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SEARCH & TITLE REPORT

To

**M/s Malpani Properties,
A registered Partnership Firm
Office Number 802, City Square Building,
Shivajinagar, Pune - 411005.**

DEVELOPER

In respect of :

- | | | | |
|----|--|---|---------|
| 1) | Master Sairaj Pandurang Harpale
Through natural guardian,
Shri Pandurang Dattatray Harpale
Survey No.154/10 A | } | 36 Ares |
| 1) | Smt. Hirabai Ramchandra Memane | } | 15 Ares |
| 2) | Smt. Fulabai Namdeo Harpale
Through their legal heirs | | |
| 3) | Shri Balasaheb Mahadev Harpale
Survey No.154/11 | | |
| 1) | M/s Malpani Properties
Survey No.154/12 | } | 6 Ares |
| 1) | Smt. Chhabubai Manik Harpale | } | 6 Ares |
| 2) | Smt. Usha Suresh Bandal | | |
| 3) | Smt. Narmada Vithal Gunjawate
Survey No.154/13 | | |
| 1) | Shri Baban Krishna Harpale
Survey No.154/14 | } | 6 Ares |
| 1) | M/s Malpani Properties
Survey No.154/15A | } | 1 Ares |
| 2) | Baban Krishnaji Harpale
Survey No.154/15A | | 1 Ares |

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1)	Shri Balasaheb Mahadev Harpale	{	4 Ares
2)	M/s Malpani Properties Survey No.154/15B		10 Ares
1)	Shri Ramchandra Arjun Harpale	{	6 Ares
2)	Shri Sadashiv Arjun Harpale		
3)	Shri Vijay Arjun Harpale		
4)	Smt. Rohini Sudam Vadkar		
5)	Smt. Kamal Dinkar Choudhari Survey No.154/16		
1)	Shri Dattatray Kerba Harpale	{	6 Ares
2)	Shri Jaysingh Kerba Harpale		
3)	Shri Pandurnag Dattatraya Harpale Survey No.154/17		
1)	Smt. Ranjana Ramchandra Choudhari Survey No.154/17		01 Ares
1)	Shri Sudhir Chandrakant Pawar Survey No.154/18	}	7 Ares
1)	Shri Maruti Sopan Harpale	{	OWNERS
2)	Shri Devidas Shivaji Harpale		
3)	Shri Sunil Shivaji Harpale Survey No.154/19 to 23		
Total			164 Ares

I have perused all the relevant documents, in respect of the subject matter of the property and also taken search from the office of Sub-Registrar for the last 30 years, commencing from 1990 to 2020, and my finds are, as under :

A. SURVEY No.154/10 A – 36 Ares:

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- I. Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/10 A admeasuring 36 Ares situate at Fursungi, Taluka Haveli, District Pune.
- II. TITLE :** The land bearing Survey No.154/10 A (old Survey No.128/10 A) admeasuring 36 Ares was originally seized, owned and possessed by Shri Shankar Sadashiv Honrao. Said Shri Shankar Sadashiv Honrao by Sale Deed dated 3rd march 1957 sold, transferred and conveyed entire share from the aforesaid land admeasuring 36 Ares in favour of Shri Keru Pandurang Harpale. And by Mutation Entry No.5791, the name of Shri Keru Pandurang Harpale is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land.

Said Shri Keru Pandurang Harpale by Sale Deed dated 7th October 1981 sold, transferred and conveyed entire share from the aforesaid land admeasuring 36 Ares in favour of Shri Vitthal Maruti Harpale. And by Mutation Entry bearing No.9581 the name of Shri Vitthal Maruti Harpale is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land.

Said Shri Vitthal Maruti Harpale by Sale Deed dated 28th April 1986 sold, transferred and conveyed entire share from the aforesaid land admeasuring 36 Ares in favour of Shri Dattatray Kerba Harpale. By Mutation Entry bearing No.14248, the name of Shri Dattatray Kerba Harpale is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land. Said Shri Dattatray Kerba Harpale gifted entire share from the aforesaid land admeasuring 36 Ares to his grandson (son's son) Master Sairaj Pandurang Harpale by gift deed dated 27th September 2012. The same gift deed is registered by document no 9311/2012 on 04/10/2012 at haveli no 6. Accordingly by Mutation Entry bearing No. 34746, the name of Master Sairaj Pandurang Harpale, is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land along with name of his father Shri Pandurang Dattatray Harpale as guardian of the minor Master Sairaj Pandurang Harpale.

Shri Pandurang Dattatray Harpale as a guardian and father of Master Sairaj Pandurang Harpale, by executing Development Agreement dated 3rd January, 2020 granted or otherwise entrusted the development rights, in respect of land bearing Survey No.154, Hissa No.10 A, admeasuring 36 Ares, Fursungi in favour of M/s Malpani Properties. The said Development Agreement is duly registered with the Office of Sub-Registrar of Haveli No.3 at Serial No.115 /2020 on the same day. In addition to that, the Developer also deposited amounts with the Vendors towards the refundable security deposit. Simultaneously, the Vendors also executed Irrevocable Power of Attorney in favour of the Developer, authorizing it to do all acts, deeds and things, which are necessary for effective development of the said properties. The said Power of Attorney is also duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.116 /2020 on the same day.

Said Shri Pandurang Dattatraya Harpale had obtained necessary permission from the Hon'ble District Judge, Pune u/s 8 of the Guardians & Wards Act for granting development rights, in respect of the said property for and on behalf of minor son, viz., Sairaj Harpale.

III . Documents :

- a) Copy of 7/12 Extract of Survey No.128/10 A for the year 1954-55 to 1988-89.
- b) Copy of 7/12 Extract of Survey No.154/10 A for the years 1990-91 to 2019-2020
- c) Mutation Entry No.5791
- d) Mutation Entry No.9581
- e) Mutation Entry No.14248
- f) Mutation Entry No.34746
- g) Order dated 3rd March, 2020 passed by the Hon'ble District Judge, Pune in M.A. No.826/2019.
- h) Copy of Development Agreement dated 3.1.2020 registered in the office of Sub Registrar Haveli No. 3 at Serial No 115/2020.

- i) Copy of POA dated 3.1.2020 registered in the office of Sub Registrar Haveli No. 3 at Serial No. 116/2020.

B. SURVEY No.154/11 – 15 Ares:

- I. Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/11 admeasuring 15 Ares situate at Fursungi, Taluka Haveli, District Pune.
- II. TITLE :** The land bearing Survey No.154/11 (old Survey No.128/11) admeasuring 15 Ares was originally seized, owned and possessed by Sakharam Keshav Harpale. Said Shri Sakharam Keshav Harpale died on 22nd September, 1940. By Mutation Entry bearing No.2749, the names of the grand sons, viz., Namdeo Ramji alias Ramchandra Harpale and Mahadeo Parshuram Harpale were mutated in respect of the aforesaid land as well as another land bearing Survey No.134/1 on 14th December, 1940 as the legal heirs and representatives. As such, Namdeo and Mahadeo both were having 8 Anna Share in the said land.

Said Shri Namdeo Ramchandra Harpale died on 11th August, 1970 leaving behind 2 daughters, viz., Smt. Hirabai Ramchandra Memane and Smt. Fulabai Namdeo Harpale as his only legal heirs and representatives. Accordingly, by Mutation Entry bearing No.7622, the names of his two daughters viz Smt Hirabai Ramchandra Memane and Smt. Fulabai Namdev Harpale were mutated on the 7/12 extract for 8 Anna share of the said property i.e. for 7.5 Ares out of 15 Ares.

