2

e] It is seen from the copy of Development agreement dated 05/12/2005 that by this Development agreement Shri Jaydeep Pukharaj Jain with the consent of Shri Chandrakumar Madhusudan Jajodiya for himself and as Power of attorney of Smt Radhadevi Madhusudan Jajodiya, Shri Pawan Mahaveerprasad agarwal, Sou Renu Pawan Agarwal, transferred development rights in respect of land bearing S. no. 131/1, along with other lands to Pride Builders Pvt. Ltd. The said Development agreement is registered at the office of Sub registrar Haveli no. 19 at Sr. no. 4439/2005.

f] Irrevocable General Power of Attorney dated 05.12.2005 by Shri Jaydeep Pukharaj Jain and Jajodiya in favour of Shri Arvind Premchand Jain registered at



the Office of Sub Registrar Haveli No. 19 at Serial No. 4440/2005 in respect of land bearing 131/1.

- (14) It is seen from mutation entry no. 12300 dated 11/02/2006 that Shri Jaydeep Pukhraj Jain and Pride Builders Pvt Ltd sold various lands along with the captioned property to one Mahaveer Co-operative Housing Society Ltd vide Sale deed dated 12/12/2005 registered at office of Sub registrar Haveli at Sr. no. 7640/2005 on 13/12/2005. The name of Purchaser society is mutated on 7/12 record by the said mutation entry.
- (15) It is seen from mutation entry no. 12313 dated 08/03/2006 and copy of Decree dated 20/09/2005 passed in special Civil Suit bearing no. 751/2001 of the Court of civil Judge, Senior division, Pune that heirs of late Shri Eknath Rangu Bhosale V/S Shri Pandharinath Rangu Bhosale and others including Jaydeep Pukhraj Jain heir of late Shri Pukhraj Bhabutmal Jain for cancellation of sale deed dated 02/06/2001 and 04/06/2001, registered at sr. no. 3077/2001 and 3158/2001 in respect of lands bearing S.No. 130/2A, 130/2B, 130/2C, 132/7A, 132/7B, 132/7, 127/2, 130/3, 132/8 along with other lands that in view of Pursis filed by Plaintiff at Ex no. 92 of suit against Defendant no. 1 to 34 was dismissed and suit was settled with Shri Jaydeep Pukhraj Jain, where under the parties cancelled sale deeds in respect of S. No. 126/12A, 126/12B, 126/12C, and 126/11 and confirmed the sales in favour of Shri Jaydeep Pukhraj Jain and his ownership and possession in respect of the remaining properties.
- (16) It is seen from mutation entry no. 12315 dated 08/03/2006 and copy of compromise decree dated 06/02/2006 in Special Civil Suit no. 937/2005, of Civil Court Senior Division, Pune, Shri Jaydeep Pukhraj Jain V/s Mahaveerprasad Agarwal and others that the defendants thereby admitted the sale by original owners in respect of portion of land admeasuring 1] S.No.131 area -1H. 11R , 2] S.No. 132/5 area 1H.15R 3] S.No. 298/2 area 3H.58R 4] 132/4 area 00H.38 5]135/6 area 1H. 69R 6] 132/2 area 00H.36 R in favour of late Shri PukhrajBhabutmal Jain and the documents executed and consideration paid to the original owners and the validity thereof and delivery of possession to Shri Pukhraj Bhabutmal Jain. The plaintiff paid consideration to the defendants for settlement of dispute and reimbursement of all the amounts paid by the Defendants to the original owners of the suit property and settlement of all the claims of the Defendants regarding the suit property. The defendants admitted



having received the said consideration in full satisfaction with no dues remaining payable.

- (17) It is seen from the copy of mutation entry bearing no. 12319 dated 8/3/2006 it is in regards to property bearing S.No. 130/2A, 130/B, 130/2C, 132/7A, 132/7B, 132/7C, 127/2, 130/3, 132/8, 131/1, 132/5, 298/2, 132/4, 135/6, 132/2, 300, 301, 302/1, 128, all these lands purchased by one Mahavir Co-operative Housing Society Ltd through Chairman Shri Arvind Premchand Jain 2) Secretary - Shri Rajesh Mulayamchand Jain 3) Member - Rakesh Kumar Agrawal from Jaydeep Pukharaj Jain & Pride Builder Pvt Ltd through Director - Arvind Jain vide sale deed dated 12/12/2005 registered at sr. no. 7640/2005 on 13/12/2005 and as per mutation entry bearing no. 12300 name of purchaser recorded on 7/12 of said property in owners column and with order issued by SDO and Court Order said m. e recorded in the revenue record.
- (18) It is seen from the copies of the Zone Certificate dated 08/01/2007 that some portion of S. No. 129 is affected by 24 mtr & 18 mtr road, as per no. 2/114 Primary school reservation, as per 2/113 Play ground reservation and remaining portion is designated in residential Zone. S. no. 130, 131, is affected by 24 mtr & and remaining portion is designated in residential Zone. It is seen from the copies of the Zone Certificate dated 08/01/2007 that some portion of S. No. 141 is affected by 24 mtr & 18 mtr road and remaining portion is designated in Residential Zone
- (19) It is seen from the copies of judgment of Additional Collector and Competent Authority, Pune Urban Agglomeration dated 28/01/1999 and 28/01/2000 that upon application of Pukharaj Bhabutmal Jain and others the authority held that the provision of Urban Land (Ceiling & Regulation) Act 1976 were not applicable to the said property and he thereby issued a No objection certificate. It is seen from the copy of order dated 31/08/2006 passed by Additional Collector and Competent Authority, Pune Urban Agglomeration that Mahaveer Co-Operative Housing Society Ltd had filed a return u/s 6(1) of the Urban Land (Ceiling & Regulation) Act 1976 and it was held that the said society does not hold surplus lands under the said Act.
- (20) Public notice in respect of the captioned properties were published as follows and further it has been informed by all the respective Advocates that during course of time they have not received any objection to their respective publication:



