



Date : 08/04/2024

TITLE OPINION

INSTRUCTIONS -

Kumar Properties Life spaces Private Limited, incorporated as a Private Limited Company as per the provisions of the Companies Act, 2013, having its registered office at 2413, Kumar Capital, 2nd Floor, East Street, Camp, Pune - 411 001 through its Director Mr.Ameya Inderkumar Jain instructed me to issue title opinion in respect of the properties bearing –

Sr. No.	Gat No.	Area Hector-Are
1.	103	00 Hect. 37.50 Ares (Including area under road reservation) out of total area adm. 00 Hect. 75 Ares
2.	106	00 Hect. 42.5 Ares (Including area under road reservation) out of total area adm. 00 Hect. 85 Ares
3.	104	01 Hect. 75.55 Ares (Including area under road reservation)
4.	108	01 Hect. 05 Ares (Including area under road reservation and area owned by Udhav Borate)
	Total	3 Hect. 60.55 Ares

All lands situated at Village-Borhadewadi, Tal.-Haveli, Dist.-Pune, within the limits of Pimpri Chinchwad Municipal Corporation by perusing the photocopies of relevant documents placed before me.

DESCRIPTION OF THE SAID LANDS :-

- A) i) All that piece and parcel of land bearing Gat No. **103** (Old Gat No.1223), area admeasuring about 37.35 Ares, (Excluding area admeasuring 00 Hect. 00.15 Ares under road reservation handed over to Pimpri Chinchwad Municipal Corporation) out of total area admeasuring about **00 Hect. 75 Ares**, lying and situated at Village – Borhadewadi, Tal - Haveli, Dist - Pune, within the jurisdiction of Pimpri Chinchwad Municipal Corporation.



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B.Sc. LL. M.
ADVOCATE



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 Mobile No. 9860718007

- ii) All that piece and parcel of land bearing Gat No. **106** (old Gat No. 1226), area admeasuring about 15.77 Are (As per 7/12 extract 16.22 Ares), (Excluding area admeasuring 00 Hect. 26.73 Ares under road reservation handed over to Pimpri Chinchwad Municipal Corporation) out of total area admeasuring about **00 Hect. 85 Are**, situated at Village – Borhadewadi, Tal. - Haveli, Dist - Pune, within the jurisdiction of Pimpri Chinchwad Municipal Corporation
- B) All that piece and parcel of land bearing Gat No. **104** (old Gat No. 1224) area admeasuring about **01 Hectare- 76 Ares** (including Pot Kharaba land adm. 00 Hect. 06 Ares and area under reservation) situated at Village – Borhadewadi, Tal. - Haveli, Dist. - Pune, within the jurisdiction of Pimpri Chinchwad Municipal Corporation
- C) All that piece and parcel of land bearing Gat No. **108** (old Gat No. 1228) portion of land admeasuring 00 Hectare 87.40 Ares owned by Kumar Properties Life Spaces Pvt. Ltd. and portion of land admeasuring 00 Hect. 15 Ares owned by Uddhav Sadhu alias Sahadu Borate and portion of land admeasuring 2.60 Ares under road reservation by PCMC out of the total area of land admeasuring about **01 Hectare 05 Are**, situated at Village – Borhadewadi, Tal - Haveli, Dist - Pune, within the jurisdiction of Pimpri Chinchwad Municipal Corporation.

Hereinafter collectively referred to as the "Said Lands".

The said lands mentioned in Para- A, B and C are amalgamated under revised sanction plan vide commencement certificate bearing No. B.P./Borhadewadi/10/2024 dtd.05/03/2024 which was earlier sanctioned vide Commencement Certificate No. B.P./Borhadewadi/24/2023 dtd.23/03/2023 issued by Pimpri Chinchwad Municipal Corporation.

LIST OF THE DOCUMENTS PRODUCED BEFORE ME IN RESPECT OF THE LANDS-

1. Xerox Copy of the Certificate of Incorporation dtd. 27th May 2020 issued by Registrar of Companies for incorporation of Kumar Construction and Properties Private Limited, Pune.
2. Xerox Copy of Certificate dtd. 11th June 2020 issued by Mr. Niranjana S. Kumar, Chartered Accountant.
3. Xerox Copy of the Order **dtd. 24/03/2022** issued by the **NATIONAL COMPANY LAW TRIBUNAL, MUMBAI, COURT – II**, in the matter of Scheme of Arrangement involving demerger.