However, Smt. Fulabai Namdeo Harpale died on 13th October, 1980, leaving behind sister, viz., Smt. Hirabai Ramchandra Memane, as her only legal heir and representative. Said Smt. Fulabai Namdeo Harpale has not executed any Will or Testament, in respect of the said property or her share in the said property. Consequently, upon her demise, her share in the said property stands devolved, upon her sister, viz., Smt. Hirabai Ramchandra Memane. Therefore, the name of Smt. Fulabai Namdeo Harpale

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needs to be deleted from the 7/12 extract. It has been informed to us that necessary proceeding is initiated to delete the name of Smt. Fulabai Harpale from the 7/12 extract. However, said Smt. Hirabai Ramchandra Memane also died on 29th march 2016 leaving behind son Mr. Maruti Ramchandra Memane, daughter Aruna Subhash Waze, daughter-in-law Janabai Shivaji Memane, grandson Mr. Sunil Shivaji Memane, Mr. Atul Shivaji Memane and granddaughter Mrs. Sarika Maruti Harpale as her only legal heirs and representatives. Accordingly, by Mutation Entry bearing No.43258, the names of her legal heirs of Mrs. Hirabai Ramchandra Memane are mutated on the 7/12 extract of the said land.

Thus, Shri Maruti Ramchandra Memane and five to hers became the absolute owners, in respect of 7.5 Ares from land bearing Survey No.154, Hissa No.11, upon demise of Smt. Hirabai Ramchandra Memane and Smt. Fulabai Ramchandra Harpale.

In the year, 2019, Smt. Maruti Ramchandra Memane and five others entrusted or otherwise granted development rights, in respect of their share from land bearing Survey No.154/11 in favour of the Developer, viz., Malpani Properties, by executing Development Agreement dated 20th March, 2019 registered with the office of Sub-Registrar of Haveli No.3 at Serial No.4453 of his Book No.1. On the same day, they have also executed Power of Attorney in favour of the Developer, which is also registered at Serial No.4455/2019. As per the said Development Agreement, the Developer agreed to provide constructed area to the Vendors, particularly Shri Maruti Ramchandra Memane and others, towards the consideration for grant of development rights, in respect of their 7.5 Ares.

Shri Mahadeo Parshuram Harpale died on 19th February 1984, leaving behind 3 sons, viz., Sopan, Nivruti and Balasaheb, widow Shevantabai Mahadeo Harpale, daughter Smt. Rukmini Dattatray Nimhan as his only legal heirs and representatives. However, Smt. Shevantabai Mahadev Harpale and Smt. Rukmini Dattatraya Nimhan relinquished or otherwise surrendered their share in the said property in favour of three sons of Shri Mahadev Harpale, viz.

Shri Mahadev Harpale

Sopan, Nivruti and Balu. Accordingly, by Mutation Entry bearing No.9878, the names of three sons of Shri Mahadev Harpale, viz., Sopan, Nivruti and Balu, were mutated or otherwise recorded on the 7/12 extract, in respect of land bearing Survey No.154/11 (128/11), as well as other various properties. Thus, Sopan Mahadeo Harpale, Nivruti Mahadeo Harpale and Balasaheb Mahadeo Harpale became owners of the aforesaid land along with other lands. However, as per the partition effected between Sopan Mahadeo Harpale, Nivruti Mahadeo Harpale and Balasaheb Mahadeo Harpale, 7.5 Acres from Survey No. 154/11 allotted were to the exclusive share of Mr. Balasaheb Mahadeo Harpale. Accordingly by Mutation Entry bearing No. 25808, the names of Shri Sopan Mahadeo Harpale and Shri Nivruti Mahadeo Harpale are deleted and name of Shri Balasaheb Mahadeo Harpale is mutated on the 7/12 extract in respect of 7.5 Acres land from survey No.154/11.

Thus, Shri Balasaheb Mahadeo Harpale is the owner of 7.5 Acres from land bearing Survey No.154/11. Shri Balasaheb Mahadeo Harpale also, by executing Development Agreement dated 10th May, 2019, granted the development rights, in respect of his share in the land bearing Survey No.154/11 admeasuring 7.5 Acres in favour of M/s Malpani Properties. The said Development Agreement is duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.6807. On the same day, Shri Balasaheb Mahadeo Harpale and his son, viz., Dnyaneshwar Balasaheb Harpale, also executed Power of Attorney in favour of the Developer. The said Power of Attorney is also registered in the office of Sub-Registrar of Haveli No.3 at Serial No.6809. As per the said Development Agreement, the Developer agreed to provide constructed area to Shri Balasaheb Harpale towards his consideration for grant of development rights. In addition to that, the Developer has also paid substantial amount towards the security deposit.

III. Documents :

- j) Copy of 7/12 Extract of Survey No.128/11 of the year 1932-33 to 1989-90.

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- a) Copy of 7/12 Extract of Survey No.154/11 of the years 1990-91 to 2010-11
- b) 7/12 Extract of Survey No.154/11 of the year 2010-11 to 2019- 2020
- k) Mutation Entry No.2749
- l) Mutation Entry No.9878
- m) Mutation Entry No.7622
- n) Mutation Entry No.25808
- o) Development Agreement dated 10th May, 2019 executed by Shri Balasaheb Namdeo Harpale and others.
- p) Power of Attorney dated 10th May, 2019 executed by Shri Balasaheb Namdeo Harpale and others.
- q) Development Agreement dated 20th March, 2019 executed by Shri Maruti Ramchandra Memane and others.
- r) Power of Attorney dated 20th March, 2019 executed by Shri Maruti Ramchandra Memane.

C. SURVEY No.154 HISSA No.12 ADMEASURING 06 ARES :

- I. Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No 154/12 (Old S No.128/12) admeasuring 06 Ares situate at Fursungi, Taluka Haveli, District Pune.

II. TITLE : The land bearing survey No.154/12 (Old S. No.128/12) admeasuring 06 Ares situate at Fursungi, Taluka Haveli, District Pune was originally seized, possessed and owned by Shri Ganpati Narayan Harpale. Said Shri Ganpati Narayan Harpale expired on 18th November, 1987 leaving behind 2 sons, viz., Raosaheb and Rajaram, daughter, viz., Janabai Gorakh Kalukhe, widow viz., Jijabai Ganpat Harpale, as his only legal heirs and representatives. Accordingly, by Mutation Entry bearing No. 11092, the name of Ganpati Narayan Harpale was deleted and the names of his two sons viz., Raosaheb and Rajaram, widow viz., Jijabai Ganpat Harpale were mutated on the 7/12 extract on the said land. Name

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of daughter viz. Janabai Gorakh Kalukhe was noted on the right side in other rights on the 7/12 extract on the said land.

In the year, 1981, Raosaheb Ganpat Harpale, Rajaram Ganpat Harpale, Jijabai Ganpat Harpale and Janabai Gorakh Kalukhe by Sale Deed dated 7th October 1981 sold, transferred and conveyed entire share from the aforesaid land admeasuring 6 Arcs along with other lands, in favour of Shri Pandurang Dattatray Harpale. Accordingly by Mutation Entry bearing No. 26586, the name of Shri Pandurang Dattatray Harpale is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land.

Said Shri Pandurang Dattatraya Harpale, by Sale Deed dated 30th October, 2019 transferred, conveyed and sold the entire Survey No.154 Hissa No.12 in favour of M/s Malpani Properties, i.e., the Developer herein, for a price or consideration of Rs.61.00,000/-. The aforesaid Sale Deed is duly registered with the Office of Sub-Registrar of Haveli No.3 at Serial No.14549/2019 of his Book No.1. Thus, by virtue of the aforesaid Sale Deed, M/s Malpani Properties became the absolute owners, in respect of the entire land bearing Survey No.154 Hissa No.12 admeasuring 6 Arcs. M/s Malpani Properties are entitled to their name on the 7/12 extract as the absolute owner, in respect of the said land.

III - Documents :

- c) 7/12 Extract of Survey No.128/12 for the year 1954-55 to 1989-90.
- d) 7/12 Extract of Survey No.154/12 for the years 1990-91 to 2017-18
- e) 7/12 Extract of Survey No.154/12 for the year 2010-11 to 2019- 2020
- f) Mutation Entry No.11092
- g) Mutation Entry No.26586
- h) Copy of Sale Deed dated 30th October, 2019.

D. SURVEY No.154 HISSA No.13 ADMEASURING 06 ARES :



- I. **Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/13 (Old S. No.1281/13) admeasuring 06 Ares situate at Fursungi, Taluka Haveli, District Pune.

