



SEARCH AND TITLE REPORT

At the instance of Mr. Yashwant Vitthalrao Tidke, Proprietor of M/s. Tirupati Developer, Address : Satyam Niwas, Vivekanand Nagar, Majalgaon, Bid 431 131, I have carried out search in the offices of Sub-Registrar, Mulshi (Paud & Hinjawadi) in respect of the following land for the period of last 30 years by obtaining Receipts bearing Nos. 20152 and 414 dated 20/09/2019 and 07/01/2020 from the office of Sub Registrar, Mulshi No. 2 (Hinjawadi). On the basis of record made available for my inspection, I have not found adverse entry which affects the title of following land. However, it is to be noted that most of the record is misplaced and most of it also found in torn condition. Therefore this Report is based on the revenue record and documents made available for my inspection.

1) DESCRIPTION OF THE PROPERTY:-

All that piece and parcel of the land, an area admeasuring 00 Hectare, 57.50 Ares, from and out of an area admeasuring 01 Hectare, 75 Ares, carved out of Survey No. 119/2 (having old Survey No. 48/2), totally admeasuring 02 Hectare, 99 Ares (including barren land 00 Hectare, 04 Ares), assessed at Rs. 11.06, lying, being and situate at revenue Village - Nere, Taluka - Mulshi, District - Pune, within the local limits of Zilla Parishad Pune, Taluka Panchayat Samiti Mulshi and Gram



Panchayat Nere-Dattawadi, also within the jurisdiction of Sub-Registrar, Mulshi (Pune), which land is bounded as follows:-

- On or towards the East : By lands of Mr. Ram Dhamne, Mr. Subhash Jadhav and others,
 On or towards the South : By land bearing Survey No. 119/3,
 On or towards the West : By Nere – Dattawadi main Road,
 On or towards the North : By land of M/s. Rajheramb Land Mark,

Hereinafter for the sake brevity and convenience referred to as the 'said land'.

II) DOCUMENTS SCRUTINIZED:-

1. Copies of 7/12 extracts and mutation entries thereon.
2. Copy of Deed of Release dated 30/03/2015, which is registered in the office of Sub-Registrar, Mulshi No. 2 on 31/03/2015, at Sr. No. 2930/2015.
3. Copy of Deed of Release dated 30/03/2015, which is registered in the office of Sub-Registrar, Mulshi No. 2 on 31/03/2015, at Sr. No. 2931/2015.
4. Copy of Deed of Release dated 31/03/2015, which is registered in the office of Sub-Registrar, Mulshi No. 2 on 01/04/2015, at Sr. No. 2929/2015.





5. Copy of Deed of Release dated 06/04/2015, which is registered in the office of Sub-Registrar, Mulshi No. 2 on 07/04/2015, at Sr. No. 3098/2015.
6. Copy of Deed of Sale dated 28/03/2018, which is registered in the office of Sub-Registrar, Mulshi No. 2 on 30/03/2018, at Sr. No. 5310/2018.
7. Copy of Order dated 08/11/2016 passed by Circle Officer Thergaon, Pune in Case No. HNO/SR/Nere/62/2016.
8. Copy of Order dated 12/06/2017 passed by Sub Divisional Officer, Maval-Mulshi Sub Division, Pune in Appeal No. RTS/A/SR/572/16.
9. Copy of Order dated 31/05/2019 passed by Additional Collector, Pune in Appeal No. RTS/2/A/556/2017.
10. Copy of Revision bearing No. RTS/R/Pune/256/2019 filed before Additional Commissioner, Pune.
11. Copy of Regular Civil Suit bearing No. 146 of 2018 filed before Hon'ble Civil Judge, Junior Division, Pune along with Application under Exh. 5 and Order therein.

III) BRIEF HISTORY:-

1. On perusal of revenue record it reveals that, the land bearing old Survey No. 48/2, totally admeasuring 07 Acres, 16 Gunthe of revenue Village - Nere, Taluka - Mulshi, District - Pune (hereinafter referred to as the 'larger land') was standing in the



name of Mr. Bala Gopala Sane. However his name was also appearing in the column of other rights of the larger land as Protected Tenant.

