

P. M. KHIRE
B.Sc. (Hons.) L.L.B.
Advocate

"SAKET"
44/54, Navsahyadri Society,
Parijat Lane, Karvenagar,
Pune - 411 052
Tel. : 25420578 / 25462224
Email : pmkhire@gmail.com

Date : 16.07.2016

TITLE OPINION

To,
M/s. Shri Pushkar Developers,
D Building, Siddheshwarnagar,
Vishrantwadi, Pune 411 015.

Sub. : Title opinion in respect of property bearing S. Nos. 35/20,
35/20A, 35/20/15A, 35/20/15B, 35/20/15/2, 35/20/15/3,
35/20/15/4, 35/20/15/5, 35/20/16/2, 35/20/16/3, 35/20/16/4,
35/20/16/5, 35/20/16/6, 35/20/16/7, 35/20/16/8, 35/20/16A,
35/20/16B and 35/20/16C, Mouje Yeolewadi, Taluka
Haveli, District Pune

Sirs,

I have investigated title to the captioned property and I have to
state in my opinion as follows -

1. LIST OF DOCUMENTS GIVEN FOR MY PERUSAL :

- a) Copies of 7/12 extracts
- b) Copies of mutation entries except those mentioned hereinbelow
- c) Copy of Sale Deed dated 05.02.1958 by Shri. Abdul
Rahimanbhai Pansare in favour of Shri Mansur Rahimanbhai
Pansare, registered at the Office of Sub Registrar Haveli No. 1 at
Serial No. 162/1958.
- d) Copy of Sale Deed dated 08.06.1985 by Shri. Nizam Abdul
Pansare in favour of Sou. Tarabai Shankarrao Joshi, registered
at the Office of Sub Registrar Haveli No. 1 at Serial No.
6350/1985.
- e) Copy of Sale Deed dated 12.06.1985 by Shri. Nizam Abdul
Pansare in favour of Shri. Gulam Kadar Mehamud Khan.



registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 5968/1985.

- f] Copy of Sale Deed dated 12.08.1985 by Shri. Nizam Abdul Pansare in favour of Shri. Govind Sadashiv Jadhav, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 5967/1985.
- g] Copy of Sale Deed dated 12.08.1985 by Shri. Nizam Abdul Pansare in favour of Shri. Abdul Jabbar Mohammad Dalal, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 5969/1985.
- h] Copy of Sale Deed dated 30.08.1985 by Smt. Zubeda Pansare and others in favour of Shri. Kisan Mohan Lingaraj, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 9171/1985.
- i] Copy of Sale Deed dated 01.06.1989 by Shri. Gulam Kadar Mohammad Khan in favour of Shri. Appasaheb Sidramappa Dodmani, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 9632/1989.
- j] Copy of Sale Deed dated 01.06.1989 by Shri. Govind Sadashiv Jadhav in favour of Shri. Appasaheb Sidramappa Dodmani, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 9635/1989.
- k] Copy of Sale Deed dated 01.06.1989 by Shri. Kisan Mohan Lingaraj in favour of Shri. Appasaheb Sidramappa Dodmani, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 10054/1989.
- l] Copy of Sale Deed dated 01.06.1989 by Sou. Suman Anand Peter in favour of Shri. Appasaheb Sidramappa Dodmani, registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 9634/1989.
- m] Copy of Sale Deed dated 03.10.1988 by Shri. Jabbar Babulal Pansare and others in favour of Shri. Suresh Govindram Aswani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7057/2001.
- n] Copy of Sale Deed dated 03.10.1988 by Shri. Jabbar Babulal Pansare and others in favour of Shri. Appasaheb Sidramappa



Dodmani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 6022/2001.