- II. **II. TITLE :** The land bearing Survey No.154/13 (Old S.No. 128/13) admeasuring 6 Ares from Village Fursungi, Taluka Haveli, District Pune was originally seized, possessed and owned by Maruti Amruta Harpale. On 25th November, 1936, Smt. Anusayabai, the wife of Maruti Harpale submitted an application to the Mamaladar, Haveli, to transfer the properties standing in the name of her husband Maruti in the name of her two sons, viz., Vithoba and Shripati through natural guardian herself, Anusaya. The Mamaladar after making detailed enquiry in the matter, including taking the statement of Maruti accepted the said request of Smt. Anusayabai and directed the Revenue Officers to take entries on the 7/12 extract. Accordingly, by Mutation Entry bearing No.2349, the name of Maruti Harpale was deleted and the names of his two sons viz., Vithoba and Shripati, were mutated on the 7/12 extract on the said land as well as various other lands. However, in other rights of column, the name of Popat Vishnu Harpale was recorded in the 7/12 extract of the aforesaid land by Mutation Entry bearing No.5099. The name of Popat Vishnu Harpale was subsequently deleted by Mutation Entry bearing No.5668. Shri Vithal Maruti Harpale expired on 6th August, 1991 leaving behind daughter-in-law, viz., Chhabubai Manik Harpale, 3 daughters, viz., Indubai Shrirang Pawar, Narmada Vithal Gunjawate, Sou. Usha Suresh Bandal, and wife viz. Parubai Vithal Harpale, as his only legal heirs and representatives. Accordingly, by Mutation Entry bearing No.17787, the names of the legal heirs of Vithal Maruti Harpale were recorded on the 7/12 extract in respect or the aforesaid land. The another son viz., Shripati Maruti Harpale also expired on 11th June, 1975 leaving behind sons, viz., Uttam, Hiranman and Prakash, 2 daughters, viz., Vimal Dashrath Dhavale and Shobha Shankar Choudhari, widow viz., Anjanabai Harpale, as his only legal heirs and representatives. Accordingly, by Mutation Entry bearing No.13242, the names of the legal heirs were recorded on the 7/12 extract. However, the names of 2 daughters were recorded in



other rights of columns. In the year, 2001, Smt. Parubai Vithal Harpale and others executed a Partition Deed, in respect of the various agricultural lands registered with the office of Sub-Registrar of Harpale at Serial No.1263/2001. As per the said Partition Deed, the land bearing Survey No.128/13 allotted to the exclusive share of Smt. Chhabubai Manik Harpale, Sou. Indubai Shrirang Pawar, Narmada Vithal Gunjwate, and Sou. Usha Suresh Bandal. Accordingly, by Mutation entry bearing No.23395, the names of Shri Uttam Shripati Harpale and others were deleted from the 7/12 extract by virtue of the aforesaid Partition Deed and names of Smt. Chhabubai Manik Harpale, Sou. Indubai Shrirang Pawar, Narmada Vithal Gunjwate, and Sou. Usha Suresh Bandal remained on the 7/12 extract. On 15.08.2009 said Smt. Parubai Vithal Harpale expired leaving behind 3 daughters viz. Usha Suresh Bandal, Indubai Shrirang Pawar, Narmada Vithal Gunjawate and Daughter in law namely Chhabubai Manik Harpale. The names of the aforesaid persons were entered by mutation entry bearing no. 32879 on the 7/12 extract of the said property. Thereafter, Sou. Indubai Shrirang Pawar expired on 16/01/2016. Her name was deleted from 7/12 of 154/ 13 and other land by mutation entry no 40230. Thus, Smt. Chhabubai Manik Harpale, Narmada Vithal Gunjawate, and Sou. Usha Suresh Bandal, became the absolute owners of 6 Ares land.

Smt. Chhabubai Manik Harpale and others. by executing Development Agreement dated 20th March, 2019 granted or otherwise entrusted the development rights, in respect of land bearing Survey No.154, Hissa No.13 admeasuring 6 Ares. Fursungi in favour of M/s Malpani Properties. The said Development Agreement is duly registered with the Office of Sub-Registrar of Haveli No.3 at Serial No.4443/2019 on the same day. As per the said Development Agreement, the Developer agreed to provide constructed area to the Vendors from the building to be constructed on the said property in phase wise manner. In addition to that, the Developer also deposited amounts with the Vendors towards the refundable security deposit. Simultaneously, the Vendors also executed Irrevocable Power of Attorney in favour of the Developer, authorizing it to do all acts, deeds and things, which are necessary for effective development of the said properties. The

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said Power of Attorney is also duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.4448 on the same day. Thus, the Developer is fully entitled to develop the aforesaid property by taking prior permission from the Pune Municipal Corporation as well as getting the necessary permission from the Collector, Pune. The Developer is also required to register the project with Rera Authorities. As per the said Agreement, the Developer is also entitled to amalgamate the said property with other adjacent land and develop the same jointly. The Developer is duly entitled to sell, transfer and convey the tenement to the prospective purchasers and appropriate the sale proceeds thereof except the flats retained by the Vendor, as per the said Agreement.

III. Documents :

- a) 7/12 extract of Survey No.128/13 from the year 1931-32 to 1989-90
- b) 7/12 extract of Survey No.154/13 from the year 1990-91 to 2019-2020
- c) Mutation Entry No.23395
- d) Mutation Entry No.13242
- e) Mutation Entry No.2349
- f) Mutation Entry No.17787
- g) Mutation Entry No.5099
- h) Mutation Entry No.5668
- i) Mutation Entry No.32879
- j) Mutation Entry No.40230
- k) Partition Deed executed between Smt. Chhabubai Manik Harpale & Uttam Harpale and others.
- l) Development Agreement dated 20th March, 2019 executed by the Vendor, in respect of the said land.
- m) Power of Attorney dated 20th March, 2019 executed by the Vendor, in respect of the said land.

E. SURVEY No.154 HISSA No.14 ADMEASURING 06 ARES

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- I. Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/14 (Old S. No.1281/14) admeasuring 06 Ares situate at Fursungi, Taluka Haveli, District Pune.
- II. TITLE :** The land bearing survey No. 154 / 14 totally admeasuring 6 Ares situate at Fursungi, Taluka Haveli, District Pune was originally seized, owned and possessed by one Shri Sayaji Amruta Harpale.

Said Shri Sayaji Amruta Harpale expired on 28th March, 1937 leaving behind son, viz., Krishna, as his only legal heir and representative. Accordingly, by Mutation Entry bearing No.2487, the name of legal heir of Shri Sayaji Amruta Harpale, viz., Krishna, was mutated on the 7/12 extract, in respect of the aforesaid lands including the other lands owned by Sayaji Amruta Harpale, on 29th January, 1938 as the absolute owner. However, Shri Krishna Sayaji Harpale also expired on 21st March, 1966 leaving behind son viz., Baban, 3 daughters, viz., Godabai Javalkar, Yamunabai Vithal Pangare and Shushila Vasant Tupe and widow, viz., Hirabai, as his only legal heirs and representatives.

Accordingly, on 12th June, 1966, the Circle officer confirmed and certified the Mutation Entry bearing No. 6845, whereby the names of the legal heirs of Krishna Sayaji Harpale were mutated on the 7/12 extract and other revenue record as the owners, in respect of the aforesaid land as well as other properties. Said Smt. Hirabai Krishna Harpale also expired on 24th March, 2005 leaving behind the heir. The Circle Officer certified and confirmed the Mutation Entry bearing No.27803 on 2nd September 2006, where under the name of Baban Krishna Harpale was alone recorded on 7/12 extract in respect of the aforesaid land. Leaving behind son, viz., Baban Krishna Harpale and 3 married daughters, viz., Godabai Krishna alias Kisan Javalkar, Yamunabai Vithal Pangare alias Pangarkar and Sushilabai Vasant Tupe. However, Smt. Godabai Krishna alias Kisan Javalkar, expired on 16th February, 2009 leaving behind husband, viz., Krishna Javalkar, and the married daughter, viz., Nirmala Kalbhor as his legal heirs and representatives. Another



daughter of Krishna Harpale, viz., Yamunabai Vithal Pangare alias Pangarkar, also expired on 1st July, 2011, leaving behind husband, viz., Vithal, and married daughter, viz., Rohini Bhauji Chaudhari as his only legal heirs and representatives. The third daughter of Krishna Harpale, viz., Sushila Vasant Tupe, also expired on 18th September 2009 leaving behind husband, viz., Vasant Tupe, 2 sons, viz., Bapu Saheb and Mangesh and married daughter, viz., Vaishali Lata Choundkar.