2. The said Mr. Bala Gopala Sane died before 1959 leaving behind him 2 sons namely Mr. Ramu Bala Sane and Mr. Arjun Bala Sane, 3 daughters namely Mrs. Rangubai Dagdu Thakar, Mrs. Shahubai Baburao Gaikwad and Mrs. Vithabai Laxman Bhanuse and a widow Smt. Rakhamabai Bala Sane as his legal heirs. Accordingly the name of Mr. Ramu Bala Sane was recorded as HUF to the record of rights of the larger land vide Mutation Entry No. 986.
3. The said Mr. Ramu Bala Sane, Mr. Arjun Bala Sane, Smt. Rakhamabai Bala Sane, Mrs. Rangubai Dagdu Thakar, Mrs. Shahubai Baburao Gaikwad and Mrs. Vithabai Laxman Bhanuse granted the larger land on lease unto and in favor of Pune District Co-operative Land Bank for the period of 10 years on 05/04/1963. Accordingly the name of said Bank has been recorded to the column of other rights of the larger land vide Mutation Entry No. 1195.
4. The said Mr. Ramu Bala Sane and Mr. Arjun Bala Sane mortgaged the larger land unto and in favor of Pune District Co-operative Land Bank on 05/04/1963. Accordingly the name





of said Bank has been recorded to the record of rights of the larger land and the names of aforesaid owners have been recorded to the column of other rights of the larger land vide Mutation Entry No. 1199.

5. In accordance with the Maharashtra State Weights and Measurement (Enforcement) Act, 1958 and Indian Coinage Act, 1955 the lands coming under Village Nere have been converted into metric system. Effect of the same has been given to the 7/12 extract of the larger land vide Mutation Entry No. 1274.
6. The said Mr. Arjun Bala Sane died on 24/01/1979 leaving behind him a son namely Mr. Shivaji Arjun Sane, 6 daughters namely Mrs. Yamuna Chaitram Tonde, Mrs. Jamunabai Jaywant Jadhav, Mrs. Janabai Dashrath Matere, Mrs. Sushila Shantaram Marathe, Ms. Sunanda Arjun Sane, Ms. Nanda Arjun Sane and a widow namely Smt. Shahubai Arjun Sane as his legal heirs. Accordingly the names of said legal heirs have been recorded to the column of other rights of the larger land vide Mutation Entry No. 1613.
7. The said Mr. Rambhau Bala Sane repaid the entire amount of loan obtained from Maharashtra State Co-operative Land Development Bank Limited Mumbai, branch Pune, therefore



the encumbrance / name of said Bank has been removed from the record of rights of the larger land and the name of Mr. Ramu Bala Sane has been shifted to the record rights of the larger land vide Mutation Entry No. 1651.

8. The said Mr. Rambhau Bala Sane died on 06/07/1988 leaving behind him 6 sons namely Mr. Vitthal Rambhau Sane, Mr. Dnyanoba Rambhau Sane, Mr. Tukaram Rambhau Sane, Mr. Sakharan Rambhau Sane, Mr. Balu Rambhau Sane, Mr. Tanaji Rambhau Sane, 2 daughters namely Mrs. Ranabai Nivrutti Sahe and Mrs. Mangal Annmaram Raut and a widow Smt. Reubai Rambhau Sane along with Mr. Shivaji Arjun Sane, Mrs. Yamuna Chaitram Tonde, Mrs. Jamuna Jaywant Jadhav, Mrs. Jambai Dashrath Matere, Mrs. Sushila Shantaram Marathe, Ms. Sunanda Arjun Sane, Ms. Nanda Arjun Sane and Smt. Shalubai Arjun Sane as his legal heirs. Accordingly the names of said legal heirs have been recorded to the 7/12 extract of the larger land vide Mutation Entry No. 1652.
9. The said Mr. Shivaji Arjun Sane executed Ekrar dated 10/09/1991 in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 30,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 1771.



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10. The said Mr. Dnyanoba Rambhau Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 10,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 1831.
11. The said Mr. Balu Rambhau Sane executed Ekrar dated 15/05/1993 in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 20,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 1898.
12. The said Mr. Tanaji Rambhau Sane executed Ekrar dated 15/05/1993 in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 20,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 1901.
13. It reveals from the 7/12 extract of the larger land and Mutation Entry No. 1924 that the Village Nere has been separated from the Village Dattawadi and therefore as per the separate



Akharband and Plan issued by the District Inspector of Land Records, Pune, the land bearing Survey No. 48 has been changed into Survey No. 119. However Mutation Entry bearing No. 1924 to that effect is in torn condition.

