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Pune,
Date: 02.06.2017.

TITLE CERTIFICATE

This is to certify that I have investigated the title to the property, which is more particularly described in the Schedule hereunder written and certify, that in my title opinion the title of the M/s. Suyog Development Corporation Unit 12 LLP to the property more particularly described in the Schedule hereunder written is clean, clear and marketable without any encumbrances whatsoever and has a valid right to develop the same and enter into Agreement of sale/allotment of the units therein as detailed and subject to whatever stated in my Title opinion dt.02.06.2017.

SCHEDULE

All that piece and parcel of land and ground situate within the Registration, Sub-Dist., Taluka Haveli, Dist. Pune described as under;

- (a) Final Plot No.394 (TPS III, Pune, Final) admeasuring 11564.97 sq.mtrs. (as per TPS Form No.1), corresponding to C.T.S. No.37/1, admeasuring 6249.49 sq.mtrs. (as per Property Register Card) and C.T.S.No.38 admeasuring 7081.90 square meters (as per Property Register Card) thus as per property register card totally admeasuring 13331.39 sq.mtrs.
- (b) Final Plot No.395/A (TPS III, Pune, Final) admeasuring 2630.46 sq.mtrs. (as per TPS Form No. I), corresponding to C.T.S. No.36/1, admeasuring 5867.94 sq.mtrs. (as per Property Register Card) and collectively bounded as follows –

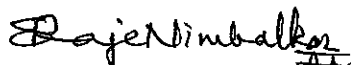
On or towards the East : By FP No.393A-1,393A-2, 393A-3,road & 395/2.

On or towards the South: Partly by F.P.395/2 and Partly by Canal.

On or towards the West : By TPS Road

On or towards the North : By Shankarsheth Road.

Pune,
Date: 02.06.2017


MR.S.P.RAJENIMBALKAR
Advocate





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Pune,
Dated: 02/06/2017

Search & Title Opinion

To,

M/s. Suyog Development Corporation Unit 12 LLP

A Limited Liability Partnership incorporated under the
Limited Liability Partnership Act, 2008 having office
at – Office 27, “Parshwa”, Sujay Garden,
12, Mukund Nagar, Pune 411 037.

Sub: Search and Title Opinion in respect of property bearing Final Plot
No. 394 and Final Plot No.395/A of village Gultekadi,
Shankarsheth Road, Pune.

Sir/s,

At the instance by your office and documents provided by you I have
investigated title to the abovementioned properties and I have to state
in my opinion as follows –

1) List of Documents given for my perusal:

- a. Copy of Property Registrar Card for CTS No.36/1.
- b. Copy of Property Register Card for CTS No.37/1.
- c. Copy of Property Register Card for CTS No.38.
- d. Copy of Lease Deed dated 22.08.1946 registered at the Office of Sub-Registrar Haveli-2 at Serial No.1173/1946.
- e. Copy of Sale Deed dated 04.05.1963 by the Navayug Chitrapat Co. Ltd. in favour of M/s. L. U. Navalakha and Sons and Others, registered at Office of Sub-Registrar Haveli-1 at Serial No.1035/1963.
- f. Copy of Gift Deed dated 09.04.2003 by Mrs. Zainab Hussainbhai Ebrahim in favour of Mr. Ebrahim Abbas Chaney, registered at Office of Sub-Registrar Haveli-10 at Serial No.2127/2003.
- g. Copy of Development Agreement dated 14.07.2005 by Ebrahim Abbas Chaney and others in favour of M/s. Suyog Development Corporation



- Unit-12, registered at Office of Sub-Registrar Haveli-2 at Serial No.3311/2005.
- h. Copy of Power of Attorney dated 14.07.2005 by Ebrahim Abbas Chaney and others in favour of Bharat Keshavlal Shah and Kalpesh Bharat Shah as Partners of M/s. Suyog Development Corporation Unit-12, registered at Office of Sub-Registrar Haveli-2 at Serial No.3312/2005.
- i. Copy of Deed of Confirmation dated 26.07.2006 by Shahida Hasan Handi and others in favour of M/s. Suyog Development Corporation Unit-12, registered at Office of Sub-Registrar Haveli-2 at Serial No.5453/2006.
- j. Copy of Power of Attorney dated 26.07.2006 by Shahida Hasan Handi and others in favour of M/s. Suyog Development Corporation Unit-12, registered at Office of Sub-Registrar Haveli-2 at Serial No.5454/2006.
- k. Copy of Sale Deed dated 28.12.2007 with Deed of Correction dated 21.04.2012 by Ebrahim Abbas Chaney and others in favour of M/s. Suyog Development Corporation Unit-12, registered at Office of Sub-Registrar Haveli-12 at Serial No.1338/2008.
- l. Copy of Order dated 21.12.2006 under Section 8(4) of Urban Land (Ceiling and Regulation) Act, 1976.
- m. Copy of site plan showing Final Plot Nos.394, 395A and 395/2.
- n. Copy of Judgment along with Order dated 11.03.1970 in Civil Appeal No.934 of 1968 of the District Court of Poona.
- o. Copy of Order in Writ Petition No.2941 of 2006 dated 16.08.2006 filed in High Court of Judicature at Bombay.
- p. Copy of Judgment along with Order dated 27.07.1993 in Civil Appeal No.1138 of 1975 of the Supreme Court of India.
- q. Copy of order dated 12.06.2007 in LPA No.305 of 2004 and Writ Petition No.2223 of 2004.