In the year, 2011, all the legal heirs and representatives of Godabai, Yamunabai and Sushila relinquished, released and surrendered all their right, title in the aforesaid lands in favour of Shri Baban Krishna Harpale by executing Release Deed dated 7th December, 2011 registered with the office of Sub-Registrar of Haveli No.3 at Serial No. 10090/11 on 13th December, 2011. Thus, by virtue of the aforesaid Release Deed, Shri Baban Krishna Harpale alone became the absolute owner in respect of the aforesaid lands.

Shri Baban Krishna Harpale is having 2 sons, viz., Bhausahab and Atul, and one daughter, viz., Rohini Prashant Saras. In the year, 2011 itself, the daughter of Shri Baban Harpale surrendered, relinquished or otherwise transferred and assigned her right, title or interest in respect of the aforesaid lands as well as the other lands in favour of her two brothers, viz., Bhausahab Baban Harpale and Atul Baban Harpale by executing Release Deed dated 7th December, 2011, registered in the office of Sub-Registrar of Haveli No.3 at Serial No.10089 of his Book No.1.

Shri Baban Krishna Harpale, Bhausahab Baban Harpale and Atul Baban Harpale are the absolute owners of the land bearing Survey No.154/14 admeasuring 6 Ares.

In the year, 2019, Shri Baban Krishna Harpale granted development rights, in respect of land bearing Survey No.154 Hissa No.14 admeasuring 6 Ares, in favour of the Developer herein, by executing Development Agreement dated 10th May, 2019. The said Development Agreement is registered with the office of Sub-Registrar Haveli No.3 at Serial No.6807. On the same day, the owners also executed a Power of Attorney in favour



of the Developer, which is also registered with the office of Sub-Registrar of Haveli No.3. at Serial No.6809.

III : DOCUMENTS

- a) 7/12 Extract of Survey No.128/14 for the year 1954-55 to 1989-90
- b) 7/12 Extract of Survey No.154/14 for the year, 1990 to 1997-98
- c) 7/12 Extract of Survey No.154/14 for the year, 2000 to 2010-11.
- d) 7/12 Extracts of land bearing Survey No.154/14 for the year 2010-11 to year 2019-20.
- e) Mutation Entry bearing No. 2487
- f) Mutation Entry bearing No. 6845
- g) Mutation Entry bearing No. 27803
- h) Release Deed dated 7th December, 2011 executed by Rohini Prashant Sanas.
- i) Release Deed dated 7th December, 2011 executed by Smt Godabai, Rohini and Sushila in favour of Baban Harpale.
- j) Development Agreement dated 10th May, 2019 executed by Shri Baban Harpale in favour of M/s Malpani Properties.
- k) Power of Attorney dated 10th May, 2019 executed by Shri Baban Harpale in favour of M/s Malpani Properties.

F. SURVEY No.154/15A ADMEASURING 2 ARES :

- I. **Description of property :** An area admeasuring 02 Ares from and out of all that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/15A totally admeasuring 3 Ares situate at Fursungi, Taluka Haveli, District Pune.
- II. **TITLE :** The land bearing Survey No.128/15A admeasuring 03 Arcs from Village Fursungi, Taluka Haveli, District Pune. were originally seized, owned and possessed by one Shri Sayaji Amruta



Harpale. Said Shri Sayaji Amruta Harpale expired on 28th March, 1937 leaving behind son, viz., Krishna, as his only legal heir and representative. Accordingly, by Mutation Entry bearing No.2487, the name of legal heir of Shri Sayaji Amruta Harpale, viz., Krishna, was mutated on the 7/12 extract, in respect of the aforesaid lands including the other lands owned by Sayaji Amruta Harpale, on 29th January, 1938 as the absolute owner. However, Shri Krishna Sayaji Harpale also expired on 21st March, 1966 leaving behind son viz., Baban, 3 daughters, viz., Godabai Javalkar, Yamunabai Vithal Pangare and Shushila Vasant Tupe and widow, viz., Hirabai, as his only legal heirs and representatives. On 12th June, 1966, the Circle officer confirmed and certified the Mutation Entry bearing No. 6845, whereby the names of the legal heirs of Krishna Sayaji Harpale were mutated on the 7/12 extract and other revenue record as the owners, in respect of the aforesaid land as well as other properties. Said Smt. Hirabai Krishna Harpale also expired on 24th March, 2005 leaving behind the heirs. The Circle Officer certified and confirmed the Mutation Entry bearing No.27803 on 2nd September 2006, where under the name of Baban Krishna Harpale was alone recorded on 7/12 extract in respect of the aforesaid land. Leaving behind son, viz., Baban Krishna Harpale and 3 married daughters, viz., Godabai Krishna alias Kisan Javalkar, Yamunabai Vithal Pangare alias Pangarkar and Sushilabai Vasant Tupe. However, Smt. Godabai Krishna alias Kisan Javalkar, expired on 16th February, 2009 leaving behind husband, viz., Krishna Javalkar, and the married daughter, viz., Nirmala Kalbhor as his legal heirs and representatives. Another daughter of Krishna Harpale, viz., Yamunabai Vithal Pangare alias Pangarkar, also expired on 1st July, 2011, leaving behind husband, viz., Vithal, and married daughter, viz., Rohini Bhaguji Chaudhari as his only legal heirs and representatives. The third daughter of Krishna Harpale, viz., Sushila Vasant Tupe, also expired on 18th September 2009 leaving behind husband, viz., Vasant Tupe, 2 sons, viz., Bapu Saheb and Mangesh and married daughter, viz., Vaishali Lata Choundkar.

In the year, 2011, all the legal heirs and representatives of Godabai, Yamunabai and Sushila relinquished, released and surrendered all their right, title in the aforesaid lands in favour of Shri Baban Krishna Harpale by executing Release Deed dated 7th December,



2011 registered with the office of Sub-Registrar of Haveli No.3 at Serial No. 10090/11 on 13th December, 2011. Thus, by virtue of the aforesaid Release Deed, Shri Baban Krishna Harpale alone became the absolute owner in respect of the aforesaid land. Shri Baban Krishna Harpale is having 2 sons, viz., Bhausaheb and Atul, and one daughter, viz., Rohini Prashant Sanas. In the year. 2011 itself, the daughter of Shri Baban Harpale surrendered, relinquished or otherwise transferred and assigned her right, title or interest in respect of the aforesaid lands as well as the other lands in favour of her two brothers, viz., Bhausaheb Baban Harpale and Atul Baban Harpale by executing Release Deed dated 7th December, 2011, registered in the office of Sub-Registrar of Haveli No.3 at Serial No.10089 of his Book No.1. Thus, Shri Baban Krishna Harpale, Bhausaheb Baban Harpale and Atul Baban Harpale are the absolute owners of the land **1 Ares** from land bearing Survey No.154/15A.

Shri Bhausaheb Baban Harpale and Shri Atul Baban Harpale granted development rights, in respect of 1 Are out of 3 Ares, Survey No.154 Hissa No.15A in favour of the Developer herein, by executing Development Agreement dated 3rd May, 2019. The said Development Agreement is registered with the office of Sub-Registrar Haveli No.3 at Serial No.6807. On the same day, the owners also executed a Power of Attorney in favour of the Developer, which is also registered with the office of Sub-Registrar of Haveli No.3, at Serial No.6809.

