

**Shabbir S. Kapadia**

Advocate & Solicitor

3, Aman Apts., Gr. Floor, Plot No. 34A,  
5th Road, Near Jain Temple, Khar (W), Mumbai-400052.  
Tel. 2648 4018 / 0365. 6507 2371 Fax: 2600 8030  
Email : shabbirkapadia@yahoo.com, kapadia.shabbir@gmail.com

**TO WHOM SO EVER IT MAY CONCERN:**

Under instructions of my client Mrs. Yasmin Asgar Patel I have caused Public Notices to be published in the issue of the Indian Express, Pune Edition and Loksatta, Pune Edition both dated 25<sup>th</sup> April, 2012 inviting claims to the property lying being and situate at Village Punawale and more particularly described in the Schedule hereunder and have to state that no claims against the same have been received in response to the said Public Notices.

I have also perused the Title Opinion dated 16<sup>th</sup> May, 2011 of Advocate Mr. Vijayrao M. Zeal, a copy of the same is hereto annexed and marked "A".

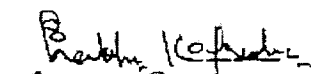
My client has a clear and marketable title to the said property.

**THE SCHEDULE ABOVE REFERRED TO:**

ALL THOSE pieces or parcels of land or ground situate, lying and being at Village Punawale, Taluka Mulshi, in the Registration District and Sub-District of Pune within the local limits of the Pimpri Chinchwad Municipal Corporation bearing Survey Nos. and areas as under:

Survey No	Hissa Nos.	Area H. R.
11	6/1	00.59
11	8/2	00.63
11	7	00.21

Dated this 23<sup>rd</sup> day of May, 2012.

  
Advocate & Solicitor

*Shabbir S. Kapadia*  
Advocate & Solicitor

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**TO WHOM SO EVER IT MAY CONCERN:**

Further to my title certificate dated 23<sup>rd</sup> May, 2012 (a copy of the same is hereto annexed and marked "1") in respect of the property more particularly described hereunder I have to certify as under:

By a Development Agreement dated 9<sup>th</sup> August, 2012 and made between Mrs. Yasmin Asgar Patel as the Owner and M/s. Natasha Construction Projects Pvt. Ltd. as the Developer, the Owner granted development rights to the Developer at or for the consideration and on the terms and conditions therein mentioned. The said Development Agreement has been registered with the Sub-Registrar of Assurances at Haveli 11 (Pune Camp) under No. HVL11-07343-2012 on 9<sup>th</sup> August, 2012.

By a Joint Development Agreement dated 18<sup>th</sup> August, 2012 and made the said M/s. Natasha Construction Projects Pvt. Ltd. and M/s. Benchmark Town Planning LLP, the parties agreed to jointly develop the said property on the terms and conditions therein mentioned. The said Joint Development Agreement has been registered with the Sub-Registrar of Assurances at Haveli 11 (Pune Camp) under No. HVL11-07690-2012 on 22<sup>nd</sup> August, 2012.

In the circumstances aforesaid the said M/s. Natasha Construction Projects Pvt. Ltd. and the said M/s. Benchmark Town Planning LLP have acquired joint development rights in the said property and a marketable title thereto.

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Survey No.	Hissa Nos.	Area H. R.
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Dated this 30<sup>th</sup> day of September, 2013.

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My client has a clear and marketable title to the said property.

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Vijayrao M. Zoal

B. A., LL.B- Advocate

Anushree Heights Office No. 4C,  
2nd Floor, 434, Shukrawar Peth,  
Shivaji Road, Opp. Mamledar Office,  
Pune - 411 042  
Ph.: 24472997, 24463127

विजयराव म. झोळ

बी. ए., एलएल.बी - अडव्होकेट

'अनुश्री हाईट्स', ऑफिस नं. ४ क,  
दुसरा मजला, ४३४ शुक्रवार पेठ,  
शिवाजी रोड, मामलदार कार्यालयसमोर,  
पुणे - ४११ ०४२  
फोन: २४४७२९९७, २४४६३१२७

### TITLE OPINION

#### PROPERTY :-

All that piece and parcel of following lands situated at Village Punavale, Tal-Mulshi, Dist-Pune:

- A) S. No. 11, Hissa No. 6/1, admeasuring 00 H. 59 R.
- B) S. No. 11, Hissa No. 6/2, admeasuring 00 H. 63 R.
- C) S. No. 11, Hissa No. 7, admeasuring 00 H. 21 R.