- r. Copy of Exhibit 117 (Possession Warrant) in R. Darkhast No.492/1993 with Bailiff report, panchanama, possession receipts etc. dated 11.09.2006.
- s. Copy of Misc. Civil Appeal No.263/2006 along with Order dated 25.08.2006 of the Court of District Judge, Pune by Nav Fibro Plastics.
- t. Copy of Civil Appeal No.414/2004 by Navalakha and Sons through Jitendra Navalakha with order of dismissal thereon dated 02.04.2007.
- u. Partnership Deed of Suyog Development Corporation Unit 12 LLP and Certificate of Incorporation
- v. Mortgage Deed dated 13.02.2015 executed by Suyog Development Corporation Unit 12 LLP.
- w. Commencement Certificate bearing No. CC/2801/13 dated 22/11/2013 issued by the Pune Municipal Corporation, Pune
- x. Commencement Certificate bearing No. CC/3271/2014 dated 31.12.2014 issued by the Pune Municipal Corporation, Pune
- y. Commencement Certificate bearing No. CC/3333/2015 dated 31.12.2015 issued by the Pune Municipal Corporation, Pune.
- z. Non Agricultural Permission bearing No. PMN/NA/SR/7/2014 dated 23/07/2014
- aa. Search Report of Mr. Arif M. Nadaf, Advocate dated 01/06/2017.

2) Description of Property:

All that piece and parcel of land and ground situated within the Registration Sub-District Taluka Haveli, District Pune, Village Munjeri (Gultekdi) bearing :-

- (a) Final Plot No.394 (TPS III, Pune, Final) admeasuring 11564.97 sq.mtrs. (as per TPS Form No.1), corresponding to C.T.S. No.37/1, admeasuring 6249.49 sq.mtrs. (as per Property Register Card) and C.T.S.No.38 admeasuring 7081.90 square meters (as per Property Register Card) thus as per property register card totally admeasuring 13331.39 sq.mtrs.



- (b) Final Plot No.395A (TPS III, Pune, Final) admeasuring 2630.46 sq.mtrs. (as per TPS Form No. I), corresponding to C.T.S. No.36/1, admeasuring 5867.94 sq.mtrs. (as per Property Register Card).

It is seen from the copy of Form 1 of Town Planning Scheme Pune-III (Final) that S.No.513/A was given S.No.539 admeasuring 11981.74 sq.mts. was given Final Plot No.394 admeasuring 11564.97 sq.mts. and was allotted to Sheth Hasan Ibrahim bhai and Sheth Abbas Ibrahim bhai and S.No.514 was given S.No.541 admeasuring 6040.93 sq.mts. was given Final Plot No. 395/A admeasuring 2630.46 sq.mts. and was allotted to Sheth Hasan Ibrahim bhai and Sheth Abbas Ibrahim bhai.

- 3) Entries in Property Register Card appear from the years 1947 for C.T.S. No.36/1 and from 1931 for C.T.S. No.37/1 and 38. Therefore the search is taken and the chain of title is mentioned with reference to the city survey numbers.

4) **C.T.S. No.36/1 :-**

- a) It is seen from the copy of Property Register Card that Mr. Husseni Ibrahim Kayyum and Mr. Abbas Ibrahim Kayyum were the original owners of CTS No.36/1 admeasuring 1 Acre 18 Gunthe then and presently admeasuring 5867.94 square mtr. under a Partition Deed registered at Sr.No.219/1933 and their names were recorded as such in Property Register. It appears that Mr. Ibrahim Abdul Kayyum was the original owner.
- b) As per entry on the Property Register Card dated 05.04.1979 there is a charge on the property of the arrears of N.A. taxes of Rs.4,779.50.

5) **C.T.S. No.37/1 -**

- a) It is seen from the copy of Property Register Card that Mr. Narahar Gangadhar Dhadaphale was the original owner of CTS No.37 admeasuring 272 sq. yard. which is presently admeasuring 6249.49 sq.mtr. and his name was recorded as such in the Property Register.



b) It is seen from entry dated 16.01.1942 in the Property Register Card and copy of Lease deed dated 22.08.1946 that on 10.12.1941 Mr.Hussenibhai Ebrahim Kayyum and Mr.Abbasbhai Ebrahim Kayyum executed a Lease Deed in favour of Mr.Shripad Raghunath Rajguru on behalf of The Navayug Chitrapat Company Ltd. and its name was mutated as Lessee in Property Register (PR) by the said mutation entry.