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4. Xerox copy of the Deed of Confirmation Dtd. 6/12/2022 executed in pursuance of the order dtd. 24/03/2022 of Company Law Tribunal Mumbai-2 which is registered in the Office of Sub-Registrar Haveli No. 7 at Serial No. 18908/2022.
5. Letter issued by Talathi, Borhadewadi dtd. dtd. 24/11/2023 mentioning the changed new gat numbers and old gat numbers of Village Borhadewadi.
6. Copy of the Search Report for records of Registrar of Companies, issued by SSG and Co., Company Secretaries, address- Office No. 501, K Square, Next to Foundree School, Shroff Road, Baner, Pune- 45.
7. Xerox copy of the letter dtd. 13/09/2023 issued by Additional Tahasildar, Pimpri Chinchwad, Tal.-Haveli District- Pune under the Order bearing No. Jamin/NA/SR/431/2023 dtd. 13/09/2023 for non agricultural use of the land bearing Gat No. 103, 106 and 104 of Borhadewadi, Pune.

LIST OF THE DOCUMENTS PRODUCED BEFORE ME IN RESPECT OF THE LANDS BEARING GAT NO. 103 AND 106 :-

1. Xerox Copy of the online 7/12 extracts for the year 1981 to 2024.
2. Xerox Copies of Mutation Entry Nos. 1, 95, 732, 733, 1578, 1857, 4142, 6247, 6428, 6586, 6617, 7337.
3. Xerox Copy of the Development Agreement dated 10/08/2007 which is registered at the office of Sub-Registrar Haveli No. 17 on dtd. 06/09/2007 at Serial No.8513/07 executed by Mr. Narayan Yashwant Borate, Mrs. Krushnabai Narayan Borate, Mr. Ananda Narayan Borate, Mr. Pandurang Narayan Borate along with their respective family members in favour of M/s. Kumar Company to which Mr. Malhari Sahadu Alhat, Mrs. Tarabai Shivaji Aljhat, Mr. Ram Shivaji Alhat, Mrs. Kantabai Jaywant Mane, Mrs. Nandabai Kaluram Londhe, Mr. Pandurang Sadashiv Parandwal, Mr.Raju Sadashiv Parandwal, Mrs.Hausabai Ramchandra Vidhate, Mrs. Gangubai Pandharinath Shevkari have joined as consenting party, along with registration receipt and Index- II extract.
4. Xerox Copy of the Power of attorney dated 06-09-2007 which is registered at the office of Sub-registrar Haveli no. 17 at sr. no. 8514/07 executed by Mr. Narayan Yashwant Borate, Mrs. Krushnabai Narayan Borate, Mr. Ananda Narayan Borate, Mr. Pandurang Narayan Borate along with their respective family members, Mr. Malhari Sahadu Alhat , Mrs. Tarabai Shivaji Aljhat, Mr. Ram Shivaji Alhat, Mrs. Kantabai Jaywant Mane, Mrs. Nandabai Kaluram Londhe, Mr. Pandurang Sadashiv



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- Parandwal, Mr. Raju Sadashiv Parandwal, Mrs Hausabai Ramchandra Vidhate, Mrs.Gangubai Pandharinath Shevkari in favour of Mr. Kevalkumar Kesarimal Jain and other, along with registration receipt.
5. Xerox copy of the Power of attorney dated 06-09-2007 which is registered at the office of Sub-registrar Haveli no. 17 at sr. no. 8515/07 executed by Mr. Malhari Sahadu Alhat, Mrs. Tarabai Shivaji Alhat, Mr. Ram Shivaji Alhat, Mrs. Kantabai Jaywant Mane, Mrs. Nandabai Kaluram Londhe, Mr. Pandurang Sadashiv Parandwal, Mr. Raju Sadashiv Parandwal, Mrs Hausabai Ramchandra Vidhate, Mrs. Gangubai Pandharinath Shevkari in favour of Mr.Kevalkumar Kesarimal Jain and other, along with registration receipt.
 6. Xerox Copy of the First supplemental Mortgage Deed dated 18th February, 2019 and registered with the Sub-registrar Haveli No.11 bearing registration number 2890/2019 on dtd. 25/02/2019.
 7. Xerox Copy of the Application submitted to Tahasildar, Pimpri Chinchwad for correction/ updation of revenue record of Gat No. 103 and 106.
 8. Xerox copy of the Sale Deed dtd. 31/03/2022 which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No. 21877/2022 on 25/11/2022 which is executed by Narayan Yashwant Borate and others unto and in favour of Kumar Constructions and Properties Pvt. Ltd.
 9. Xerox Copy of the Sale Deed dtd. 11/07/2023 which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 15195/2023 which is executed by Kumar Agro Products Pvt. Ltd. previously known as Kumar Construction and Properties Pvt. Ltd. unto and in favour of Kumar Properties Life Spaces Pvt. Ltd.
 10. Xerox Copy of the Deed of Release dtd. 19th June 2023 which is registered in the Office of Sub-Registrar Haveli No. 11 at Serial No. 12703/2023.
 11. Xerox Copy of the Letter dtd. 24/11/2023 issued by Talathi, Moshi, Pune with respect to old and new gat numbers.
 12. Xerox Copy of the Mortgage Deed dtd. 27/12/2023 which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 29728/2023 executed by Kumar Properties Life Spaces Pvt. Ltd. in favour of Piramal Trusteeship Services Pvt. Ltd.
 13. Search report/s for said lands by Adv. Vishal V. Dhage dated 6/12/2023.