However, another **1 Are** from the land bearing Survey No.154/15A was absolutely seized, owned and possessed by Mrs. Kamal Mahadeo Lonkar and others. On 2nd March, 2019, said 1) Mrs. Radha Shantaram Zende, 2) Shri. Nagesh Shantaram Zende, 3) Shri. Amol Shantaram Zende, 4) Mrs. Dipali Mangesh Kalbhor, 5) Smt. Manda Shivaji Zende, 6) Mrs. Rupali Shivram Kumbharkar, 7) Mrs. Monika Nilesh Sonmale, 8) Mrs. Kamal Mahadeo Lonkar, 9) Shri. Mahadeo Vithal Lonkar, 10) Shri. Sunil Vithal Lonkar, 11) Shri. Pradceep Vithal Lonkar and 12) Mrs. Aruna Ramakant Kolate sold transferred or otherwise conveyed an area admeasuring 01 Ares from and out of S.No. 154/15A to M/s Malpani Properties (a registered partnership firm) for a price or consideration of Rs.8,00,000/-. The said Sale Deed is registered in the office of



Sub-Registrar Haveli No.3 at Serial No. 3501/2019 on same day. By virtue of the said Sale Deed the M/s Malpani Properties became the absolute owner of the said 01 Are land. Thus, by virtue of the aforesaid Sale Deed, M/s Malpani Properties became the absolute owners, in respect of the land bearing Survey No.154 Hissa No.15 A admeasuring 1 Ares out of total 3 Ares.

III. Documents :

- a) 7/12 extract of Survey No. 128 /15A from year 1954-55 to 1990-91
- b) 7/12 extract of Survey No. 154/15A from year 1990-91 to 2019-20
- c) Mutation Entry bearing No. 2487
- d) Mutation Entry bearing No. 6845
- e) Mutation Entry bearing No. 27803
- f) Mutation Entry bearing No. 41470
- g) Mutation Entry bearing No. 43728
- h) Release Deed dated 7th December, 2011 executed by Rohini Prashant Sanas.
- i) Release Deed dated 7th December, 2011 executed by Smt. Gulabai, Rohini and Sushila in favour of Baban Harpale
- j) Sale Deed dated 2nd March, 2019 executed by Sou. Radha Shantaram Zende and others in favour of Malpani Properties registered at Serial No.3501 with the Office of Sub-Registrar of Haveli No.3.
- k) Development Agreement dated 3rd May, 2019 executed by Shri Baban Krishna Harpale in favour of M/s Malpani Properties.
- l) Power of Attorney dated 3rd May, 2019 executed by Shri Baban Krishna Harpale in favour of M/s Malpani Properties.

G. SURVEY No. 154 HISSA No.15 B ADMEASURING 14 ARES :

- I. **Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of

B. K. Harpale

Pune Municipal Corporation bearing Survey No.154/15 B admeasuring 14 Ares situate at Fursungi, Taluka Haveli, District Pune.

- II. TITLE :** The land bearing survey No.154/15B admeasuring 14 Ares situate at Fursungi, Taluka Haveli, District Pune was originally seized, owned and possessed by Shri Sitaram Sakharam Zende. Said Shri Sitaram Sakharam Zende died on 8th November, 1959 leaving behind son, viz., Shri Dattu Sitaram Zende, widow Smt. Revubai Sitaram Zende and daughter Janabai Vitthal Lonkar as his only legal heir and representative. Accordingly by Mutation Entry bearing No.6148, the name of all legal heir of Shri Sitaram Sakharam Zende, was mutated on the 7/12 extract, in respect of the aforesaid lands including the other lands owned by Shri Sitaram Sakharam Zende. Said Shri Dattu Sitaram Zende expired on 20th April, 1983 and also Revubai Sitaram Zende died on 5th October 1971, leaving behind Shri Shantaram Dattu Zende, Shri Shivaji Dattu Zende, Kamal Mahadeo Lonkar, Babubai Dattu Zende and Janabai Vitthal Lonkar as their only legal heir and representative. Accordingly by Mutation Entry bearing No.9754 and 9755, the names of all legal heir of Shri Dattu Sitaram Zende and Revubai Sitaram Zende, are mutated on the 7/12 extract, in respect of the aforesaid lands including the other lands. However, the aforesaid land was in possession of Shri Mahadev Parshuram Harpale as an agricultural tenant prior to 1957. Consequently, proceedings u/s 32g of the B.T. & A.L. Act were initiated by the said tenant before the Agricultural Land Tribunal. As per the order passed by the Agricultural Land Tribunal, purchase price was fixed. Moreover, a certificate was also issued u/s 32m of the B.T. & A.L. Act by the Agricultural Land Tribunal on 6th March, 1984 bearing No.ALT/LSP/15/17 in the name of Shri Mahadeo Parshuram Harpale. Accordingly by Mutation Entry No.9875 dated 22/04/1984 names of landowner, viz., Shri Shantaram Dattu Sitaram Zende, Shri Shivaji Dattu Sitaram Zende, Kamal Mahadeo Lonkar, Babubai Dattu Zende and Janabai Vitthal Lonkar were deleted from 7/12 extract of the aforesaid land and name of Shri Mahadeo Parshuram Harpale was mutated on 7/12 extract as the absolute owner. Said Shri Mahadeo Harpale also died on 19th February 1984, leaving behind 3 sons, viz., Sopan.

Nivruti and Balasaheb, widow Shevantabai Mahadeo Harpale, daughter Rukmini Dattatray Nimhan as his only legal heirs and representatives. However, the widow, viz., Shevantabai Mahadeo Harpale and daughter, viz., Rukminibai Dattatraya Nimhan released or otherwise surrendered their share or right, title or interest in the said land in favour of their brothers, viz., Shri Sopan Nivruti and Balasaheb. Consequently, by Mutation Entry bearing No.9878, the names of three sons of Mahadeo Harpale were mutated or otherwise recorded on the 7/12 extract, in respect of the aforesaid land. Thus, Sopan Mahadeo Harpale, Nivruti Mahadeo Harpale and Balasaheb Mahadeo Harpale became the owner of the aforesaid land along with other lands. However, as per the partition effected between Sopan Mahadeo Harpale, Nivruti Mahadeo Harpale and Balasaheb Mahadeo Harpale, 14 Ares from the Survey No. 154/15 B is allotted to the exclusive share of Mr. Balasaheb Mahadeo Harpale. Accordingly by Mutation Entry bearing No. 25808, the names of Shri Sopan Mahadeo Harpale and Shri Nivruti Mahadeo Harpale were deleted and name of Shri Balasaheb Mahadeo Harpale is mutated on the 7/12 extract in respect of 14 Ares land from survey No.154/15 B.

In the year, 2019, Shri Balasaheb Mahadev Harpale granted development rights, in respect of 4 Ares land from the aforesaid Survey No.154/15B in favour of M/s Malpani Properties, by executing Development Agreement dated 10th May, 2019. On the same day, he also executed Power of Attorney in favour of the Developer. Both the said documents are duly registered with the office of Sub-Registrar Haveli No.3 at Serial No.6807 and 6809, respectively.

Said Shri Balasaheb Mahadev Harpale, by Sale Deed dated 6th July, 2020, transferred, conveyed and sold the remaining area admeasuring 10 Ares land from Survey No.154/15B in favour of Malpani Properties for a price or consideration of Rs.78,25,000/-. The said Sale Deed is duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.3991 of his Book No.1. As per the said Sale Deed, Malpani Properties became the absolute owner in respect of 10 Ares land from the land bearing Survey

Shri Balasaheb Mahadev Harpale

No.154/15B. Malpani Properties are entitled to get its name mutated on the Revenue Record, in respect of the said area.

III: Documents :

- a) 7/12 extract of Survey No.128/15 B for the year 1954-55 to 1989-1990
- b) 7/12 extract of Survey No.154/15 B for the year 1990-91 to 2019-2020
- c) Mutation Entry No.6148
- d) Mutation Entry No.9754
- e) Mutation Entry No.9755
- f) Mutation Entry No.9875
- g) Mutation Entry No.9878
- h) Mutation Entry No.25808
- i) Development Agreement dated 20th May, 2019 executed by Shri Balasaheb Harpale in favour of M/s Malpani Properties.
- j) Power of Attorney dated 20th May, 2019 executed by Shri Balasaheb Mahadeo Harpale along with his son in favour of M/s Malpani Properties.
- k) Sale Deed dated 6th July, 2020 executed by Shri Balasaheb Mahadev Harpale and his son Dnyaneshwar Balasaheb Harpale in favour of M/s Malpani Properties regarding 10 Ares land.