6) C.T.S. No.38 -

- a) It is seen from the copy of Property Register Card of CTS No.38 admeasuring 1 Acre 30 Gunthe which is presently admeasuring 7081.9 sq.mtr.
- b) It is seen from entry dated 20.11.1931 in the Property Register Card that by Partition Deed registered at Sr.No.219/1933 Mr. Husseni Ibrahim Kayyum and Mr. Abbas Ibrahim Kayyum became owners of CTS No.38 and their names were mutated as holders in Property Register Card by virtue of the said mutation entry.
- c) It is seen from entry dated 20.04.1934 in the Property Register Card that in view of security bond in respect of Khajijabai Kom Ebrahim Kayyum the name of Mr. Anant Govind Kolhatkar, Deputy Nazir of District Court, Pune was mutated as a holder in PR by the said mutation entry. It is seen from entry dated 30.04.1964 that by order of District Court dated 12.04.1964 the said entry dated 20.04.1934 was deleted.
- d) It appears from entry dated 04.02.1970 in the Property Register Card that CTS No.38 was originally S.No.102 to begin with the thereafter the same was given S.No.513 and that the same was Inam Land and further that Personal Inams having been abolished full assessment was levied and had accrued due from 01.08.1955.
- e) As per entry dated 04.02.1970 in the Property Register Card and the Property Register Card the Inam was abolished as per order of the



Collector dated 15.05.1969 and full assessment was levied on the property.

7) C.T.S. Nos. 36/1, 37/1 & 38 -

- a) It is seen from the entry dated 18.06.1947 of Property Card and copy of Lease Deed dated 22.08.1946 that by Lease Deed dated 22.08.1946 Mr. Hussein Ibrahim Kayyum and Mr. Abbasbhai Ibrahim Kayyum granted lease of lands bearing (i) CTS No.37/1 admeasuring 01 Acre 11 Gunthe 12 Annas and 6 Paise together with 2 bungalows, out houses, servants quarters, stables etc. (ii) S.Nos. 513/1A and 513/1B admeasuring 02 Acre 38 Gunthe and (iii) S.No.514/1 admeasuring 01 Acre 18 Gunthe for a period 20 years commencing from 01.09.1946 and ending on 31.08.1946 to the Navyug Chitrapat Company Limited. The said Lease Deed is registered at the Office of Joint Sub-Registrar Haveli No.2 at Serial No.1173/1946 and name of the said company was mutated in Property Register Card by the said mutation entry. It is seen from the copy of said Lease Deed that land bearing CTS No.37/1 was given on lease by a Lease Deed dated 10.11.1941, which is registered at the Office of Joint Sub-Registrar Haveli No.2 at Serial No.932/1946 and the other two lands were given on lease by Lease Deed dated 21.05.1940 which is registered at the Office of Sub-Registrar Haveli No.2 at Serial No.434/1940. It is further mentioned that said leases having expired the new lease deed is executed.
- b) On 27.05.1947 Navyug Chitrapat Company Limited mortgaged its lease rights and Super Structures thereon in favour of Bharat Industrial Bank Limited for an amount of Rs.1,50,000/-. It is revealed that, a Special C.S.No.115/1953 was filed by the Bank was decreed and bank filed Special Darkhast No.95/1954.
- c) It is seen from entry dated 03.04.1963 that (i) Mr. Husseinbhai Ibrahim Kayyum and others by Miscellaneous Application No.2/1955 applied to the District Court, Pune for liquidating the company namely the Navyug Chitrapat Company Limited wherein the District Court



ordered winding up of the said company; (ii) Bharat Industrial Bank, one of the secured creditors of the Navyug Chitrapat Company Limited appeared in the said Miscellaneous Application No.2/1955 and asked for auction of leasehold rights of Navyug Chitrapat Company, (iv) Mr. Husseinbhai Ibrahim Kayyum and Mr. Abbasbhai Ibrahim Kayyum challenged the said order in Appeal No.253/1960 before the Bombay High Court; (v) by an order dated 01.03.1962 the High Court confirmed order of District Court for sale of leasehold rights of the Company and for payment of entire rent to landlord after the period of winding up of the company; (vi) the Official Liquidator in compliance of the order invited tenders for sale of leasehold rights which was published in daily newspapers "Sakal" and "Times of India" dated 24.03.1963; (vii) the bid of Rs.51,250/- given by M/s. L.U. Navlakha & Sons and M/s. Navlakha & Sons was accepted being the highest bid and the same was confirmed by the District Court by an Order dated 25.03.1963; (viii) by an Order dated 26.04.1963 of the District Court the liquidator handed over vacant possession of the said property to auction purchasers and in accordance with the order of District Court the liquidator by Sale Deed dated 04.05.1963 transferred leasehold rights in favour of the auction purchasers. The said Sale Deed is registered at Office of Joint Sub-Registrar Haveli No.1 at Serial No.1035/1963. The names of the auction purchasers viz. M/s. L. U. Navlakha & Sons and M/s. Navlakha & Sons were mutated in the Property Registrar Card by the mutation entry certified on 12.10.1973.

