

Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

8/12/2021.

FLOW OF TITLE OF THE SAID LAND.

M/s. Soham Eisha Associates of Pune through its partner Mr. Swaransingh G. Sohal has requested me to issue search and title report of the title of Smt. Ratanbai I. Kachi, Mr. Milind I. Kachi, Mr. Hemant I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi as owners to the land admeasuring 12,000 sq. mtrs. out of land bearing C.T.S. no.1996, Mundhwa, Pune (S. no. 47/1, Mundhwa, Pune admeasuring 2. H. 26 Ares).

For my perusal xerox copies of the following documents are referred by me.

1. Copies of the 7/12 extract in respect of the said land since the year 1975-76.
2. Copies of the relevant mutation entries since the year 1975-76 in respect of the said land.
3. Copy of the Will dt. 15/5/1996 registered with the Sub registrar, Haveli no. 1 at sr. no. 2552/96 executed by Namdeo Kaluram Kachi.
4. Copy of Joint Development Agreement dt. 27/12/2013 registered at sr. no. 10342/13 with Sub registrar, Haveli no. 17 executed by Smt. Ratanbai I. Kachi, Mr. Milind I. Kachi, Mr. Hemant I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi in favour of M/s. Soham Eisha Associates in respect of the land 1 H. 27 Ares out of land bearing Survey no. 47/1, Mundhwa, Tal. Pune City, District Pune totally admeasuring 2. H. 26 Ares.

1. PROPERTY CARD/MUTATION ENTRY OF THE SAID LAND.

The said land was earlier referred to as Survey no. 47/1, Mundhwa, Tal. Pune City, District Pune admeasuring 2. H. 26 Ares. From the 7/12

Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

extract of the said land since the year 1975-76 it appears that in the year 1975-76 the said land stood in the name of Indrajit Namdeo Kachi.

The said land bearing S. no. 47/1, Mundhwa was initially numbered as S. no. 47/2/2, Mundhwa, Pune. From the 7/12 extract of the said land bearing S. no. 47/2/2, Mundhwa it appears that in the year 1943-44 the said land stood in the name of Gangabai Bapu Khandagale and Gulam Mohd. Abdul Khan was shown in possession of the said land pursuant to mortgage in his favour.

It appears vide mutation entry no. 1466 dt. 16/7/1946 that Shankar Babaji Girme had purchased from Punjaba Bapu Khandagale vide Sale Deed dt. 20/2/1946 the said land bearing S. no. 47/2/2, Mundhwa, Pune subject to the mortgage deed in favour of Gulam Mohd. Abdul Khan. It appears from mutation entry bearing no. 2456 mentioned hereinafter that Gangabai Khandagale had expired in the year 1945 leaving behind her adopted son Punjaba Bapu Khandagale as her only legal heir. Since Shankar Babaji Girme was not in possession of the said land his name was entered in the other rights column of the 7/12 extract of the said land.

It appears vide mutation entry no. 1560 dt. 10/1/1949 that pursuant to the Bombay Tenancy Act, 1940, the name of Gulam Ibrahim was entered as a protected tenant of Gulab Mohd. Abdulla Khan in the other rights column of the 7/12 extract of the land bearing S. no. 47/2/2, Mundhwa, Pune.

It appears vide mutation entry no. 2286 dt. 23/12/1960 that as per the phalnibara the number of the land bearing S. no. 47/2/2, Mundhwa was changed to land bearing S. no. 47/1, Mundhwa admeasuring 5 H. 06 Gunthas and the same was allotted to Gulam Mohd. Abdul Khan he being in possession of the said land pursuant to the mortgage.

It appears vide mutation entry no. 2456 dt. 10/7/1965 that Gangabai Bapu Khandagale had expired in the year 1945 leaving behind



Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

her adopted son Punjaba Bapu Khandagale as her only legal heir and accordingly the name of Punjaba B. Khandagale was entered upon the 7/12 extract of the said land.


It appears vide mutation entry no. 2458 dt. 10/7/1965 that Punjaba Bapu Khandagale had acquired from Gulam Mohd. Abdul Khan, vide Deed of Assignment dt. 24/2/1964 all the mortgaged rights, possession and right to recover the balance amount in respect of the land bearing S. no. 47/1, Mundhwa and accordingly his name was entered upon the 7/12 extract of the said land and the name of Gulam Mohd. Abdul Khan was deleted.

Thereafter it appears vide mutation entry bearing no. 2768 dt. 14/11/1967 that Shaikh Ahmed Shaikh Ibrahim had entered into Ikrar for Rs. 2400/- dt. 14/11/1967 with the Mundhwa Society mentioned therein and accordingly the charge of the said society was shown in the other rights column of the 7/12 extract of the said land.

Thereafter it appears from mutation entry bearing no. 3083 dt. 30/1/1971 that the provisions of Maharashtra Weight and Measures Act, 1958 & the Indian Coins Act, 1956 were made applicable to the village Mundhwa.