14. Vide Order bearing No. T.A.Nere4 dated 20/09/1993 passed by Tahsildar and Agriculture Land Tribunal, Pune, the hollow name / entry of Mr. Bala Gopala Sane has been removed from the column of other rights of the larger land. Effect of the same has been given to the 7/12 extract of the larger land vide Mutation Entry 1934.
15. The said Mr. Dnyanoba Rambhau Sane died on 06/09/1993 leaving behind him 2 sons namely Mr. Arjun Dnyaneshwar Sane and Mr. Sachin Dnyaneshwar Sane, a daughter namely Mas. Bharti Dnyaneshwar Sane and a widow Smt. Laxmibai Dnyaneshwar Sane as his legal heirs. Accordingly the names of said legal heirs have been recorded to the record of rights of the larger land vide Mutation Entry No. 1984.
16. On perusal of 7/12 extract of the year 1997 it reveals that the names of Mr. Sandeep Sakharum Sane, Ms. Sujata Sakharum Sane and Smt. Leelabai Sakharum Sane have been recorded to the record of rights of the larger land by removing the name of Mr. Sakharum Rambhau Sane there from. Mutation Entry No.





2050 to that effect has been certified by Circle Officer, Thergaon, Pune on 02/09/1998, however the same is in torn condition.

17. The said Mr. Shrivaji Arjun Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 50,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 2144.
18. The said Mr. Tanaji Rambhau Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 50,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 2221.
19. The said Mr. Vitthal Rama Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 75,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 2309.



20. The said Mr. Balu Rama Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 1,00,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 2372.
21. The said Mr. Shivaji Arjun Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 1,00,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 2710.
22. The said Mr. Vitthal Rambhau Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 75,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 2721.
23. The said Mr. Tanaji Rambhau Sane executed Ekrar in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 75,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been





recorded to the column of other rights of the larger land vide Mutation Entry No. 2741.

24. The said Smt. Vithabai Laxman Bhanuse died on 15/08/2008 leaving behind her a pre-deceased son Baban Laxman Bhanuse, through his legal heirs, Smt. Kantabai Baban Bhanuse, Mr. Rajesh Baban Bhanuse, Mr. Rakesh Baban Bhanuse, Mrs. Rajashree Ashok Jadhav, Mr. Datta Laxman Bhanuse and Mr. Subhash Laxman Bhanuse as her legal heirs. The said legal heirs have already relinquished their rights, title and interest in respect of the larger land, therefore only the name of said deceased has been removed from the column of other rights of the larger land vide Mutation Entry No. 5295.
25. The said Mr. Shivaji Arjun Sane executed Ekrar dated 26/05/2009 in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 60,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 3129.
26. The said Mr. Tanaji Rambhau Sane executed Ekrar dated 11/06/2010 in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 75,000/- by creating charge upon the larger land. Therefore the encumbrance of said



Society has been recorded to the column of other rights of the larger land vide Mutation Entry No. 3288.

27. The said Mr. Vinthal Rambhau Sane executed Ekrar dated 06/07/2010 in favor of Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere for an amount of Rs. 100,000/- by creating charge upon the larger land. Therefore the encumbrance of said Society has been recorded in the column of other rights of the larger land vide Mutation Entry No. 3299.
28. On perusal of Mutation Entry No. 4410 it reveals that vide order passed by Tahasildar, Mulshi, Pune dated 04/12/2014 in Case No. HNO/SR/155/134/2014, the wrongly written names of Mr. Tanaji Sakharan Sane and Ms. Sunanda Ananda Sane have been rectified as Mr. Tanaji Rambhau Sane and Ms. Sunanda Arjun Sane respectively. Accordingly effect has been given to the record of rights of the larger land.
29. On perusal of Mutation Entry No. 4506 it seems that the said Mrs. Rangubai alias Rangabai Dagdu Thakar died on 27/07/1996 leaving behind her 6 sons namely Mr. Balu Dagdu Thakar, Mr. Kaluram Dagdu Thakar, Mr. Subhash Dagdu Thakar, Mr. Mahadev Dagdu Thakar, Mr. Kailas Dagdu Thakar, Mr. Dattatray Dagdu Thakar and a daughter namely Mrs. Aasha Prakash More as her legal heirs. Mr. Balasaheb