H. SURVEY No. 154 HISSA No.16 ADMEASURING 06 ARES :

I. Description of property : All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/16 admeasuring 06 Ares situate at Fursungi, Taluka Haveli, District Pune.

II. TITLE : The land bearing Survey No.128/16 admeasuring 6 Ares from Village Fursungi was originally seized, owned and possessed by Hari Raoji Harpale. However, in the other rights of column, the name of Shivram Vithu Kamthe was mutated by Mutation Entry bearing No.2272. However, by subsequent Mutation Entry bearing

Balipadu

No. 7523, the name of Shivram Vithu Kamthe came to be deleted from 7/12 extract. The name of Shri. Yashwant Mhasku Harpale has also entered in other right column of the 7/12 extract of the said property by mutation entry bearing no. 5102. Subsequently, by mutation entry bearing no. 5733 the name of Shri Yashwant Harpale was deleted from other rights column of the 7/12 extract of the said property.

Said Shri Hari Raoji Harpale expired leaving behind 3 sons Bhiku, Sitaram and Arjun as his only legal heirs and representatives. Said Shri Bhiku Hari Harpale, Sitaram Hari Harpale and Arjun Hari Harpale executed partition deed for this property as well as their other properties. By the said partition deed, the said land came to share of Shri Arjun Hari Harpale and accordingly his name was mutated to the 7/12 extract of the said land and names of Shri Bhiku Hari Harpale and Sitaram Hari Harpale were deleted from 7/12 extract of aforesaid land by mutation entry no 7272. Thereafter Shri Arjun Haribhau Harpale expired on 27.08.1996 leaving behind 3 sons, viz., Ramchandra, Sadashiv and Vijay and 2 married daughters viz. Mrs. Kamal Dinkar Choudhari and Mrs. Rohini Sudam Wadkar, and widow viz., Krushnabai. Accordingly, by Mutation Entry bearing No.19653, the names of the legal heirs are recorded on the 7/12 extract in respect of the aforesaid land. Thereafter Krushnabai Arjun Harpale expired on 08/09/2013. Her name was deleted from 7/12 by mutation entry no 41565. Thus Ramchandra Arjun Harpale, Sadashiv Arjun Harpale, Vijay Arjun Harpale, Mrs. Kamal Dinkar Choudhari and Mrs. Rohini Sudam Wadkar became the owner of the aforesaid land.

Shri Ramchandra Arjun Harpale and others granted development rights, in respect of the land bearing Survey No.154 Hissa No.16 admeasuring 6 Ares in favour of the Developer herein, by executing Development Agreement and Power of Attorney both dated 20th March, 2019. The said Development Agreement and Power of Attorney are duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.4453 and 4455 on the same day. As per the said Agreement, the Developer is entitled to



amalgamate the said property with other properties and sell the tenement thereof with prospective purchasers.

III. Documents :

- l) 7/12 extract of Survey No.128/16 for the year 1944-45 to 2010-2011
- m) 7/12 extract of Survey No.154/16 for the year 2017-2020
- n) Mutation Entry No.7383
- o) Mutation Entry No.19653
- p) Mutation Entry No.3565
- q) Mutation Entry No.7227
- r) Mutation Entry No.41565
- s) Copy of Development Agreement dated 20th March, 2019 executed by Ramchandra Arjun Harpale and others.
- t) Copy of Power of Attorney dated 20th March, 2019 executed by Ramchandra Arjun Harpale and others.

I. SURVEY No.154/17 ADMEASURES 7 Ares :

- I. **Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/17 admeasuring 07 Ares situate at Fursungi, Taluka Haveli, District Pune.
- II. **TITLE :** The land bearing Survey No.128 Hissa No.17 admeasuring 07 Ares from Village Fursungi was originally seized, owned land possessed by Pandu Khandu Harpale. Shri Shri Pandu Khandu Harpale expired on 26th November, 1960 leaving behind son, viz., Keru, and 2 daughters Chandrabhaga Ananda Choudhari. Parvatibai Dhondiba Ambavale. Accordingly, by Mutation Entry bearing No.6133, the name of legal heirs of Pandurang Khandu Harpale were mutated in respect of the aforesaid land as well as various other lands from Village Fursungi. Therefore, Smt. Chandrabhaga Ananda Choudhari and Parvaitbai Dhondiba Abnave transferred, relinquished or otherwise surrendered their right, title or interest in the aforesaid land bearing Survey No.128/17 in favour of their brother, viz., Keru Pandurang Harpale.



Accordingly, by Mutation Entry bearing No.6370, the names of Smt. Chandrabaga and Parvatibai were deleted from the 7/12 extract in respect of the aforesaid land. However, said Shri Keru Pandurang Harpale expired on 5th March, 1987 leaving behind two sons, viz., Dattatraya and Jaisingh, widow, viz., Janabai, and 4 daughters, viz., Ratnabai Madhukar Dhore, Lalita Laxman Kalbhor, Ranjana Ramchandra Choudhari, Anjana alias Leelawati Mahadeo Zende as his only legal heirs and representatives. Accordingly, by Mutation Entry No.27920, the name of the aforesaid all the legal heirs were mutated on the aforesaid land as well as other various lands as the absolute owners. Thereafter, Smt. Ratnabai Madhukar Dhore and Smt. Janabai Kerba Harpale relinquished or otherwise released or surrendered their share, right, title or interest in the aforesaid land in favour of Dattatraya and Jaisingh, by executing the Release Deed dated 29th August, 2006 registered with the office of Sub-Registrar of Haveli No.6 at Serial No.7450/2006. Another daughter of Keru Harpale, viz., Lalitabai Laxmanrao Kalbor also transferred, surrendered undivided right, title or interest in the aforesaid land as well as various other lands in favour of their two brothers, viz., Dattatraya and Jaisingh by executing Release Deed dated 27th February, 2007 registered with the office of Sub-Registrar of Haveli No.3 at Serial No.1529/2007. Simultaneously, Smt. Leelawati alias Anjanabai Zende surrendered, relinquished, transferred her right, title or interest in the aforesaid land as well as the various other lands in favour of the two brothers, viz., Jaisingh and Dattatraya by executing Release Deed dated 15th July, 2008 registered with the office of Sub-Registrar of Haveli No.3 at Serial No.5658/2008. Thereafter, by Mutation Entry bearing No.32792, 32793 and 32794, the names of the Relcasors, i.e., three daughters, and widow of Kerba Harpale were deleted from the 7/12 extract in respect of the aforesaid land as well as the various other lands. Thus, as on today, the Dattatraya Kerba Harpale, Jaysingh Kerba and Ranjana Ramchandra Choudhari are the owners of the land bearing Survey No.154/17 admeasuring 7 Ares from Fursungi, Taluka Haveli, District Pune.

Shri Dattatraya Kerba Harpale and others, by executing Development Agreement dated 20th March, 2019 granted or



otherwise entrusted the development rights, in respect of land bearing Survey No.154 Hissa No.17 admeasuring 6 Ares, Fursungi in favour of M/s Malpani Properties. The said Development Agreement is duly registered with the Office of Sub-Registrar of Haveli No.3 at Serial No.4438/2019 on the same day. As per the said Development Agreement, the Developer agreed to provide constructed area to the Vendors in phase wise manner from the building constructed thereat. In addition to the same, the Developer also deposited amounts with the Vendors towards the refundable security deposit. Simultaneously, the Vendors also executed Irrevocable Power of Attorney in favour of the Developer, authorizing the Developer to do all acts, deeds and things, which are necessary for effective development of the said properties. The said Power of Attorney is also duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.4439 on the same day. As per the said Development Agreement, the Developer is fully entitled to develop the aforesaid property amalgamating her same with other properties. However, the Developer is under obligation to obtain necessary permissions from the Competent Authorities such as Pune Municipal Corporation, Collector, Pune, etc. prior to the commencement of development work. The Developer is also required to register the aforesaid project with Rera Authority under the Rera Act. The Developer is entitled to develop the said property in pursuance of the permissions granted by the Competent Authority and the Developer is entitled to sell, transfer and convey the tenements to the prospective purchasers and also entitled to appropriate the sale proceeds thereof except the tenements retained by the owners.