- d) It is seen from entry dated 24.01.1974 from the copy of Property Register Card of CTS No.36/1 that the Sub Divisional Magistrate, Pune City by his judgment dated 27.09.1973 in Case No.1/73 held that Mr. Manilal Bhaichand Parekh was in physical possession at site and his name was mutated as lessee in the Property Register by the said mutation entry. It is seen from entry dated 12.09.1978 from the



copy of Property Register Card of CTS No.36/1 that by order dated 12.09.1978 that (a) the deleted entry dated 03.04.1973 in respect of mutation of names of M/s. L. U. Navlakha & Sons and M/s. Navlakha & Sons was restored; (b) entry dated 24.01.1974 was deleted and a remark that the possession of Mr. Manilal Bhaichand Parekh shall not be disturbed by M/s. Navlakha & Sons and its Partners till decision about possession by the Competent Authority was made.

- e) It is seen from entry dated 17.12.1985 from the copy of Property Register Card of CTS Nos. 36/1, 37/1 and 38 that Mr. Husseni Ibraim Kayyum expired on 31.12.1964 leaving behind him his wife Zainabbai, Sister Rubabbai Kalimuddin Bandukwala, Shirinbai Mohammadbhai Wakhariya, Zubedabai Hassanbhai Hundi, Fizabai Abdeali Dadala, Nafisa Salehbhai Sabir, Rubabbai Abbas Chaney and brothers Ebrahim Abbas Chaney, Iqbal Abbas Chaney, Shaukat Abbas Chaney and their names were mutated as holders in Property Register by the said mutation entry.
- f) It is seen from entry 17.12.1985 from the copy of Property Register Card of CTS Nos. 36/1, 37/1 and 38 that Mr. Abbas Ibrahim Chaney expired on 23.05.1979 leaving behind him his wife Rubabbai and Sons – Ebrahim, Iqbal and Shaukat as his only legal heirs and their names were mutated as holders in Property register Card by the said mutation entry.
- g) It is seen from entry dated 17.01.1986 from the copy of Property Register card of CTS No.36/1 and 30.01.1986 of Property Register Card of CTS Nos. 37/1 and 38 that Smt. Rubabbai Abbas Chaney having relinquished her share in favour of her Sons Ebrahim, Iqbal and Shaukat, accordingly her name was deleted from the Property Register Card by the said mutation entry. Copy of Release Deed is not available and this opinion is given only on the basis of the entry in property register card.



- h) It is seen from entry dated 05.07.2002 from the copy of Property Register Card of CTS Nos. 36/1, 37/1 and 38 that Smt. Fizabai Abdeali Dadala expired on 18.02.1994 leaving behind her Mr. Rashid Abdeali Dadala as her only legal heir and his name was mutated as holder in Property Register Card by the said mutation entry.
- i) It is seen from entry dated 05.07.2002 from the copy of Property Register Card of CTS No.36/1, 37 & 37 that Smt. Rubabbai Kalimuddin Bandukwala expired on 27.07.1997 leaving behind her Mr. Firoz Kalimuddin Bandukwala, Mr. Mannan Kalimuddin Bandukwala, Mr. Ebrahim Kalimuddin Bandukwala and Smt. Nadira Abbas Dahodwala as her only legal heirs and their names were mutated as holders in Property Register Card by the said mutation entry.
- j) It is seen from entry dated 20.02.2007 in the property register that upon an application and order dated 11.03.1970 in Appeal No.934/1968, order of Supreme Court of India dated 27.07.1993 in Appeal No.1138/1975, an order of Small Cause Court dated 24.07.2006 in Darakhast No.492/1993 and other of City Survey Officer No.2, Pune dated 20.02.2007 the name of the Lessees - M/s. L. U. Navlakha and Sons and M/s. Navlakha and Sons mutated by entry dated 03.04.1973 were deleted by the said entry.
- k) It is seen from entry dated 03.08.2007 on the copy of Property Register Card that Smt. Zubedabai Hasan Handy expired on 30.12.2005 leaving behind her heirs Mr. Zohir Hasan Handy, Shahida Hasan Handy and Femida Hasan Handy as her only legal heirs and their names were mutated as holders in property register card by the said mutation entry.
- l) It is seen from entry dated 01.04.2008 on the copy of Property Register Card that Smt. Shirinbai Mohammadbhai Wakhariya expired on 17.01.2005 leaving behind her heirs Zahera Abbas Rangwala, Huneid Mohammadbhai Wakhariya and Mr. Anees Mohammadbhai



Wakhariya as her only legal heirs and their names were mutated as holders in Property Register Card by the said mutation entry.