Sr. no.	Survey No.	Name of Advocate	Name of news paper	Date
1	130/2B	Adv Geeta Borawake	Daily lokmat	24/11/2005
2	141/2/2, 130/2A, 130/3, 129/1	Adv Sarika Taori	Daily prabhat	24/11/2005
3	131/1	Adv Shilpa Damale	Daily Kesari	24/11/2005
4	130/1, 129/2, 131/1	Adv P. M Khire	Daily prabhat	24/11/2005

(21) On perusal of record it reveals that vide Agreement of Assignment dated 21.02.2007 Pride Builders Pvt. Ltd. assigned development rights of 50% undivided share in respect of S.Nos.130/1, 131/1, 130/2A, 130/2B, 130/2C, 130/3, 129/1, 129/2(part), 141/2/2 and other lands totally admeasuring 38 Hecor 88 Are i.e. 97.2 acres to Cielo Realty Pvt. Ltd. The said Agreement of Assignment is registered at the office of the Sub Registrar Haveli 15 at Sr. No.1306/2007. The assignment was to take place on payment of entire consideration being made to Pride Builders Pvt. Ltd.

Further from the record it appears that vide Cancellation Agreement dated 03/04/2014 registered at the Office of the Sub-Registrar Haveli 15 at Serial No. 2370/2014, the aforesaid Agreement of Assignment was cancelled.

(22) From the record given for my perusal it appears that the Mahaveer Co-operative Housing Society Ltd along with the consent of original owner i.e. Mr. Jaydeep Pukharaj Jain executed Transfer deed dated 31/03/2013 registered in the office of Sub registrar Haveli no. 12 at Sr. No. 6409/2013 on 29/07/2013, in favour of Pride Builders LLP, and accordingly exclusively transferred and alienated the portion of land out of the larger Property in favour of Pride Builders LLP, and since then the Pride Builders LLP is the exclusive and absolute owner of the said portion i.e. s. no. 129/1, 129/2, 130/1 along with other land.

(23) Further it is seen from the Deed of Conveyance dated 24/12/2014 the said Pride Builders LLP sold the portion admeasuring 2961.90 sq. mtr out of land bearing S No. 129/2. to Jai-kul Associates. The said Deed of Conveyance is registered at sr. no. 934/2015 on 27/01/2015 in the office of Sub Registrar Haveli no. 26.



- (23) On perusal of record it appears that Pride Builders LLP, has obtained construction finance from HDFC Ltd vide Mortgage deed dated 01/08/2014, registered in the office of Sub registrar Haveli 15 at Sr. No. 5616/2014 on 04/08/2014, and accordingly mortgaged the subject land. However the said Pride Builders LLP has repaid the entire loan amount and accordingly the said HDFC Ltd has given the the No due certificate on 06/02/2020, but the formality of Redemption deed is not yet completed, but as on today no loan is pending, as per the information provided to me.
- (24) From the record given for my perusal it appears that the Mahaveer Co-operative Housing Society Ltd along with Pride Builders LLP executed Tabepavti in favour of Pimpri Chinchwad Municipal Corporation vide Tabepavti dated 10/02/2017 registered at sr. no. 1018/2017 and handed over the respective portion of the respective land unto and in favour of Pimpri Chinchwad Municipal Corporation, and the same has been recorded vide mutation entry bearing no 18552. Further followed by the Correction deed dated 23/01/2018 registered at sr.no. 639/2018 and the same has been recorded vide Mutatin entry bearing no. 19019.
- (25) From the record given for my perusal it appears that Pride Builders LLP executed Tabepavti in favour of Pimpri Chinchwad Municipal Corporation vide Tabepavti dated 27/03/2017 registered at sr. no. 2103/2017 and handed over the respective portion of the respective land unto and in favour of Pimpri Chinchwad Municipal Corporation, and the same has been recorded vide mutation entry bearing no 18587.
- (26) **Sub registrar Index II search:**

Adv Rekha Shegar (Palande) have caused the search of Index II registers at the office of the sub registrars for the period 30 years i.e. 1984 to 2013 and paid the requisite charges for the receipt bearing no. 3822/2013 dated 06/02/2013 and 5378/2013 dated 21/02/2013, in respect of the said land and no document evidenced any subsisting. mortgage, charge or encumbrance was found recorded from the available registers, and no document evidencing any adverse entry in regard to the said land is found by her from the available record.