At the instance of Mrs. Yasmeen Asgar Patel, I instructed my colleague Adv. Anand Botre to take the search of the above mentioned property. Mrs. Yasmeen Asgar Patel submitted all the relevant documents pertaining to the above mentioned property. I have the following documents for scrutiny of title :-

- i) Copy of 7/12 extracts and the mutation entries thereon.
- ii) Copy of Sale-Deeds.
- iii) Copy of Development Agreement and Power of Attorney.
- iv) Copy of Zone Certificate.
- v) Search Report issued by Adv. Anand Botre.

and my observations are as under :-

#### A) S. No. 11/6/1, admeasuring 00 H. 59 R., Punavale, Pune :-

1) That the said property was originally owned by one Mr. Dnyanoba Dhondiba Shinde, Mr. Rajendra Dnyanoba Shinde and Mr. Sanjay Dnyanoba Shinde and their names were duly mutated in the 7/12 extract as Owners of the said property.

2) The Indian Coinage Act, 1955 and the Maharashtra State Weights and Measures Enforcement Act, 1958 was given effect to village Punawale. In pursuance of implementation of The Maharashtra Weights and Measurement Act 1958 and Indian Coins Act 1955 and Aakarband alongwith Hissa Form No. 12 issued by Special District Inspector Land Record, had certified and area and Aakar of all lands in village Punawale was converted into Hectors and Rupees.

*Vijayrao M. Zoal*

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शिवाजी रोड, मामलेदार कचेरीसमोर,  
पुणे - ४११ ०४२  
फोन: २४४७२९९७, २४४६३१२७

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3) The said Mr. Dnyanoba Dhondiba Shinde, Mr. Rajendra Dnyanoba Shinde and Mr. Sanjay Dnyanoba Shinde sold the said land vide registered Sale Deed Dt. 8/8/1989 transferred the said property in favour of Mrs. Yasmin Asgar Patel for consideration of Rs. 1,90,000/- (Rs. One Lac Ninety Thousand Only). The said Sale Deed is a registered in the office of Sub-Registrar, Maval, at Sr. No. 642/1989.

4) As per the contents of the said Sale Deed possession was also delivered in favour of Mrs. Yasmin Asgar Patel. Accordingly, the name of said Mrs. Yasmin Asgar Patel is entered to 7/12 extract of the said property vide Mutation Entry No. 1404.

**B) S. No. 11, Hissa No. 6/2, admeasuring 00 H. 63 R., Punavale, Pune**

1) That the said property was originally owned by one Mr. Murlidhar Kashinath Bhondave and his name was duly mutated in the 7/12 extract as Owner of the said land.

2) The said Mr. Murlidhar Kashinath Bhondave sold the said land vide registered Sale Deed Dt. 8/8/1989 transferred in favour of Mrs. Yasmin Asgar Patel for consideration of Rs. 1,95,000/- (Rs. One Lac Ninety Five Thousand Only). The said Sale Deed is a registered in the office of Sub-Registrar, Maval, at Sr. No. 641/1989.

3) As per the contents of the said Sale Deed possession was also delivered in favour of Mrs. Yasmin Asgar Patel. Accordingly, the name of said Mrs. Yasmin Asgar Patel is entered to 7/12 extract of the said property vide Mutation Entry No. 1403.

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*Vijayrao M. Zol*

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शिवाजी रोड, मामलेदार कचेरीसमोर,  
पुणे - ४११ ०४२  
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**C) S. No. 11, Hissa No. 7, admeasuring 00 H. 21 R., Punavale,**

**Pune :-**

- 1) That the contents of Mutation Entry No. 926 discloses that said property was originally owned by one Mr. Ramchandra Ganapati Shinde who died on 27/10/1976 leaving behind two sons viz. Mr. Balu Ramchandra Shinde and Mr. Shahaji Ramchandra Shinde, four daughters viz. Mrs. Shevantabai Baban Bhandawe, Mrs. Subhadra Baban Gangarde, Mrs. Tara Eknath Bodake and Mrs. Nalini Ramchandra Shinde and two wives viz. Smt. Reubai Ramchandra Shinde and Smt. Shanta Ramchandra Shinde (hereinafter referred to as 'The Owners'). Accordingly, the names of sons were entered in ownership column and the names of daughters and wives were entered in other rights column of 7/12 extract of the said property.
- 2) On 18/10/2004 the said owners executed Development Agreement in favour of Mrs. Yasmin Asgar Patel for consideration of Rs. 13,50,000/- (Rs. Thirteen Lac Fifty Thousand Only) which was higher than the then Government market value of the said property. The said Development Agreement is registered in the office of Sub-Registrar, Mulashi at Sr. No. 5934/2004. As per the contents of the said Development Agreement possession was also handed over by the said owners in favour of Mrs. Yasmin Asgar Patel. Accordingly, the name of said Mrs. Yasmin Asgar Patel was entered in the other rights column of the said property vide Mutation Entry No. 2800.
- 3) On 18/8/2004 the said owners also executed irrevocable Power of Attorney in favour Mr. Haresh Zilu Morajkar and Mr. Chandrakant Govindrao Tijare for execution of Deeds, Documents etc. The said Power of Attorney is registered in the office of Sub-Registrar, Mulashi at Sr. No. 5860/2004.
- 4) Mutation Entry No. 2601 discloses that on 18/10/2004 the said Mrs. Shevantabai Baban Bhandawe, Mrs. Subhadra Baban Gangarde,

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शिवाजी रोड, मामलेदार कार्यालयासमोर,  
पुणे - ४११ ०४२  
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...4...