- 8) It is seen from entry dated 12.09.2007 on Property Register Card and copy of Deed of Gift dated 09.04.2003 that by Deed of Gift dated 09.04.2003 Mrs. Zainab Husseinbai Ebrahim gifted her share in land and building on CTS Nos.36/1, 37/1 & 38 in favour of Mr. Ebrahim Abbas Chaney. The said Deed of Gift is registered at the Office of Sub-Registrar Haveli 10 at Serial No.2127/2003. The name of the donee was mutated in Property Register Card by the said mutation entry.
- 9) It is seen from the copy of the said Deed of Gift that (i) Mrs. Rubabbai Kalimuddin Bandukwala, one of the heirs filed Special Civil Suit No.1026/1969 for administration of accounts of the estate of Mr. Husseinbhai Ebrahim Kayyum which was settled by a Family Agreement dated 26.09.1972, which related to the undivided 50% share of Mr. Husseinbhai Ebrahim Kayyum in the said property; (ii) by the said family arrangement Mrs. Zainab was allowed a share in the share of Mr. Husseinbhai Ebrahim Kayyum. It is further seen from the said Gift Deed that on account of default in payment of rent the landlord filed Suit No.4289/1962 against Navyug Chitrapat Company Limited in the Small Causes Court, Pune dismissed the said suit. The landlords challenged the said judgment in Appeal No.934/1968 in District Court, Pune. By order dated 11.03.1970 the District Court set aside the dismissal and decreed the suit of landlords. The same was challenged before High Court in Special Civil Application No.1705/1970. By an Order dated 12/13.09.1974 the High court set aside the judgment of District Court and confirmed the judgment of Small Cause Court. The landlords preferred Civil Appeal No.1138/1975 in the Supreme Court of India. The Supreme Court of India by its Order and judgment reversed the judgment of High Court of Bombay and confirmed judgment of District Court. The landlords there upon filed Darkhast No.492/1993 for execution of the decree.



10) It is seen from copy of Development Agreement dated 14.07.2005 that by Development Agreement dated 14.07.2005 Mr. Ebrahim Abbasbhai Chaney, Iqbal Abbasbhai Chaney, Dr. Shaukat Abbasbhai Chaney, Mr. Phiroze Kalimuddin Bandukwala, Mr. Mannan Kalimuddin Bandukwala, Mr. Ebrahim Kalimuddin Bandukwala, Mrs.Nadira Abbas Dahodwala, Mrs.Zehra Abbas Dahodwala, Huneid Mohammadbhai Wakhariya, Anees Mohammadbhai Wakhariya, Mrs. Zubeida Hussainbhai Handi, Rashid Abdeali Dadala and Mrs. Nafisabai Salehbhai Sabir transferred development rights of Final Plot No.394 admeasuring 11564.97 sq.mtrs. comprising of CTS No.37/1 admeasuring 11564.97 sq.mtrs. comprising of CTS No.37/1 admeasuring 6249.49 sq.mtrs. and CTS No.38 admeasuring 7081.90 sq.mtrs. with buildings and structures thereon and Final Plot No.395A admeasuring 2630.46 sq.mtrs. Corresponding to CTS No.36/1 admeasuring 5867.94 sq.mtrs. with building and structures admeasuring 500 sq.mtrs. in favour of M/s. Suyog Development Corporation Unit 12. The said Development Agreement is registered at the Office of Sub-Registrar Haveli-2 at Serial No.3311/2005 on 15.07.2005. The said persons also executed a Power of Attorney on 14.07.2005 in favour of M/s. Suyog Development Corporation Unit 12 through its partners. The said Power of Attorney is registered at the Office of Sub-Registrar Haveli-2 at Serial No.3312/2005 on 15.07.2005. It is seen from the copy of Deed of Confirmation dated 26.07.2006 that by Deed of Confirmation dated 26.07.2006 Zohir Hasan Handi, Shaheda Hasan Handi and Femida Hasan Handi confirmed the aforesaid Development Agreement dated 14.07.2005 in favour of M/s. Suyog Development Corporation Unit 12. The said Deed of Confirmation is registered at the Office of Sub-Registrar Haveli-2 at Serial No.5453/2006 on 18.09.2006. The said persons also executed a Power of Attorney in favour of M/s. Suyog Development Corporation Unit 12 through its Partners on 26.07.2006,



which is registered at the Office of Sub-Registrar Haveli-2 at Serial No.5454/2006 on 28.07.2006 It is seen from the copy of Development Agreement that one M/s. Parekh Modi and Co. was claiming its possession over the said property.