Adv Atif Nadaf have caused the search of Index II registers at the office of the sub registrars for the period 2 years i.e. 2013 to 2014 and paid the requisite charges for the receipt bearing no. 7027/2014 dated 13/02/2014, in respect of



the said land and no document evidenced any subsisting, mortgage, charge or encumbrance was found recorded from the available registers, and no document evidencing any adverse entry in regard to the said land is found by him from the available record.

Adv Atul Phatak have caused the search of Index II registers at the office of the sub registrars for the period 2 years i.e. 2014 to 2015 and paid the requisite charges for the receipt bearing (GRAS on line payment receipt) no. MH00145420201516E dated 09/06/2015, and also Adv Atul Phatak have caused the search of Index II registers at the office of the sub registrars for the period 2 years i.e. 2015 to 2016 and paid the requisite charges for the receipt bearing (GRAS on line payment receipt) no. MH006986329201516E dated 03/02/2016. Further Adv Atul Phatak have caused the search of Index II registers at the office of the sub registrars for the period 2 years i.e. 2016 to 2017 and paid the requisite charges and issued search report dated 18/01/2017, in respect of the said land and no document evidenced any subsisting, mortgage, charge or encumbrance was found recorded from the available registers, and no document evidencing any adverse entry in regard to the said land is found by him from the available record.

Adv Swapnaji Swami have caused the search of Index II registers at the office of the sub registrars for the period 2 years i.e. 2017 to 2018 and paid the requisite charges for the receipt bearing (GRAS on line payment receipt) no. MH010903698201718E dated 21/02/2018, and further she has taken the search of last two years i.e. 2018 to 2019 and paid the requisite charges for the receipt bearing (GRAS on line payment receipt) no. MH0120094701819E dated 16/02/2019 and further she has taken the search of last three years i.e. 2018 to 2020 and paid the requisite charges for the receipt bearing (GRAS on line payment receipt) no. MH0006382247202021E dated 21/05/2020 in respect of the said land and no adverse document evidenced any subsisting, mortgage, charge or encumbrance was found recorded from the available registers, and no document evidencing any adverse entry in regard to the said land is found by her from the available record and accordingly she has issued the report dated 21/05/2020.

(27) Litigation



On perusal of record it appears that there is one Regular Civil Suit bearing no. 1981/2016 has been filed in regard to land bearing S. No. 141/2/2, by Sakharam Chougule (died) through his legal heirs against Kailas Dadu Bhosale and others for declaration and injunction. As on date the matter is for framing issue and Exh 5 filed by Sakharam Chougule (died) through his legal heirs has been rejected by the court, and till date no adverse or prohibitory order against the said promoter/Builder in the matter.

(28) Opinion:

On the basis of the same and on the basis of the documents and information given for my perusal and subject to whatever stated hereinabove, I am of the opinion that the title of Mahaveer Co-operative Housing Society Ltd. to the said land is clean, clear and marketable, free from encumbrance, charges and/or claims except the charge of HDFC Ltd. as detailed and subject to whatever stated herein above and Pride Builders LLP is entitle for the development rights as mentioned herein above by virtue of various development agreement and respective Power of attorney and further their development rights has been kept alive at the time of sale deed in favour of Mahaveer Co-operative Housing Society Ltd. And accordingly Mahaveer Co-operative Housing Society Ltd. Has given their consent for development of respective land by Pride Builders LLP. and executed separate Power of attorney to that extend in favour Pride Builders LLP.

All the documents are return herewith.

Yours faithfully



Adv Sarika Taori

Title Certificate

Date 22/05/2020

This is to certify that I have investigated the title of the land bearing S. no. 129/1, 129/2, 130/1, 130/2A, 130/2B, 130/2C, 130/3, 131/1 and 141/2/2 total area admeasuring 2002 Ares, situated at village Charholi, Tal Haveli, Dist. Pune, within the jurisdiction of Haveli, and within the limits of Pimpri Chinchwad Municipal Corporation, Pune, and on the basis of the record and on the basis of the documents and information given for my perusal and subject to whatever stated in detail in my title opinion of even date, I am of the opinion that the title of Mahaveer Co-operative Housing Society Ltd. to the said land is clean, clear and marketable, free from encumbrance, charges and/or claims and subject to whatever stated herein above and Pride Builders LLP is entitle for the development rights as mentioned herein above by virtue of various development agreement and respective Power of attorney and further their development rights has been kept alive at the time of sale deed in favour of Mahaveer Co-operative Housing Society Ltd. And accordingly Mahaveer Co-operative Housing Society Ltd. Has given their consent for development of respective land by Pride Builders LLP, and executed separate Power of attorney to that extend in favour Pride Builders LLP..

Yours faithfully

Adv Sarika Taori