Thereafter it appears vide mutation entry no. 3141 dt. 12/11/1971 that since the loan amount due and payable to Mundhwa Vikas Society was repaid the name of the said society was deleted from the other rights column of the said land.

Thereafter it appears vide mutation entry no. 3233 dt. 1/3/1973 that Punjaba B. Khandagale had executed a Sale Deed dt. 22/5/1972 in favour of Indrajit N. Kachi in respect of land and accordingly the name of Indrajit N. Kachi was entered upon the 7/12 extract of the said land and the name of Punjaba B. Khandagale was deleted from the 7/12 extract of the said land.



Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

Thereafter it appears vide mutation entry no. 3236 dt. 1/3/1973 that Shankar B. Girme had executed a Sale Deed dt. 31/8/1964 in favour of Namdeo Kaluram Kachi in respect of said land and accordingly the name of Namdeo Kaluram Kachi was entered upon the 7/12 extract of the said land in the other rights column since he was not in possession of the said land and the name of Shankar B. Girme was deleted from the 7/12 extract of the said land.

Thereafter it appears vide mutation entry no. 3335 dt. 10/8/1974 that pursuant to the consent decree passed in R.C.S. no. 81/1969 filed by Namdeo K. Kachi against Shaikh Gulab Ibrahim through his legal heirs and Shaikh Ahmad Ibrahim in the Civil Court, Pune the said Shaikh Gulab Ibrahim through his heirs and Shaikh Ahmad Ibrahim had delivered the possession of the said land to Namdeo K. Kachi and accordingly the names of Shaikh Gulab Ibrahim and Shaikh Ahmad Ibrahim were deleted from the 7/12 extract of the said land.

Thereafter it appears vide mutation entry no. 4151 dt. 25/11/1984 that pursuant to the application of Namdeo K. Kachi to the effect that the crops in land interalia bearing S. no. 47/1, Mundhwa were provided water from the land bearing S. no. 45/3, Mundhwa an entry to that effect was made in the other rights column of the 7/12 extract of the said land.

Thereafter it appears vide mutation entry no. 5142 dt. 15/2/1996 that Indrajit N. Kachi with the consent of Namdeo K. Kachi had executed a Sale Deed dt. 2/7/1991 in favour of M/s. Anand Fabricators through its partner Mr. Anand T. Kirad in respect of land admeasuring 0 H. 20 Ares out of the said land and accordingly the name of M/s. Anand Fabricators through its partner Mr. Anand T. Kirad was entered upon the 7/12 extract of the said land in respect of land admeasuring 0 H. 20 Ares.

It appears vide mutation entry no. 8398 dt. 7/5/2005 that Indrajit N. Kachi had expired on 24/10/2003 leaving behind his legal heirs viz. Smt.

Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

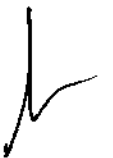
Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

Ratanbai I. Kachi, Mr. Milind I. Kachi Mr. Hemant, I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi and accordingly their names were entered upon the 7/12 extract of the said land and the name of Indrajit N. Kachi was deleted from the 7/12 extract of the said land.

Thereafter it appears vide mutation entry no. 9900 dt. 20/9/2008 that pursuant to the Deed of Correction dt. 19/5/1994 registered with the Sub registrar Haveli no. 1 at sr. no. 2759/95 to the Sale Deed dt. 2/7/1991, the name of M/s. Anand Fabricators through its partner Mr. Anand T. Kirad was deleted and the name of Anand T. Kirad only was entered upon the 7/12 extract of the said land in respect of land admeasuring 0 H. 20 Ares.

Thereafter it appears vide mutation entry no. 12533 dt. 22/4/2014 that the Anand T. Kirad had executed a Sale Deed dt. 21/2/2014 in favour of M/s. Vacume Plant and Instruments Manufacturing Company Ltd through its director Mr. Niranjana Anand Kirad in respect of land admeasuring 0 H. 20 Ares out of the said land and accordingly the name of the said company was entered upon the 7/12 extract of the said land in respect of land admeasuring 0 H. 20 Ares.

It appears from the copy of the Will dt. 15/5/1996 registered with the Sub registrar, Haveli no. 1 at sr. no. 2552/96 of Namdeo Kaluram Kachi that vide the said Will dt. 15/5/1996 the said Namdeo Kaluram Kachi had devised the said land to and/or upon Indrajit N. Kachi. It appears from the certified copy of the death certificate of Namdeo K. Kachi that the said Namdeo K. Kachi had expired on 25/8/1999 and according to his last Will dt. 15/5/1996 the said Namdeo K. Kachi had devised the said land to and/or upon Indrajit N. Kachi only. In the circumstances all the rights of Namdeo K. Kachi in the said land stood transferred in favour Indrajit N. Kachi. It however appears that the name of Namdeo K. Kachi still appeared in the other right column of the 7/12 extract of the said land



Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

which requires to be deleted and the name of Indrajit N. Kachi be replaced thereof.