Rambhau Sane raised objection before Circle Officer, Thergaon, Pune and prayed him to reject the Mutation Entry bearing No. 4506 to that effect. The Circle Officer, Thergaon, Pune rejected the said objection and certified the said Mutation Entry by his Order dated 08/11/2016. Accordingly the names of said legal heirs have been recorded to the column of other rights of the larger land.

30. There were some mistakes/changes occurred in the computerized 7/12 extract of the larger land. The Tahasildar, Mulshi, Pune as per the powers granted by Government of Maharashtra vide Circular dated 07/05/2016, rectified / corrected the said mistakes and accordingly updated the 7/12 extract of the larger land. Effect of the same has been given to the 7/12 extract of the larger land vide Mutation Entry No. 4744.
31. On perusal of Mutation Entry No. 4921 it reveals that the said Mrs. Shahubai Arjun Sane died on 06/05/2002 leaving her a son namely Mr. Shivaji Arjun Sane, 6 daughters namely Mrs. Yamunabai Chaitram Tonde, Mrs. Jamunabai Jaywant Jadhav, Mrs. Janabai Dashrath Matere, Mrs. Sushila Shantaram Marathe, Mrs. Sumanda Janardan Jadhav and Mrs. Nanda Yashwant Jadhav as her legal heirs. Accordingly the names of



said legal heirs have been recorded to the column of other rights of the larger land.

32. The said Mrs. Shevantabai Baburao Gaikwad died on 05/05/2012 leaving behind her Mr. Kashinath Baburao Gaikwad, Mrs. Latika Chandrakant Gaikwad, Ms. Neha Sandip Dhamdhare, Mr. Sandip Ramchandra Dhamdhare, Mrs. Kavita Chandrakant Gaikwad, Mr. Avinash Chandrakant Gaikwad, Mr. Sachin Chandrakant Gaikwad, Smt. Vijaya Suresh Gaikwad, Mr. Pravin Suresh Gaikwad and Mr. Vasant Baburao Gaikwad as her legal heirs. Accordingly the names of said legal heirs have been recorded to the 7/12 extract of the larger land vide Mutation Entry No. 4980.
33. It seems from the Mutation Entry No. 4922 that, as per the Order bearing No. RTS/A/SR/572/2016 dated 12/06/2017 passed by the Sub Divisional Officer, Maval-Mulshi Sub Division, Pune, the names of Mr. Balu Dagdu Thakar, Mr. Kaluram Dagdu Thakar, Mr. Subhash Dagdu Thakar, Mr. Mahadev Dagdu Thakar, Mr. Kailas Dagdu Thakar, Mr. Dattatray Dagdu Thakar and Mrs. Aasha Prakash More have been removed from column of other rights of the larger land. Being aggrieved upon the said Order, the said Mr. Balu Dagdu Thakar, Mr. Kaluram Dagdu Thakar, Mr. Subhash Dagdu Thakar, Mr. Mahadev Dagdu Thakar, Mr. Kailas Dagdu





Thakar, Mr. Dattatray Dagdu Thakar and Mrs. Aashu Prakash More have preferred Appeal bearing No. RTS/2/A/556/2017 before Additional Collector, Pune. The Additional Collector, Pune vide Order dated 31/05/2019 pleased to reject the said appeal and confirmed the Order of Sub Divisional Officer, Maval-Mulshi Sub Division, Pune. Again being agreed upon the said Order, the said Mr. Mahadev Dagdu Thakar and others have preferred Application for Revision bearing No. RTS/R/Pune/256/2019 before Additional Commissioner. The said Application is sub judice.