- o] Copy of Sale Deed dated 03.10.1988 by Shri. Jabbar Babulal Pansare and others in favour of Sou. Snehalata Kisanlal Chordiya, registered at the Office of Sub Registrar Haveli-2 at Serial No. 6021/2001.
- p] Copy of Sale Deed dated 18.05.1990 by Shri. Appasaheb Sidramppa Dodmani in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7867/1990.
- q] Copy of Sale Deed dated 18.05.1990 by Shri. Appasaheb Sidramppa Dodmani, in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7867/1990.
- r] Copy of Sale Deed dated 18.05.1990 by Shri. Appasaheb Sidramppa Dodmani in favour of Sou. Suman Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7868/1990.
- s] Copy of Sale Deed dated 21.05.1990 by Shri. Appasaheb Sidramppa Dodmani in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7944/1990.
- t] Copy of Sale Deed dated 21.05.1990 by Shri. Appasaheb Sidramppa Dodmani in favour of Sou. Suman Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7945/1990.
- u] Copy of Sale Deed dated 21.05.1990 by Shri. Suresh Govindram Aswani favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7946/1990.
- v] Copy of Sale Deed dated 23.05.1990 by Shri. Appasaheb Sidramppa Dodmani in favour of Sou. Suman Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8058/1990.



- w] Copy of Sale Deed dated 18.05.1990 by Shri. Suresh Govindram Aswani in favour of Shri. Mahesh Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7947/1990.
- x] Copy of Sale Deed dated 21.05.1990 by Shri. Suresh Govindram Aswani in favour of Sou. Suman Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7948/1990.
- y] Copy of Sale Deed dated 21.05.1990 by Sou. Snehalata Kisanlal Chordiya in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7954/1990.
- z] Copy of Sale Deed dated 21.05.1990 by Sou. Snehalata Kisanlal Chordiya in favour of Sou. Suman Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 7955/1990.
- aa] Copy of Sale Deed dated 23.05.1990 by Sou. Snehalata Kisanlal Chordiya in favour of Sou. Suman Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8055/1990.
- ab] Copy of Sale Deed dated 23.05.1990 by Sou. Snehalata Kisanlal Chordiya in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8056/1990.
- ac] Copy of Sale Deed dated 23.05.1990 by Sou. Snehalata Kisanlal Chordiya in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8057/1990.
- ad] Copy of Sale Deed dated 24.05.1990 by Shri. Appasaheb Sidramappa Dodmani in favour of Sou. Suman Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8110/1990.
- ae] Copy of Sale Deed dated 24.05.1990 by Shri. Appasaheb Sidramappa Dodmani in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8111/1990. Ag] Copy of Sale Deed dated 31.05.1990 by Shri. Appasaheb Sidramappa Dodmani in favour of Shri. Mahesh Eknath Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 8397/1990.
- af] Copy of Sale Deed dated 31.05.1990 by Shri. Appasaheb Sidramappa Dodmani in favour of Sou. Suman Eknath Wani.



registered at the Office of Sub Registrar Haveli-2 at Serial No. 8389/1990.

- ag] Copy of Sale Deed dated 18.06.1990 by Shri. Appasaheb Sidramappa Dodmani in favour of Shri. Eknath Kisan Wani, registered at the Office of Sub Registrar Haveli-2 at Serial No. 9390/1990.
- ah] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Shri. Dattatray Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10081/1995.
- ai] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Shri. Prakash Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10082/1995.
- aj] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10083/1995.
- ak] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10084/1995.
- al] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10085/1995.
- am] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10086/1995.
- an] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10087/1995.
- ao] Copy of Sale Deed dated 14.12.1995 by Sou. Suman Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10088/1995.
- ap] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Shri Dattatray Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10089/1995.