- 11) It is seen from entry dated 01.04.2008 of Property Register Card and copy of Deed of Sale dated 28.12.2007 read with Deed of Correction dated 21.04.2012 that by Deed of Sale dated 28.12.2007 Mr. Ebrahim Abbasbhai Chaney, Iqbal Abbasbhai Chaney, Dr. Shaukat Abbasbhai Chaney, Phiroze Kalimuddin Bandukwala, Mannan Kalimuddin Bandukwala, Ebrahim Kalimuddin Bandukwala, Dr. Mrs. Nadira Abbas Rangwala, Mrs. Zehra Abbas Rangwala, Huneid Mohammadbhai Wakhariya, Anees Mohammadbhai Wakhariya, Zohir Hasan Handi, Shaheda Hasan Handi, Mrs. Zubeida Hussainbhai Handi, Rashid Abdeali Dadala, Mrs. Nafisabai Salehbhai Hassan Handi and Femida Hussain Handi sold the said property to M/s. Suyog Development Corporation Unit 12. The said Sale Deed is registered at the Office of Sub-Registrar Haveli-12 at Serial No.1338/2008 on 07.02.2008. The name of the purchaser is mutated in Property Register Card by the said mutation entry.
- 12) It is seen from the copy of Order dated 21.12.2006 u/s 8(4) of Urban Land (Ceiling and Regulation) Act, 1976 that by the said order, Competent Authority, Pune held that the holding of all family members mentioned above was within their celing limits and they do not hold any excess land. The ULC Act is repealed w.e.f. 29.11.2007.
- 13) The subject property was initially given on lease to M/s.Navyug Chitrapat Company Ltd.,
- 14) It is seen from various documents that there were several litigations and other proceedings in courts in respect of the said properties. There appear following main proceedings –



- i. Bharat Industrial Bank Limited filed Special C.S.No.115/1953 against the Navyug Chitrapat Company Limited. The same was decreed and bank filed Special Darkhast No.95/1954.
- ii. Landlords filed C.S.No.1275/1954 against M/s. Navyug Chitrapat Company Limited for rent for the period 01.12.1953 to 01.4.1953 in Small Causes Court which was renumbered as C.S.No.104/1955 of the Court of Civil Judge.
- iii. (a) On 09.02.1955 Mr. Husseinbhai Ibrahim Kayyum filed ICMA No.2/1955 under section 163 of the Company's Act, 1913 for winding up of the Company namely the Navyug Chitrapat Company Limited wherein the District court appointed a Provisional Liquidator by order dated 02.07.1955;
(b) Bharat Industrial Bank, one of the secured creditors of the Navyug Chitrapat Company Limited applied in the said Miscellaneous Application No.2/1955 for auction of leaseholds rights and various structures in the said property;
(c) By an order dated 16.03.1960 the District Court ordered sale of leasehold rights;
(d) Appeal No.253/1960 challenging the said order was filed before the Bombay High Court;
(e) By an order dated 01.03.1962 the High Court dismissed the said appeal and confirmed order of District Court for sale of leasehold rights of the Company and for payment of entire rent to landlord after the period of winding up of the company;
(f) By order dated 28.11.1962 below Ex. 354 District Court permitted landlords under section 446 of Companies Act to file suit for possession against liquidator;
(g) The Official liquidator in compliance of the order invited tenders for sale of leasehold rights which was published in daily newspapers "Sakal" and "Times of India" dated 24.03.1963;



- (h) The bid of Rs.51,250/- given by M/s. L. U. Navlakha & Sons and M/s. Navlakha & Sons was accepted being the highest bid and the same was confirmed by the District Court by an Order dated 25.03.1963;
- (i) By an Order dated 26.04.1963 of the District Court the liquidator handed over vacant possession of the said property to auction purchaser and in accordance with the order of District Court the liquidator by Sale Deed 04.05.1963 transferred leasehold rights in favour of the said auction purchasers.
- iv. On account of default in payment of rent the landlord i.e. Zainabbai Huseinibai Bohari and others filed Civil Suit No.4289/1962 against Navyug Chitrapat Company Limited through its liquidator in the Court of Small Causes for eviction and possession. The Small Cause Court, Pune dismissed the said suit on 31.10.1968. The landlords challenged the said judgment in Appeal No.934/1968 in District Court, Pune. By Order dated 11.03.1970 the District Court set aside the dismissal and decreed the suit of landlords on the ground of default u/s 12(3) (a) (1) (k) and 13 (1) (a) of the Bombay Rent Act. The same was challenged before High Court in Special Civil Application No. 1705/1970. By an Order dated 12/13.09.1974 the High Court set aside the judgment of District Court and confirmed the judgment of Small Cause Court. The landlords preferred Civil Appeal No. 1138/1975 in the Supreme Court of India. The Supreme Court of India by its Order and judgment reversed the judgment of High Court of Bombay and confirmed judgment of District Court. The landlords there upon filed Darkhast No. 492/1993 for execution of the decree.
- v. L. U. Navlakha and Sons filed RCS No.272/1996 seeking a declaration that the decree in C. S. No.4289/1962 was illegal, null and void and in operative as it was obtained by practice in fraud and in collusion. M/s. Navayug Chitrapat Company Limited through its liquidator filed application under Order 7 Rule 11, which was allowed and plaint was