34. By virtue of Deed of Release dated 31/03/2015, the said Mr. Kashinath Baburao Gaikwad, Smt. Latika Chandrakant Gaikwad, Ms. Neha Sandip Dhamdhare, Mr. Sandip Ramchandra Dhamdhare, Mrs. Kavita Chandrashekhur Bendre, Mr. Avinash Chandrakant Gaikwad, Mr. Sachin Chandrakant Gaikwad, Smt. Vijaya Suresh Gaikwad, Mr. Pravin Suresh Gaikwad, Mrs. Subhangi Balasahab Shirke, Mrs. Pallavi Deepak Dhamdhare, Mrs. Sadhana Mahesh Bendre, Mr. Vasant Baburao Gaikwad, Mrs. Vatsala Dnyaneshwar Aadak, Mrs. Kamal Ramchandra Dhamdhare, Mrs. Shashikala Kisan Murkute, Mrs. Mangala Prakash Wagh, Mr. Rajesh Baban Bhanuse, Mr. Rakesh Baban Bhanuse, Mrs. Rajshree Ashok Jadhav, Mr. Dattatray Laxman Bhanuse, Mr. Subhash Laxman Bhanuse and Smt. Reubai Rambhau Sane have relinquished all



their rights, title and interest in the larger land unto and in favor of Mr. Vinthal Rambhau Sane, Mr. Tukaram Rambhau Sane, Mr. Balu alias Balasaheb Rambhau Sane, Mr. Tanaji Rambhau Sane, Mr. Arjun Dnyaneshwar alias Dnyanoba Sane, Mr. Sachin Dnyaneshwar alias Dnyanoba Sane, Mr. Sandip Sakharan Sane and Mr. Shivaji Arjun Sane. The said Deed of Release has been registered in the office of Sub Registrar, Mulshi No. 2 on 01/04/2015, at Sr. No. 2929/2015. Effect of the same has been given to the 7/12 extract of the larger land vide Mutation Entry No. 4926.

35. By virtue of Deed of Release dated 30/03/2015, the said Mrs. Yamunabai Chaitram Tonde, Mrs. Jamunabai alias Jamnabai Yashawant Jadhav, Mrs. Janabai Dashrath Matere, Mrs. Sushila Shantaram Marathe, Mrs. Sunanda Janardhan Jadhav and Mrs. Nanda Yashawant Jadhav have relinquished all their rights, title and interest in the larger land unto and in favor of Mr. Shivaji Arjun Sane. The said Deed of Release has been registered in the office of Sub Registrar, Mulshi No. 2 on 31/03/2015, at Sr. No. 2930/2015. Effect of the same has been given to the 7/12 extract of the larger land vide Mutation Entry 5005.

36. By virtue of Deed of Release dated 30/03/2015, the said Mrs. Ranabai Nivrutti Sathe, Mrs. Mangal Antramaram Raut, late Smt. Suman Popatrao Jadhav through her legal heirs Mr. Rahul Popatrao Jadhav and Mrs. Jayashree Rajaram Sorte have



relinquished all their rights, title and interest in the larger land unto and in favor of Mr. Vitthal Rambhau Sane, Mr. Tukaram Rambhau Sane, Mr. Balu alias Balasaheb Rambhau Sane, Mr. Tanaji Rambhau Sane, Mr. Arjun Dnyaneshwar alias Dnyanoba Sane, Mr. Sachin Dnyaneshwar alias Dnyanoba Sane and Mr. Sandip Sakharan Sane. The said Deed of Release has been registered in the office of Sub Registrar, Mulshi No. 2 on 31/03/2015, at Sr. No. 2931/2015. Effect of the same has been given to the 7/12 extract of the larger land vide Mutation Entry No. 5006.

37. By virtue of Deed of Release dated 06/04/2015, the said Smt. Shantabai Baban Bhamuse relinquished all her rights, title and interest in the larger land unto and in favor of Mr. Vitthal Rambhau Sane, Mr. Tukaram Rambhau Sane, Mr. Balu alias Balasaheb Rambhau Sane, Mr. Tanaji Rambhau Sane, Mr. Arjun Dnyaneshwar alias Dnyanoba Sane, Mr. Sachin Dnyaneshwar alias Dnyanoba Sane, Mr. Sandip Sakharan Sane and Mr. Shivaji Arjun Sane. The said Deed of Release has been registered in the office of Sub Registrar, Mulshi No. 2 on 07/04/2015, at Sr. No. 3098/2015.