LIST OF THE DOCUMENTS PRODUCED BEFORE ME IN RESPECT OF THE LANDS BEARING GAT NO. 104 :-

1. 7/12 extracts for the year 1981 to 2024.



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2. Mutation Entry Nos. 1, 127, 148, 157,401, 435,481, 1472, 2104, 2786, 4390, 5566, 5567, 5661, 5761, 6247, 6428, 6586, 6617, 7337, 8145, 8789.
3. Xerox copy of Sale Deed dated 14/11/1977 which is registered at the office of Sub-registrar Haveli No.1 at Sr. No. 1801/77 executed by Mr. Vishnu Moru Borhade in favour of Mr. Shankar Rambhau Borhade, Mr. Baban Rambhau Borhade, Mr. Narayan Rambhau Borhade, Mr. Kisan Rambhau Borhade, Mr. Sudam Sopan Borhade, area admeasuring about 43.5 Ares.
4. Xerox copy of index ii extract of Partition Deed dated 06-11-1990 which is registered at the office of Sub-registrar Haveli No.2 at Sr. No. 13896/1990 executed by and between Mr. Shankar Rambhau Borhade and others.
5. Xerox copy of Cancellation Deed dated 26/05/2006 which is registered at the office of Sub-registrar Haveli no. 14 at sr. no. 4170/2006 executed by Pharande Promoters and Builders in favour of Mr. Shankar Rambhau Borhade.
6. Xerox copy of the Irrevocable power of attorney dated 29/11/2006 which is registered at the office of Sub-registrar Haveli no. 14 at Sr. No. 9357/2006 executed by Mr. Yashwant Maruti Borhade, Mr. Kashinath Maruti Borhade, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutti Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somanth Maruti Borhade, Mrs. Yamunabai Motiram Borhade in favour of Mrs. Bhagabai Kisan Borhade, Mr. Anil Kisan Borhade, Ms. Ranjana Kisan Borhade.
7. Xerox copy of the Power of Attorney dated 29/11/2006 which is registered at the office of Sub-registrar Haveli No. 14 at Sr. No. 9358/06 executed by Mr. Yashwant Maruti Borhade, Mr. Kashinath Maruti Borhade, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutti Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somanth Maruti Borhade, Mrs. Yamunabai Motiram Kawade, through constituted attorneys Mrs. Bhagabai Kisan Borhade, Mr. Anil Kisan Borhade, Ms. Ranjana Kisan Borhade in favour of Mr. Pramod Mahadeo Khaladkar, Mr. Rajesh Suryakant Kale.
8. Xerox copy of Release Deed dated 29/11/2006 which is registered at the office of Sub-registrar Haveli no. 19 at Sr. No. 8104/2006 executed by Mr. Kashinath Maruti Borhade, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutti Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somanth Maruti Borhade, Mrs. Yamunabai Motiram Kawade, Mrs. Draupadabai Kerba Bhadale in favour of Mr. Yashwant Maruti Borhade,