- aq] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Shri Dattatray Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No.10090/1995.
- ar] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Shri Dattatray Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No.10091/1995.
- as] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Shri Prakash Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No.10092/1995.
- at] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Shri Prakash Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10093/1995.
- au] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Shri Prakash Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No.10094/1995.
- av] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani and another in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10096/1995.
- aw] Copy of Sale Deed dated 14.12.1995 by Shri Eknath Kisan Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10097/1995.
- ax] Copy of Sale Deed dated 14.12.1995 by Shri Mahesh Eknath Wani in favour of Sou. Jyoti Prakash Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10098/1995.
- ay] Copy of Sale Deed dated 14.12.1995 by Shri Mahesh Eknath Wani in favour of Shri. Dattatray Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10099/1995.
- az] Copy of Sale Deed dated 14.12.1995 by Nilima Eknath Wani in favour of Shri. Prakash Dnyanoba Jadhav, registered at the Office of Sub Registrar Haveli-3 at Serial No. 10100/1995.
- ba] Copy of Sale Deed dated 18.01.1999 by Sou. Pushpabai Balanna Bhosale in favour of Shri. Rajendra Mahatu Shitole, registered at the Office of Sub Registrar Haveli-3 at Serial No. 382/1999.



- bb] Copy of Sale Deed dated 18.01.1999 by Shri Somnath Kisan Fulellu in favour of Shri. Rajendra Mahatu Shitole, registered at the Office of Sub Registrar Haveli-3 at Serial No. 383/1999.
- bc] Copy of Partition Deed dated 27.10.1998 between Prakash Jadhav and other, registered at the Office of Sub Registrar Haveli-1 at serial No. 200/2001.
- bd] Copy of Sale Deed dated 25.05.2010 by Shri Prakash Dnyanoba Jadhav and another in favour of Shri. Rajkumar Kantilal Lodha, registered at the Office of Sub Registrar Haveli-12 at Serial No.4732/2010.
- be] Copy of Sathe Khat dated 28.05.2010 by Shri. Rajkumar Kantilal Lodha in favour of M/s. Pushkar Developers, registered at the Office of Sub Registrar Haveli-12 at Serial No. 4846/2010.
- bf] Copy of General Power of Attorney dated 28.05.2010 by Shri. Rajkumar Kantilal Lodha in favour of M/s. Pushkar Developers, registered at the Office of Sub Registrar Haveli-12 at Serial No. 4847/2010.
- bg] Copy of Sale Deed dated 06.12.2010 by Shri. Rajkumar Kantilal Lodha in favour of M/s Pushkar Developers, registered at the Office of Joint Sub Registrar Haveli-8 at Serial No. 12060/2010.
- bh] Copy of Zone Certificates dated 09.02.2009.
- bi] Copy of Public Notice issued by me and published in Daily Prabhat dated 06.01.2010.
- bj] Copy of Reply and Objections to Public Notice by Raut and Tambe, Advocates published in daily Prabhat dated 08.01.2010, Objection dated 13.01.2010 of Shri Babulal Imambhai Pansare and 6 others, Shri Akbar Abubhai Pansare and Shri Mehabub Mansur Pansare and others dated NIL.
- bk] Copy of extract of Alienation Register.
- bl] Copies of Search Reports dated 07.09.2012, 20.02.2014, 19.09.2015 and 28.06.2016.
- bm] Copy of NA order dated 27.02.2013
- bn] Copies of Title Opinions dated 31.10.2013, 24.02.2014 and 22.09.2015.



- bo] Copy of Public Notice issued by me and published in Daily Prabhat and Indian Express, both dated 31.01.2014.
- bp] Letter of M/s Shree Pushkar Developers dated 22.05.2015.
- bq] Copy of Notice of Intimation regarding Mortgage by Shree Pushkar Developers in favour of Andhra Bank by way of deposit of title deeds dated 06.06.2014, noted/registered at the Office of Sub Registrar (Class-2) Haveli-8 at Sr. No. 166/2014.
- br] Copy of letter of Andhra Bank, Pune Branch dated 20.05.2016.
- bs] Copy of Indenture of Mortgage dated 08.06.2016 by Shree Pushkar Developers and others in favour of Bajaj Finance Ltd., registered at the Office of Sub Registrar Haveli-8 at Sr. No. 4825/2016.
- bt] Copy of Sanctioned Plans.