38. There were some mistakes/changes occurred in the computerized 7/12 extract of the larger land. The Tahasildar, Mulshi, Pune as per the powers granted by Government of Maharashtra vide Circular dated 07/05/2016, rectified /



corrected the said mistakes and accordingly updated the 7/12 extract of the larger land. Effect of the same has been give to the 7/12 extract of the larger land vide Mutation Entry No. 5043.

39. The said Mr. Shivaji Arjun Sane, Mr. Vitthal Rambhau Sane, Mr. Tanaji Rambhau Sane, Mr. Tukaram Rambhau Sane, Mrs. Laxmibai Dnyaneshwar Sane and Mr. Balu Rambhau Sane have repaid the entire amount of loans obtained from Sant Tukaram Vividh Karyakari Vikas Society Limited, Nere, therefore the encumbrances of the said society have been removed from the column of other rights of the larger land vide Mutation Entry No. 5051.
40. On perusal of Mutation Entry No. 5081 it reveals that the said Smt. Rakhamabai Balu Sane died on 13/06/1973 leaving him behind her, legal heirs of late Arjun Balu Sane, late Rambhau Balu Sane, late Shahu Bai alias Shewantabai Baburao Gaikwad, late Rangubai Dagdu Thakar and Smt. Vitthabai Laxman Bhaunuse as her legal heirs, however some of the legal heirs have relinquished their rights, title and interest in the larger land, therefore only the name of Smt. Rakhamabai Balu Sane has been removed from the column of other rights of the larger land.





41. By virtue of Deed of Sale dated 28/03/2018, the said Smt. Laxmibai Dnyaneshwar Sane, Mr. Arjun Dnyaneshwar Sane, Mrs. Ujwala Arjun Sane (for herself and natural guardian of Harshada and Vedant), Mr. Sachin Dnyaneshwar Sane, Mrs. Reshma Sachin Sane (before marriage : Reshma Santosh Shive), (for herself and natural guardian of Rudra), Mrs. Bharti Bandopant Kalokhe (before marriage : Bharti Dnyaneshwar Sane), Mr. Tukaram Rambhau Sane, Mrs. Chhabubai Tukaram Sane, Mr. Satish Tukaram Sane, Mrs. Komal Satish Sane (for herself and natural guardian of Shradha and Ansh), Mrs. Sarika Tanaji Karke (before marriage : Sarika Tukaram Sane), Mrs. Archana Balasaheb Pagde (before marriage : Shubhangi Tukaram Sane), Smt. Lilawati Sakharan Sane, Mr. Sandip Sakharan Sane, Mrs. Sonali Sandip Sane (before marriage : Sonali Chandrakant More) (for herself and natural guardian of Sahil), Mrs. Sujata Vinod Bhote (before marriage : Sujata Sakharan Sane), Mr. Balasaheb Rambhau Sane, Mrs. Meera Bai Balasaheb Sane (for herself and natural guardian of Pankaj), Mrs. Sapna Rushikesh Kad (before marriage : Sapna Balasaheb Sane), Mrs. Sonali Rohan Kalbhor (before marriage : Sonali Balasaheb Sane), Ms. Kajal Balasaheb Sane, Mr. Shivaji Arjun Sane, Mrs. Nanda Shivaji Sane, Mrs. Komal Ajit Landge (before marriage : Komal Shivaji Sane), Mrs. Supriya Anil Marathe (before marriage : Supriya Shivaji Sane), Ms. Kajal Shivaji Sane, Mrs. Suraj Shivaji Sane, Mr. Tanaji Rambhau



Sane, Mrs. Suvarna Tanaji Sane (for herself and natural guardian of Saurabh) and Ms. Trushnali Tanaji Sane, with the consent of Mr. Vitthal Rambhau Sane, Mr. Kailas Vitthal Sane and Mrs. Sushma Kailas Sane (for herself and natural guardian of Veer and Shaurya) sold out an area admeasuring 00 Hectare, 57.50 Ares i.e. the said land unto and in favor of M/s. Tirupati Developer, through its Proprietor, Mr. Yashwant Vitthalrao Tidke. The said Deed of Sale has been registered in the office of the Sub Registrar, Mulshi No. 2 on 30/03/2018, at Sr. No. 5310/2018. Accordingly the name of said Purchaser has been recorded to the record of rights of the said land vide Mutation Entry No. 5094.