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9. Xerox copy of the Index-II of the Mortgage Deed dtd. 26th May 2006 registered in the Office of the Sub-Registrar Haveli No.14 at Serial No. 3807/2006 executed by Shankar Rambhau Borhade, Sudam Sopan Borhade, Tulsabai Shankar Borhade in favour of UTI Bank Ltd. Pune.
10. Xerox copy of Development Agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at Serial No. 270/2007 executed by Mr. Yashwant Maruti Borhade, Mrs. Krushnabai Yashwant Borhade, Mr. Kantitlal Yashwant Borhade, Mr. Navnath Yashwant Borhade, along with their respective family members, Mrs. Sharda Babasaheb Kadam, Mrs. Janabai Pandit Khandave, Mrs. Bhagabai Kisan Borhade, Mr. Anil Kisan Borhade, Ms. Ranjana Kisan Borhade in favour of M/s Kumar Company, along with registration receipt and Index II extract, in respect of area admeasuring about 88Are.
11. Xerox copy of the Power of attorney dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at serial no. 271/2007 executed by Mr. Yashwant Maruti Borhade, Mrs. Krushnabai Yashwant Borhade, Mr. Kantitlal Yashwant Borhade, Mr. Navnath Yashwant Borhade, along with their respective family members, Mrs. Sharda Babasaheb Kadam, Mrs. Janabai Pandit Khandave, Mrs. Bhagabai Kisan Borhade, Mr. Anil Kisan Borhade, Ms. Ranjana Kisan Borhade in favour of Mr. Kevalkumar Kesarimal Jain and other, along with registration receipt, in respect of area admeasuring about 88 Are.
12. Xerox copy of the Confirmation deed dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 15/01/2007 at serial no. 371/2007 executed by Mr. Pramod Mahadeo Khaladkar, Mr. Rajesh Suryakant Kale in favour of M/s Kumar Company, along with registration receipt and index ii extract.
13. Xerox copy of the Confirmation Deed dated 18/09/2007 which is registered at the office of Sub-registrar Haveli no. 17 at sr. no. 8895/2007 executed by Mrs. Nanda Dnyaneshwar Borhade, Mr. Manoj Dnyaneshwar Borhade, Mrs. Jijabai Balu Jagtap, Mrs. Shantabai Ananda Bahirat in favour of M/s Kumar Company.
14. Xerox copy of the Confirmation Deed dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at Sr. No. 279/2007 executed by Mr. Kashinath Maruti Borhade, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutti Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somanth Maruti Borhade along with their respective family members in favour of M/s Kumar Company.
15. Xerox copy of the Development Agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 16/01/2007 at



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- serial no. 422/07 executed by Mr. Sudam Sopan Borhade, Mrs. Leelabai Sudam Borhade, Mr. Sanjay Sudam Borhade, Mr. Ajay Sudam Borhade, Mr. Sunil Sopan Borhade, Mrs. Chanda Sunil Borhade, Ms. Yogita Tukaram Balwadkar, Mr. Yogesh Haribhau Borhade in favour of M/s Kumar Company, along with registration receipt and Index II extract, in respect of area admeasuring about 22Are.
16. Xerox copy of the Power of Attorney dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 16/01/2007 at serial no. 423/2007 executed by Mr.Sudam Sopan Borhade, Mrs. Leelabai Sudam Borhade, Mr. Sanjay Sudam Borhade, Mr. Ajay Sudam Borhade, Mr. Sunil Sopan Borhade, Mrs. Chanda Sunil Borhade, Ms. Yogita Tukaram Balwadkar, Mr. Yogesh Haribhau Borhade in favour of Mr. Kevalkumar Kesarimal Jain and other, along with registration receipt, in respect of area admeasuring about 22 Are.
 17. Xerox copy of the Development Agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 15/01/2007 at serial no. 383/07 executed by Mr. Shankar Rambhau Borhade, Mrs. Tulsabai Shankar Borhade, Mr. Bhanudas Shankar Borhade, Mr. Dinkar Shankar Borhade, Mrs. Pushpa Ashok Buchade in favour of M/s Kumar Company, along with registration receipt and Index II extract, in respect of area admeasuring about 22 Are.
 18. Xerox copy of Power of attorney dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 15/01/2007 at Serial No. 384/2007 executed by Mr.Shankar Rambhau Borhade, Mrs. Tulsabai Shankar Borhade, Mr. Bhanudas Shankar Borhade, Mr. Dinkar Shankar Borhade, Mrs. Pushpa Ashok Buchade in favour of Mr. Kevalkumar Kesarimal Jain and other, along with registration receipt, in respect of area admeasuring about 22 Are.
 19. Xerox copy of the Development Agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 15-01-2007 at serial no. 387/2007 executed by Mrs. Bhagubai Vishnu Borhade, Mrs. Sindhubai Shantaram Borhade, Mrs. Manisha Sunil Saste, Mr. Baban Vishnu Borhade, Mr. Pandurang Vishnu Borhade, Mr. Narayan Vishnu Borhade, Mrs. Kaushalya Vinayak Gaware in favour of M/s Kumar Company, along with registration receipt and Index II extract, in respect of area admeasuring about 44.5Are.
 20. Xerox copy of the Power of Attorney dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 on 15/01/2007 at Serial No. 388/2007 executed by Mrs. Bhagubai Vishnu Borhade, Mrs. Sindhubai Shantaram Borhade, Mrs. Manisha Sunil Saste, Mr. Baban Vishnu Borhade, Mr. Pandurang Vishnu Borhade, Mr. Narayan Vishnu