Moreover, Smt. Ranjana Ramchandra Choudhari also granted development rights in respect of 01 Are land from the land bearing Survey No.154/17 in favour of the Developer herein on 25th March, 2019. The said Development Agreement is duly registered with the office of Sub-Registrar of Haveli No.2 at Serial No.1889/2019. On the same day, she also executed a Power of Attorney in favour of the Developer, which is also registered with the Office of Sub-Registrar of Haveli No.2 at Serial No.1890/2019. Thus, the Developer has acquired the entire 7 Ares from Survey No.154/17, Fursungi from the Vendor.



III. Documents :

- a) 7/12 extract of Survey No.128/17 for the year, 1944 to 1963
- b) 7/12 extract of Survey No.128/17 for the year, 1964 to 1973
- c) 7/12 extract of Survey No.128/17 for the year, 1976 to 1989
- d) 7/12 extract of Survey No.154/17 for the year, 1990 to 1999
- e) 7/12 extract of Survey No.154/17 for the year, 2000 to 2010
- f) 7/12 extract of Survey No.154/17 for the year, 2018 – 2020
- g) Mutation Entry bearing No.6133
- h) Mutation Entry No.32792
- i) Mutation Entry No.32793
- j) Mutation Entry No.32794
- k) Mutation Entry No.27920
- l) Release Deed dated 27th February, 2007 executed by Lalitabai Kalhore
- m) Release Deed dated 16th July, 2008 executed by Lalita Zende.
- n) Release Deed dated 29th August, 2006 executed by Ratnabai Madhukar Dore.
- o) Copy of Development Agreement dated 20th March, 2019 executed by Shri Dattatraya Kerba Harpale and others in favour of Malpani Properties.
- p) Power of Attorney dated 20th March, 2019 executed by Shri Dattatraya Kerba Harpale and others in favour of Malpani Properties.
- q) Copy of Development Agreement dated 25th March, 2019 executed by Smt. Ranjana Ramchandra Choudhari in favour of Malpani Properties.
- r) Power of Attorney dated 25th March, 2019 executed by Smt. Ranjana Ramchandra Choudhari in favour of Malpani Properties.

J. SURVEY No.154/18 ADMEASURING 07 Ares :

- I. **Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/18 totally

As per the

admeasuring 07 Ares situate at Fursungi, Taluka Haveli, District Pune.

- II. TITLE :** The land bearing Survey No.128/18 admeasuring 7 Ares from Village Fursungi, Taluka Haveli District Pune was originally seized, owned and possessed by Laxman Ravaji Harpale. Said Shri Laxman Ravaji Harpale expired on 15th November, 1945. Accordingly, by Mutation Entry bearing No.3565, the names of Shri Bhiku, Sitaram and Arjun- the sons of Hari Harpale were mutated in 7/12 extract in respect of the aforesaid land bearing Survey No.128/18 and 131/8 as legal heirs of Laxmanraoji Harpale as he was not having any class I heirs.

Thereafter Shri Bhiku Hari Harpale, Sitaram Hari Harpale and Arjun Hari Harpale executed partition deed for this property as well as their other properties. And by that partition deed the aforesaid land bearing Survey No.128/18 given to Shri Bhiku Hari Harpale. Thus names of Sitaram Hari Harpale and Arjun Hari Harpale were deleted from 7/12 and Shri Bhiku Hari Harpale became sole owner of land bearing Survey No.128/18 by Mutation Entry bearing No 7272.

Said Shri Bhiku Hari Harpale expired on 3rd October, 1971. By Mutation Entry bearing No.8092 dated 20th October 1973, the name of Shri Tanaji Shivram Harpale, the grandson of Shri Bhiku Harpale, i.e., daughter's son, was mutated or otherwise recorded on the 7/12 extract in respect of the aforesaid land as well as other various lands.

Thus, Shri Tanaji Hari Harpale alone became the absolute owner in respect of the aforesaid land. In the year, 2018, Shri Tanaji Shivram Harpale and his family members transferred, conveyed and sold the aforesaid land bearing Survey No.154/18 in favour of Shri Sudhir Chandrakant Pawar, by executing Sale Deed dated 16th May, 2018 for a price or consideration of Rs.21,00,000/-. The said Sale Deed is duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.6093/2018. By virtue of the aforesaid Sale Deed, Shri Sudhir Chandrakant Pawar became the absolute owner in respect of the aforesaid land. Accordingly, by Mutation



Entry bearing No.39903, the name of Shri Sudhir Chandrakant Pawar is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land.

Shri Sudhir Chandrakant Pawar, by executing Development Agreement dated 20th March, 2019 granted or otherwise entrusted the development rights, in respect of land bearing Survey No.154, Hissa No.18, admeasuring 7 Ares, Fursungi in favour of M/s Malpani Properties. The said Development Agreement is duly registered with the Office of Sub-Registrar of Haveli No.3 at Serial No.4443/2019 on the same day. As per the said Development Agreement, the Developer agreed to provide constructed area to the Vendors from the building to be constructed on the said property in phase wise manner. In addition to that, the Developer also deposited amounts with the Vendors towards the refundable security deposit. Simultaneously, the Vendors also executed Irrevocable Power of Attorney in favour of the Developer, authorizing it to do all acts, deeds and things, which are necessary for effective development of the said properties. The said Power of Attorney is also duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.4448 on the same day. Thus, the Developer is fully entitled to develop the aforesaid property by taking prior permission from the Pune Municipal Corporation as well as getting the necessary permission from the Collector, Pune. The Developer is also required to register the project with Rera Authorities. As per the said Agreement, the Developer is also entitled to amalgamate the said property with other adjacent land and develop the same jointly. The Developer is duly entitled to sell, transfer and convey the tenement to the prospective purchasers and appropriate the sale proceeds thereof except the flat retained by the Vendor, as per the said Agreement.

III. Documents :

- a) 7/12 Extract of Survey No. 128/18 for the year 1944 to 1974.
- b) 7/12 Extract of Survey No.128/18 for the year 1975 to 1990.
- c) 7/12 Extract of Survey No.154/18 for the year 1990 to 2011.
- d) 7/12 Extract of Survey No.154/18 for the year 2018 to 2019.
- e) Mutation Entry bearing No.3565



- f) Mutation Entry bearing No.8092
- g) Mutation Entry bearing No.7383
- h) Mutation Entry bearing No.39903
- i) Copy of Sale Deed dated 16th May, 2018
- j) Copy of the Development Agreement dated 20th March, 2019 executed by the Vendor in favour of Malpani Properties.
- k) Copy of Power of Attorney executed by the Vendor in favour of Malpani Properties.

K. Land bearing Survey No.154/19 to 23 :

- I. Description of property :** All that piece or parcel of ground or land within registration Sub-District Haveli and within the limits of Pune Municipal Corporation bearing Survey No.154/19 to 23 admeasuring 59 Ares situate at Fursungi, Taluka Haveli, District Pune.