IV) CIVIL PROCEEDING:-

One Civil Suit bearing No. 146 of 2018 has been instituted by Mr. Balu Dagdu Thakar against Mr. Vitthal Rambhau Sane and others before Hon'ble Civil Judge, Junior Division, Pune for Partition, Possession, Declaration and Injunction. The aforesaid Plaintiff also filed Application under Exh. 5 and 173 and prayed for Temporary Injunction. The Plaintiff further stated that the Plaintiff and Defendant Nos. 5A to F are the children (real brothers and sisters) of late Rangubai Dagdu Thakar and they are entitle for the land in the share of late Rangubai Dagdu Thakar.





M/s. Tirupati Developers, thought it's Proprietor, Mr. Yashwant Vitthalrao Tidke is Defendant No. 8 in the said proceeding. The Defendant No. 1C Mr. Balu Rambhau Sane, the Defendant No. 2A Mr. Shivaji Arjun Sane and the Defendant No. 8 have filed their Written Statements and Says and strongly objected the said Suit and Injunction Applications therein. The Defendant Nos. 1C, 2A and 8 further prayed for rejection of said Applications as the Plaintiff has not approached before this Hon'ble Court with clean hands. In support of this, the Defendant No. 2A Mr. Shivaji Arjun Sane has filed Birth Certificate of Mr. Kaluram Dagdu Thakar in which, name of his mother is written as Haribai and name of his father is written as Dagdu Maroti Thakar.

The Hon'ble Court heard arguments of both the parties on Exh. 5 and 173 collectively and observed that:

1. The suit land is ancestral property of late Rangubai Dagdu Thakar i.e. the suit land is devolved upon her from her father. This fact was not disputed by the parties in the present suit, however the aforesaid Defendants denied the relation of late Rangubai Dagdu Thakar and the Plaintiff as real son and mother. The Plaintiff has filed copy of ration card in support of his statement. The brothers and sisters of the Plaintiff have not



come before this Court and filed their Affidavit in support of the Plaintiff. The Hon'ble Court therefore stated that, the Court cannot rely upon such ration card.

2. The Defendant No. 2A Mr. Shivaji Arjun Sane has filed Birth Certificate of Mr. Kaluram Dagdu Thakar in which, name of his mother is written as Haribai and name of his father is written as Dagdu Maruti Thakar. The Hon'ble Court therefore observed that the name of Plaintiff's mother is also Haribai.
3. The Defendant No. 5A has applied for Birth Certificate to Grampanchayat under the provisions of Right to Information Act, however after lapse of a month, the Defendant No. 5A has not preferred Appeal before Appellate Authority. The Hon'ble Court therefore stated that, the Birth Certificate can be admitted as evidence and the Birth Certificate filed by Defendant No. 2A shows that Mr. Kaluram Thakar is a son of Haribai and therefore the Plaintiff is also a son of Haribai and not of Rangubai.
4. The provisions of Section 15(2)(a) will be applicable to the present case if the said Rangubai Thakar died issueless. In such circumstances, the suit land shall be devolved upon the paternal family of Rangubai Thakar after her demise.





5. The Plaintiff is not having prima facie case, The balance of convenience also lies in favor of the Defendants. In such circumstances, if the Hon'ble Court grants temporary injunction, the Defendants will suffer irreparable loss and hence the Plaintiff is not entitle for Temporary Injunction as prayed.

I therefore observed that, the present suit will not affect the title of the said land.

V) OPINION:-

Upon perusal of documents and revenue records made available for my inspection and subject to outcome of aforesaid proceeding, I am of the opinion that:

- a. By virtue of Deed of Sale dated 28/03/2018, M/s. Tirupati Developers, thought it's Proprietor, Mr. Yashwant Vitthalrao Tidke has become the owner of the said land.
- b. The said land is free from all encumbrances and the said owner holds marketable title to the said land.

Hence this Search and Title Report.

Pune,

Dated : 08/01/2020,




Chandrakant Naanekar,
Advocate.
Sr. No. 199-2