2. DESCRIPTION OF PROPERTY:

All that piece and parcel of land and ground totally admeasuring an area of 3 Hector 77 Are comprising S. Nos. 35/20/15B admeasuring 20 Are, 35/20/15A admeasuring 20 Are, 35/20/15/2 admeasuring 20 Are, 35/20/15/3 admeasuring 20 Are, 35/20/15/4 admeasuring 20 Are, 35/20/16/4 admeasuring 20 Are, 35/20/16/5 admeasuring 20 Are, 35/20/16/6 admeasuring 20 Are, 35/20/16/7 admeasuring 20 Are, 35/20/16/8 admeasuring 20 Are, 35/20/15/5 admeasuring 20 Are, 35/20/16A admeasuring 13 Are, 35/20/16/2 admeasuring 20 Are, 35/20/16/3 admeasuring 20 Are, 35/20(pt) admeasuring 53 Are, 35/20/16C admeasuring 20 Are, 35/20/16B admeasuring 20 Are and 35/20A admeasuring 11 Are, situate at Mouje Yeolewadi, within the Registration Sub-District Taluka Haveli, District Pune.

3. I had issued Title Opinions in respect of the captioned property on 31.10.2013, 24.02.2014 and 22.09.2015 after perusing the documents mentioned therein. The said documents at that time were returned by me along with the said Title Opinion. The said Title Opinion dated 22.09.2015 is now shown to me without however the documents mentioned thereon. Copies of the documents pertaining to



the transactions in respect of the captioned property are now shown to me. I am therefore giving this Title Opinion relying on my Title Opinion dated 22.09.2015 and relying on the same.

4. It is seen from 7/12 extract for the year 1930-31 to 1952-53 and Mutation Entry No 787 dated 28.08.1934, that there was Phalni measurement and land bearing S.No.61/20, Mouje Kondhawe Budruk, Pune admeasuring an area of 9 Acre 36 Gunthas belonged to Shri Rahimu/Rahiman Kadarbhai and his name was recorded in 7/12 record by the said mutation entry. It is seen from the said mutation entry that the said land was Inam land. But in 7/12 record no remark is mentioned about the same. It is seen from the copy of extract of Alienation Register given to me that old S. No. 61 does not appear therein as Inam.

5. It is seen from Mutation Entry No. 1627 dated 20.04.1958 and copy of Sale Deed dated 05.02.1958 that by Sale Deed dated 05.02.1958 Shri Abdul Rahimanbhai Pansare sold a portion admeasuring 2 Acre 18 Gunthe from and out of S. No. 61/20 to Shri Mansur Rahimanbhai Pansare. The said Sale Deed is registered at Office of Sub Registrar Haveli-1 at Serial No. 162/1958 and name of the said purchaser was mutated in other rights of 7/12 record by the said mutation entry. It is seen from Mutation Entry No.2050 dated 01.08.1971 that Shri Rahiman Kadarbhai expired in or about the year 1950-51 leaving behind him son Abdul, Grandsons Mahibub Mansur, Makbul Mansur, Amir Mansur and Sharif Mansur as his only legal heirs and, the name of Shri Abdul Rahiman Pansare was recorded as a holder of 8 Anna share and the name of Mahebub Mansur Pansare was recorded as Karta and Manager of his joint family having share of 8 Anna by the said mutation entry. It is further seen from Mutation Entry No. 1617 dated 02.05.2001 that Shri. Mansur Rahiman Pansare expired on 19.02.1960 leaving behind him his wife Sahrifa, four sons- Mahibub, Makbul, Amir and Dilawar as his only legal heirs and names of the said heirs were mutated and the mention about joint family and



karta was deleted from 7/12 record by the said mutation entry. This mutation entry refers to earlier ME No. 2050. It is thus seen that Rahman had two sons namely Abdul and Mansur.