II. TITLE : The land bearing Survey No.128/19 to 23 from Village Fursungi, Taluka Haveli, District Pune were originally seized, owned and possessed by Shri Yashwant Mhasku Harpale. Said Shri Yashwant Mhasku Harpale released his right / gifted the land bearing Survey No.128/19 to 23 to his brother Babu alias Baburao Mhasku Harpale and his sister Sakhubai Shamrao Shinde equally. Thus the names of Babu alias Baburao Mhasku Harpale and Sakhubai Shamrao Shinde were entered on 7/12 by mutation entry no 7390. However, said Shri Babu Mhasku expired leaving behind 5 sons, viz., Narayan, Haribhau, Chandrakant, Prahlad, Vishnu, 3 daughters, viz., Vastalabai Dharmaji Bibve, Anusaya Maruti Kamathe and Parubai Bapusaheb Matale and widow, viz., Shantabai, as his only legal heirs and representatives. The names of the aforesaid legal heirs (except Smt. Parubai Bapusaheb Matale) of Shri Babu alias Baburao Mhasku Harpale, were mutated on the 7/12 extract by Mutation Entry bearing No.7939 dated 16th September, 1972. Thereafter, Shri. Naryan Baburao Harpale expired leaving behind two sons Shri. Rangnath Narayan Harpale, Dattatray Narayan Harpale, widow Chandrabhaga Narayan Harpale and two daughters Vimal Laxman Bhadale and Kamal Dattatray Bhadale. Thereafter, Said Shri Rangnath Narayan Harpale and other legal

As per legal

heirs of Narayan Harplae with the consent of Chandrakant Baburao Harpale, Pralhad Baburao Harpale, Vishnau Baburav Harpale, Haribhau Baburao Harpale and Vastalabai Bibve by Sale Deed dated 14th June, 1994 sold, transferred and conveyed their entire share from the aforesaid land admeasuring 29.5 Ares in favour of Shri Maruti Sopan Harpale. The aforesaid Sale Deed is duly registered with the office of Sub-Registrar off Haveli at Serial No.3234/1994. Accordingly, by Mutation Entry bearing No. 19905, the name of Shri Maruti Sopan Harpale is recorded on the 7/12 extract as the absolute owner, in respect of the aforesaid land. Thereafter, the two daughters of Shri Baburao Masku Harpale executed separate confirmation deed to the aforesaid Sale Deed on 2nd August, 2006 registered with the office of Sub-Registrar of Haveli at Serial No.6959/2008. Accordingly, by Mutation Entry bearing No.29554 dated 8th April, 2009, the name of 2 daughters of Babu Masku, viz., Parubai and Anusaya, were deleted from the 7/12 extract in respect of the aforesaid land. Thus, said Shri Maruti Sopan Harpale is the absolute owner of half portion of the aforesaid land admeasuring 29.5 Ares.

Smt. Sakhubai Shamrao Shinde who was having half share in the aforesaid land executed a will or testament on 2nd January, 1981 in her lifetime and thereby bequeathed the said property along with other properties in favor of Smt. Indubai Narayan Ambavale, Master. Sunil Shivaji Harpale and Master. Devidas Shivaji Harpale. After the death of Smt. Sakhubai Shamrao Shinde the name of the aforesaid legatee was entered into revenue record by the mutation entry bearing no. 16355. Thereafter, said Smt. Indubai Narayan Ambavale executed her last will or testament on 5.5.1997 in respect of said land in favor of her brothers Children viz. Master. Sunil Shivaji Harpale and Master. Devidas Shivaji Harpale. Said Smt. Induabi Narayan Ambavale expired on 18.10.2004. Thereafter, the name of aforesaid beneficiaries were mutated to the revenue record of the said property vide mutation entry bearing no. 27824. The names of beneficiaries under the Will, viz., Sunil and Devidas, are mutated on the 7/12 extract as the absolutely owners in respect of the aforesaid land. Thus, Shri Sunil Shivaji Harpale and Devidas Shivaji Harpale are the owners of an



area admeasuring 29.5 Ares from the aforesaid land bearing Survey No.154/19 to 23.

Shri Maruti Sopan Harpale and others, by executing Development Agreement dated 20th March, 2019 granted or otherwise entrusted the development rights, in respect of land bearing Survey No.154, Hissa No.19 to 23, admeasuring 59 Ares, Fursungi in favour of M/s Malpani Properties. The said Development Agreement is duly registered with the Office of Sub-Registrar of Haveli No.3 at Serial No.4443/2019 on the same day. As per the said Development Agreement, the Developer agreed to provide constructed area to the Vendors from the building to be constructed on the said property in phase wise manner. In addition to that, the Developer also deposited amounts with the Vendors towards the refundable security deposit. Simultaneously, the Vendors also executed Irrevocable Power of Attorney in favour of the Developer, authorizing it to do all acts, deeds and things, which are necessary for effective development of the said properties. The said Power of Attorney is also duly registered with the office of Sub-Registrar of Haveli No.3 at Serial No.4448 on the same day. Thus, the Developer is fully entitled to develop the aforesaid property by taking prior permission from the Pune Municipal Corporation as well as getting the necessary permission from the Collector, Pune. The Developer is also required to register the project with Rera Authorities. As per the said Agreement, the Developer is also entitled to amalgamate the said property with other adjacent land and develop the same jointly. The Developer is duly entitled to sell, transfer and convey the tenement to the prospective purchasers and appropriate the sale proceeds thereof except the flat retained by the Vendor, as per the said Agreement.

III. Documents :

- a) 7/12 extract of Survey No.128/19 to 23 for the year, 1944 to 1974
- b) 7/12 extract of Survey No.128/19 to 23 for the year, 1975 to 1990

- c) 7/12 extract of Survey No.128/19 to 23 for the year, 1990 to 1991
 - d) 7/12 extract of Survey No.128/19 to 23 for the year, 2018 and 2020
 - e) Mutation Entry bearing No.7939
 - f) Mutation Entry No.29554
 - g) Mutation Entry No.19905
 - h) Mutation Entry bearing No.16355
 - i) Mutation Entry bearing No.27824
 - j) Copy of Will dated 5th May, 1997 executed by Indubai Narayan Ambavale.
 - k) Copy of Development Agreement dated 20th March, 2019 executed by Shri Maruti Sopan Harpale and others in favour of M/s Malpani Properties.
 - l) Copy of Power of Attorney dated 20th March, 2019 executed by Shri Maruti Sopan Harpale and others in favour of M/s Malpani Properties.
- 4) **ENCUMBRANCES:** : I have inspected revenue record and other relevant documents of the captioned property. However, during my inspection I did not come across any adverse entry of encumbrance, such as mortgage, lease, etc., in respect of the said property.
- 5) **TENURE :** The captioned properties described hereinabove are situate within the limits of Pune Municipal Corporation. Moreover, the said properties are freehold lands.
- 6) **ASSESSMENT :** Non-Agricultural assessment is required to be paid to the State of Maharashtra every year in addition to the taxes payable to the Pune Municipal Corporation.
- 7) **PUBLIC NOTICE :** Mr. Nilesh Dagade Advocate issued a public notice, inviting the objections, claims from the public at large, regarding the marketable title of the original owners, as well as the rights of the Developer, in respect of the said land, which is duly published in daily Newspaper 'Kesari' on 12th July, 2020.



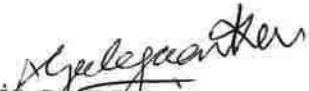
However, in response to the said notice, till today he has not received any objection or claim from any person.

- 8) **REMARKS :** Advocate Nilesh Dagade has taken search in the office of Sub-Registrar of Haveli, by paying requisite amount under Receipt No. MH00259532202021E dated 24.07.2020. However, he has not found any adverse entry to the title of aforesaid owner to the said property.

- 9) **OPINION :**

From the perusal of the documents of title, I find that the VENDORS herein are seized, owned and possessed the aforesaid lands as the absolute owners. Moreover, the VENDORS herein have clean, clear and marketable title of the aforesaid lands. As per the Development Agreement and Power of Attorney executed by the aforesaid VENDORS in favour of M/s Malpani Properties, M/s Malpani Properties are fully entitled to develop the said properties, by obtaining necessary permission and sanction from the Pune Municipal Corporation and other various Authorities. M/s Malpani Properties, being the Developer of the part of the land and being the owner of the remaining area, entitled to sell, transfer and convey the tenements from the said Project to the prospective purchasers and appropriate the sale proceeds thereof, subject to the tenements or the area to be provided to the original owners as a consideration for grant of development rights. However, the Developer, prior to advertising the sale of tenements from the said Project and before commencement of the actual development of the said lands, required to register the project with the RERA Authority. Moreover, the Developer shall also be required to obtain all other permissions, sanctions, etc. from the Competent Authority, such as non-agricultural permission, environmental clearance, etc.

Pune,
Dated : 29.7.2020


(AJAY GADIGAONKAR)
ADVOCATE