rejected by Order dated 21.07.2000. The same was challenged before the District Court in Civil Appeal No. 929/2000, which was dismissed by 8* ADJ, Pune on 15.01.2002. S.A.No.279/2002 filed against the said order was dismissed on 02.05.2002 by the High Court. Thus challenge of the auction purchaser- M/s L. U. Navalakha and Sons and Navalakha and Sons to eviction decree failed. The auction purchaser by making various applications and preferring objections, appeals, tried to keep its possession, which ultimately failed.

vi. It is seen from copy of Ex. 117 in RD No. 492/1993, which is warrant of possession that the landlords were handed over the vacant possession of the entire property on 11.09.2006. In the said Darkhast Navayug Chitrapat Company Limited through official liquidator, M/s Navlakha and Sons, M/s L. U. Navlakha and Sons, M/s Parekh Modi and Company, M/s Patel Roadways Pvt. Ltd., M/s Economic Transfer Organisation, M/s Universal Garage, M/s Poona Bottling Pvt. Ltd., J. P. and Co., Satyam Enterprises, Mr. Lalitkumar Jatakiya, Mr. Pravinbhai Jatakiya, Mr. Manilal Bhaichand Parekh were parties. Thus possession was obtained from all the above persons and firms.

15) It is seen from the entry dated 06/01/2016 that the constitution of the partnership firm - M/s Suyog Development Corporation Unit 12 has been changed into that of a Limited Liability Partnership named 'Suyog Development Corporation Unit 12 LLP' The Suyog Development Corporation Unit 12 LLP is registered under LLP Act, 2008 and Government of India, Ministry of Corporate Affairs has issued a certificate of registration having its Registration No.AAC-7868 dated 07.10.2014.

16) The Suyog Development Corporation Unit 12 LLP has availed financial assistance from of Baroda, Sahakarnagar Branch, Pune against security of the said Property. Accordingly The Suyog Development Corporation Unit 12 LLP has mortgaged subject property and executed Mortgage Deed dt.13.02.2015 in favor of Bank of Baroda,



Sahkarnagar Branch, Pune, the said Mortgage Deed is registered at Sub-registrar of Haveli No.4,Pune bearing serial No.1968/2015 on 13.02.2015.

- 17) Considering the objection with reference to the Misc. Application No.78/2006 and Misc. Application No.110/2006 and Special Civil Suit No.34/2009, it is seen from several litigations and other papers that the Navyug Chitrapat Company Ltd. was the original Lessee of the subject property. Its lease hold rights were sold in auction to the highest bidder and the same were purchased by M/s.L.U.Navalakha and Sons and M/s.Navalakha and Sons, hence M/s.L.U.Navalakha and Sons and M/s.Navalakha and Sons having stepped in the shoes of original lessee they only acquired the rights and liabilities of the said lessee. The Decree having been passed in a suit for eviction against the original lessee, his tenants, assignees and persons claiming through it were bound by the same.
- 18) The layout and building plans are sanctioned under bearing no.CC/2801/13 dt.22/11/2013 from the Pune Municipal Corporation, Pune which was further revised on 31.12.2014 bearing No. CC/3271/2014 and which was further revised on 31.12.2015 bearing no.CC/3333/2015. Suyog Development Corporation Unit 12 LLP have obtained Non-Agricultural Permission bearing No. PMN/NA/SR/7/2014 dt.23/07/2014 from the Collector of Pune.
- 19) My assistant advocate Mr.Arif M.Nadaf has paid requisite fee and caused search of Index II registers and online entries (Online Challan GRN001873132201718E) In the search report apart from above mentioned transactions Notice of Lis-pendence is found to be registered by Mr. Jitendra Popatlal Navalakha under Sr. No. 6888/2005 about pendency of Appeal No.414/2004 before District Court arising out of Darkhast No.492/1993 arising out of Civil Suit No.4289 of 1962. As stated herein above in detail, after registration of the said notice, possession of the said entire property was delivered in



execution of the said Darkhast No.492/1993 on 11.09.2006. The said Appeal was dismissed by order dated 23.04.2007. Though name of Jitendra Navlakha is not appearing the said Darkhast it appears that this is attempt of Navalakha family member to delay in delivery of possession and the same obviously failed as possession was delivered in execution of the decree after protracted litigation and final decision by highest court. It also appears that the few litigations as detailed in **Annexure A** with this report are pending in the courts.