6. It is seen from Mutation Entry No. 3955 dated 24.01.1985 that Abdulbhai Rehman Pansare expired on 18.07.1979 leaving behind him his four sons- Mohammad, Ahmed, Nizam, Hussain and married daughter Hazarabi/Hazarani Badekhan Mulani as his only legal heirs and their names were recorded in 7/12 record by the said mutation entry, the names of the sons were mutated as holders and that of the daughter in other rights. It is seen from copy of Declaration dated 22.10.2008, which is registered at the Office of Sub Registrar Haveli-12 at Serial No. 8353/2008 that thereby Sou. Hajrabi Badekhan Mulani along with others confirmed various Sale Deeds mentioned hereinafter.

7. It is seen from Mutation Entry No. 4102 dated 18.07.1985 that Shri Ahmed Abdul Pansare expired on 12.11.1984 leaving behind him his wife Zubeda, sons Rasul, Shahjahan, Hansare and daughters Sahana, and Mumtaj as his only legal heirs and their names were recorded in 7/12 record by the said mutation entry.

8. a) It is seen from Mutation Entry No. 4338 dated 24.03.1986 and copy of Sale Deed dated 12.06.1985 that by Sale Deed dated 12.06.1985 Shri Nizam Abdul Pansare sold an area admeasuring 02 Are from S. No. 61/20 to Abdul Jabbar Mohamad Dalal. The said Sale Deed is registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 5969/1985 on 13.06.1985. The said portion admeasuring 2 Are was given S.No.61/20/1 and the remaining portion admeasuring 4 Hecter was given S. No.61/20 and separate 7/12 records were prepared. It is further seen from Mutation Entry No. 459 dated 02.02.1991 that by an order of Additional Tahasildar, Haveli dated 31.01.1991 the transfer in respect of S. No. 35/20/1 was held legal and the remark that the same was subject to section 84C of BTAL Act,



was deleted from 7/12 record by said mutation entry. Mutation Entry No. 4338 and 7/12 extracts do not show any remark about 84-C.

b] It is seen from Mutation Entry No. 4343 dated 24.03.1986 and copy of Sale Deed dated 06.06.1985 that by Sale Deed dated 06.06.1985 Shri Nizam Abdul Pansare sold an area admeasuring 02 Are from S. No. 61/20 to Sou. Tarabai Shankarrao Joshi. The said Sale Deed is registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 6350/1985 on 24.06.1985. The said portion admeasuring 2 Are was given S. No. 61/20/6 and the remaining portion admeasuring 3 Hector 88 Are was given S. No. 61/20 and separate 7/12 records were prepared and name of the said purchaser was mutated in 7/12 record of S. No. 61/20/6 by the said mutation entry. It is further seen from Mutation Entry No. 485 dated 01.03.1991 that by an order of Additional Tahasildar, Haveli dated 29.02.1991 the transfer in respect of S. No. 35/20/6 was held legal and the remark that the same was subject to section 84C of BTAL Act, was deleted from 7/12 record by said mutation entry. Mutation Entry No. 4343 and 7/12 extracts do not show any remark about 84-C.

c] It is seen from Mutation Entry No. 4344 dated 24.03.1986 and copy of Sale Deed dated 12.06.1985 that by Sale Deed dated 12.06.1985 Shri Nizam Abdul Pansare sold an area admeasuring 02 Are from S. No. 61/20 to Shri Gulam Kadar Mohamad Khan. The said Sale Deed is registered at the Office of Sub Registrar Haveli No. 1 at Serial No. 5968/1985 on 13.06.1985. The said portion admeasuring 2 Are was given S. No. 61/20/7 and the remaining portion admeasuring 3 Hector 86 Are was given S. No. 61/20 and separate 7/12 records were prepared and name of the said purchaser was mutated in 7/12 record of S. No. 61/20/7 by the said mutation entry. It is further seen from Mutation Entry No. 458 dated 02.02.1991 that by an order of Additional Tahasildar, Haveli dated 02.02.1991 the transfer in respect of S. No. 35/20/7 was held legal and the remark that the same was subject to section 84C of BTAL Act, was deleted from 7/12 record by