Mrs. Tara Eknath Bodake and Mrs. Nalini Ramchandra Shinde executed Relinquishment Deed in respect of the said property in favour of their brothers viz. Mr. Balasaheb Ramchandra Shinde and Mr. Shahaji Ramchandra Shinde.

5) On 4/6/2010 the said owners through their Power of Attorney holder Mr. Haresh Zilu Morajkar executed Sale Deed in respect of the said property in favour of Mrs. Yasmin Asgar Patel. The said Sale Deed is registered in the office of Sub-Registrar, Haveli No. 19, Pune at Sr. No. 5120/2010. As per the contents of the said Sale Deed as the consideration of Rs. 13,50,000/- (Rs. Thirteen Lac Fifty Thousand Only) was paid by the purchaser to the owners under Development Agreement Dt. 18/4/2004 being the full consideration payable by purchaser to the owners, the said owners assigned, conveyed and transferred the said property in favour of Mrs. Yasmin Asgar Patel. Vide the said Sale Deed, the possession delivered at the time of Development Agreement Dt. 18/4/2004 was confirmed as an absolute owner. Accordingly, the name of Mrs. Yasmin Asgar Patel is entered in the ownership column of 7/12 extract of the said property vide Mutation Entry No. 3758.

6) It appears that in other rights column of 7/12 Extract of the said property the charge of Priyadarshani Co-op. Credit Society is entered. However, the copy of letter Dt. 1/3/2011 issued by the said society in favour of Talathi, Punawale discloses that no dues are outstanding from the said original owners towards the said society and as such there is no charge or encumbrance of the said society upon the said property.

D) I have perused the 7/12 Extract and other relevant documents on record. Adv. Anand Botre has taken the search for the last 30 years in the available registers kept in the office of Sub-Registrar, Haveli No. 1. He has certified that he has not come across any adverse entry evidencing to create any doubt with respect to the said property.



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दुसरा मजला, ४३४ शुक्रवार पेठ,  
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E) I have published a Public Notice in the daily News Paper "Prabhat" on 30/4/2011, inviting the objections if any with respect to the said property from the public at large. However till today I have not received any written objection from any person whatsoever. Mr. Chandrakant Rajaram Pawar the Power of Attorney Holder of Mrs. Yasmin Asgar Patel has executed an affidavit on 6/5/2011 stating that the said property is free from all encumbrances.

F) I have perused the Zone Certificate No. 1033 dt. 23/10/2008 issued by the Pimpri Chinchwad Municipal Corporation which states that the said S. No. 11 of village Punawale, Tal - Mulshi, Dist - Pune comes partly within the C-1 Commercial Zone and some part comes within the Residential Zone. The said Zone Certificate also reveals that there is a reservation on some part of the said S. No. 11, regarding 4/65 Primary School and P.S. (Extension). The said Zone Certificate also reveals that the some part of the said S. No. 11 is affected by Mumbai - Bangalore By-pass Highway (60 Mtrs + 12 Mtrs including 2 Service Roads) and 18 Mtrs Road. In my opinion the Present Owner should get her plot of land demarcated alongwith Zonal Demarcation from the Pimpri Chinchwad Municipal Corporation.

G) The said property is having agriculture status and or tenure and as such the same needs to be converted to the non-agriculture use in accordance with the provision of Sec. 44 and such other of the Maharashtra Land Revenue Code, 1966 before the development of the said property.

H) On the basis of the documents made available to me and after undergoing the Revenue Record and on the basis of the search, I am of the opinion that :-

1) S. No. 11, Hissa No. 6/1, admeasuring 00 H. 59 R., Punavale, Tal - Mulshi, Dist- Pune is owned by Mrs. Yasmeen Asgar Patel and her title to the said property is clear, marketable and free from encumbrances.

*Vijayrao M. Zolal*

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पुणे - ४११ ०४२

फोन: २४४७२९९७, २४४६३९२७

...6...

2) S. No. 11, Hissa No. 6/2, admeasuring 00 H. 63 R. Punavale, Tal - Mulshi, Dist- Pune is owned by Mrs. Yasmeen Asgar Patel and her title to the said property is clear, marketable and free from encumbrances.

3) S. No. 11, Hissa No. 7, admeasuring 00 H. 21 R., Punavale, Tal - Mulshi, Dist- Pune is owned by Mrs. Yasmeen Asgar Patel and her title to the said property is clear, marketable and free from encumbrances.

Pune

4) The owner has all the legal right to develop the said properties and sell the various tenements in the building proposed to be built thereon, in her own right.

Pune.

Date : - 16/5/2011



(V. M. Zolal )

Advocate