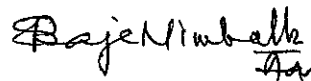
20) Apart from the above no other entry affecting the title is found to be recorded in the said search. The Suyog Development Corporation Unit 12 LLP has issued letter dated 25/05/2017 and informed me that there are no suits or litigations pending wherein the title of owner is challenged or disputed and this opinion is given relying upon the same.

21) As stated above my assistant advocate has caused search of Index No. II, Pune registers at the office of the Sub-Registrar as well as online search for last 30 years in respect of the captioned property. On the basis of search report given by him and on the basis of the documents given for my perusal, whatever stated above and subject to charge of Bank of Baroda, I am of the opinion that the title of limited liability partnership firm M/s. Suyog Development Corporation Unit 12 LLP to the captioned property is clean, clear and marketable.

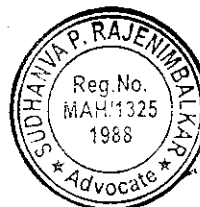
All the documents are returned herewith.

Pune,

Date: 02.07.2017


(MR.S.P.RAJENIMBALKAR)

ADVOCATE

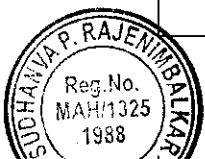


ANNEXTURE -A

Sr.No.	Case No.	Courts name	Parties	Status
1.	Spl. Darkhast No.492/1993	6 th Addl. Judge, Small Causes Court. Pune	Zainibai Husainobhai Bohri and Others v/s. The Navyug Chitrapat Co. and others	Stayed by Hon'ble High Court but M/S Navlakha & Sons requested the court for hearing of the proceeding which is kept on 26/7/2017
2.	Misc. Application No. 78/2006	6 th Addl. Judge, Small Causes Court. Pune	M/S Kamdhenu Chemicals & Fertilizers v/s Zainibai Husainobhai Bohri and Others	Matter is fixed on 20/7/2017 for evidence of applicant.
3.	Misc. Application No. 110/2006	6 th Addl. Judge, Small Causes Court. Pune	M/S Kamdhenu Chemicals & Fertilizers v/s Zainibai Husainobhai Bohri and Others	Matter is fixed Kept on 20/7/2017 for evidence of applicant.
4.	A. O. No. 416/2008	Hon'ble High Court, Mumbai	Phiroze Kalamuddin Bandukwala and Others v/s M/S L.U. Navlakha & sons	Hon'ble High Court by its order dtd. 10/ 8/2009 stayed the said Darkhast proceeding



5	Spl. Civil Suit No. 34/2009	13th Jt. C. J. J. D. and Addl. C. J. M. Pune	Zainibai Husainobhai Bohri and Others	Matter is fixed on 19/7/ 2017for argument on the application of Suyog Development Corporation Unit 12 L.L.P. under O.7 R.11 of C.P. C.
6.	Misc. Application No. 119/2014	7th Additional Judge Small Cause Court	Ms. Navlakha Seed Private Ltd. v/s Zainibai Husainobhai Bohri and Others	Matter is fixed on 21/7/2017 for order on condonation of delay caused in filing the present application for restoration of Misc. Application No. 77/2006
7.	Misc. Application No. 120/2014	7th Additional Judge Small Cause Court	Ms. Navlakha Seed Private Ltd. v/s Zainibai Husainobhai Bohri and Others	Matter is fixed on 21/7/2017 for order on condonation of delay caused in filing the present application for restoration of Misc. Application No. 104/2006
8.	Misc. Application No. 23/2016	2nd Additional Judge Small Cause Court	M/s. Nav Fibro Plastics v/s Zainibai Husainobhai Bohri and Others	Matter is fixed on 05/ 08/17 for order on condonation of delay caused in filing the present application for restoration of



				Misc.Appl.No. 73/2006
9.	Misc. Application No. 24/2016	2nd Additional Judge Small Cause Court	Ms Nav Fibro Plastics v/s Zainibai Husainobhai Bohri and Others	Matter is fixed on 05/08/2017 for order on condonation of delay caused in filing the present application for restoration of Misc. application No. 105/2006
10.	Reg. Civil Appeal.No.1 08/2017	ADHOC DIST. JUDGE-1 AND ADDL. SESSIONS JUDGE PUNE	Navalakha Agro Equipment v/s. Zainibai Husainobhai Bohri and Others	The Hon'ble Court has called R&P from Trial Court and it is now fixed on 26/7/2017
11.	Reg. Civil Appeal.No.1 09/2017	ADHOC DIST. JUDGE-1 AND ADDL. SESSIONS JUDGE PUNE	Mahendra Navalakha v/s. Zainibai Husainobhai Bohri and Others	The Hon'ble Court has called R&P from Trial Court and it is now fixed on 26/7/2017