Thereafter it appears thereafter that revenue record of the said land was transferred to the City Survey Office and as a result thereof the said land became part of C.T.S. no. 1996, Mundhwa, Pune. The names of Smt. Ratanbai I. Kachi, Mr. Milind I. Kachi, Mr. Hemant I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi based upon and pursuant to the 7/12 extract of the land bearing S. no. 47/1, Mundhwa, Pune were entered upon the property card of the land bearing C.T.S. no. 1996, Mundhwa, Pune vide entry dt. 21/1/2019 in respect of land admeasuring 20,600 sq. mtrs. out of the said land.

It appears vide entry dt. 9/10/2020 that Smt. Ratanbai I. Kachi, Mr. Milind I. Kachi, Mr. Hemant I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi had vide Sale Deed dt. 7/7/2015 registered with the Sub registrar, Haveli no. 6 at sr. no. 4073/15 conveyed land admeasuring 8,600 sq. mtrs. out of the said land in favour of Kumar Properties and Developers L.L.P. and accordingly the name of Kumar Properties and Developers L.L.P. was entered upon the property card of the said land bearing C.T.S. no. 1996, Mundhwa in respect of land admeasuring 8,600 sq. mtrs.

2. TRANSACTION

It appears from the copy of Joint Development Agreement dt. 27/12/2013 registered at sr. no. 10342/13 with Sub registrar, Haveli no. 17 that Smt. Ratanbai I. Kachi, Mr. Milind I. Kachi Mr. Hemant I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi had executed the Joint Development Agreement dt. 27/12/2013 in favour of M/s. Soham Eisha Associates in respect of the land admeasuring 1 H. 27 Ares out of land bearing Survey no. 47/1, Mundhwa, Tal. Pune City, District Pune totally admeasuring 2. H. 26 Ares. Considering the aforesaid facts and based

Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

upon the said Joint Development Agreement dt. 27/12/2013, M/s. Soham Eisha Associates is entitled to develop land admeasuring 12,000 sq. mtrs. i.e. 1 H. 20 Ares only out of the said land bearing C.T.S. no.1996, Mundhwa, Pune subject to the terms and conditions of the said Agreement dt. 27/12/2013.

3. SEARCH OF 30 YEARS OF THE SAID LAND SINCE THE YEAR 1985 UPTO 2021.

In addition to the examination of the documents referred to by me as aforesaid, I have also caused to be taken through advocate Amol Sutar the search of Index II registers of the said land kept at the office of the concerned Sub-Registrar, Haveli since 2/6/1985 to 4/12/2021. From the reports of Adv. Amol M. Sutar dt. 4/3/2015 and dt. 4/12/2021, it appears that no adverse entry was found by him in respect of the said land during his aforesaid search as mentioned in the search reports dt. 4/3/2015 and 4/12/2021 which are a part and parcel of this title report.

4. PERMISSIONS-

a. N.A. permission is granted by Tahasildar, Pune City vide order dt. 24/6/2021 bearing reference no. Jamin/SR/26/2021 in respect of land admeasuring 9,547.93 sq. mtrs. out of the said land bearing C.T.S. no.1996, Mundhwa, Pune.

b. Building plans a sanctioned by P.M.C. vide Commencement Certificate bearing no.CC/0140/21 dt. 20/4/2021 as revised/sanctioned vide Commencement Certificate bearing no. CC/0962/21 dt. 19/7/2021 in respect of buildings to be constructed upon the land admeasuring 12,000 sq. mtrs. out of land bearing C.T.S. no.1996, Mundhwa, Pune.

5. ANY OTHER REVELVANT TITLE -



Anil S. Hirve

ADVOCATE HIGH COURT

Office : 9, Tirupati Complex, 355, Rasta Peth,
Opp. K.E.M. Hospital, Pune - 411 011.
Mobile : 9822009289
E-mail : anilhirve@gmail.com

Resi. : Flat No. 10, Chetna Residency,
Behind Kalyani Bungalow,
Kalyaninagar, Pune - 411 006.
Tel. (R) : 020 - 26650167

None.

6. LITIGATIONS IF ANY – none informed by the party.

Thus based upon the documents forwarded to me and referred to by me as aforesaid in respect of the said land and search taken as aforesaid and subject to the observations as aforesaid, I am of the opinion that the title of Smt. Ratanbai I. Kachi, Mr. Milind I. Kachi, Mr. Hemant I. Kachi, Mr. Sachin I. Kachi and Mr. Amar I. Kachi as owners to the land admeasuring 12,000 sq. mtrs. out of land bearing C.T.S. no. 1996, Mundhwa, Pune is clear, marketable and free from encumbrances and M/s. Soham Eisha Associates is entitled to develop land admeasuring 12,000 sq. mtrs. out of the said land bearing C.T.S. no.1996, Mundhwa, Pune subject to the terms and conditions of the said Agreement dt. 27/12/2013.



Advocate.