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- Borhade, Mrs. Kaushalya Vinayak Gaware in favour of Mr. Kevalkumar Kesarimal Jain and other, along with registration receipt, in respect of area admeasuring about 44.5 Are.
21. Xerox Copy of Release Deed dtd. 14/11/2013 which is registered in the Office of Sub-Registrar Haveli No.5 at Serial No. 10063/2013 executed by Nilesh Bharat Saste and others in favour of Bhagubai Vishnu Borhade and others.
 22. Xerox copy of the Sale Deed dtd. 30/12/2013 which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No.16/2014 on 01/01/2014 which is executed by Yashwant Maruti Borate and others unto and in favour of Kumar Company.
 23. Xerox Copy of the Index-II of the Deed of Confirmation dtd. Dtd. 6/12/2022 executed under the order dtd. 24/03/2022 of Company Law Tribunal Mumbai-2 which is registered in the Office of Sub-Registrar Haveli No. 7 at Serial No. 18908/2022.
 24. Xerox Copy of the Sale Deed dtd. 11/07/2023 which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 15196/2023 which is executed by Kumar Agro Products Pvt. Ltd. previously known as Kumar Construction and Properties Pvt. Ltd. unto and in favour of Kumar Properties Life Spaces Pvt. Ltd.
 25. Xerox Copy of the Mortgage Deed dtd. 27/12/2023 which is registered in the office of Sub-Registrar Haveli No.11 at Serial No.29728/2023 executed by Kumar Properties Life Spaces Pvt. Ltd. in favour of Piramal Trusteeship Services Pvt. Ltd.
 26. Search report by Adv. Vishal V. Dhage dated 6/12/2023.

LIST OF THE DOCUMENTS PRODUCED BEFORE ME IN RESPECT OF THE PROPERTY BEARING GAT NO. 108 :-

1. 7/12 extracts for the year 1981 to 2024.
2. Mutation Entries 1, 430, 6247, 6586, 6428, 7899, 7555, 8351, 8780, 8877.
3. Copy of Sale Deed dtd. 9/06/1981 executed by Mr. Hanumant Babu Borate unto and in favour of Mr. Udhav Sadhu Borate which is registered in the Office of Sub-Registrar Haveli No.1 at Serial No. 2129 / 1981.
4. Copy of Development Agreement Dated 18/01/2006 which is registered at the office of Sub-registrar Haveli no. 14 at serial no. 539/07 executed by Mr.Hanumant Babu Borate, Mrs.Indubai Hanumant Borate, Mr.Balu Hanumant Borate, Mr.Dilip Hanumant Borate, Mr.Namdeo Hanumant



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- Borate, along with their respective family members in favour of M/s. Kumar Company, along with registration receipt and Index II extract.
5. Copy of Power of attorney dated 19/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 at sr. no. 540/07 executed by Mr. Hanumant Babu Borate, Mrs. Indubai Hanumant Borate, Mr. Balu Hanumant Borate, Mr. Dilip Hanumant Borae, Mr. Namdeo Hanumant Borate, along with their respective family members in favour of Mr. Manish Vimalkumar Jain and other, along with registration receipt.
 6. Copy of Declaration cum Indemnity bond dated 19/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at sr. no. 541/07 executed by Mr.Hanumant Babu Borate, Mrs. Indubai Hanumant Borate, Mr. Balu Hanumant Borate, Mr. Dilip Hanumant Borae, Mr. Namdeo Hanumant Borate, along with their respective family members in favour of M/s Kumar Company along with registration receipt.
 7. Copy of the Sale Deed dtd. 08/11/2021 executed by Hanumant Babu Borate and others in favour of Kumar Construction and Properties Pvt. Ltd. (earlier known as Kumar Company) which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No.17257/2021.
 8. Copy of the Complaint, Compromise Purshis and Decree passed in the Sp. Civil Suit No. 56/2022 filed by Uddhav Sadhu alias Sahadu Borate against Balu Hanumant Borate and others.
 9. Copy of the Sale Deed dtd. 06/10/2023 executed by Kumar Construction and Properties Pvt. Ltd.(after demerger name is Kumar Agro Products Pvt. Ltd.) in favour of Kumar Properties and Life Spaces Pvt. Ltd. which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No. 23277/2023.
 10. Copy of the Order passed by Sub-Divisional Officer, Pune in the RTS Appeal No. 1026/2022.
 11. Copy of the Order passed by Sub-Divisional Officer, Pune in the RTS Appeal No. 527/2022.
 12. Copy of Development Agreement dtd. 8/11/2023 executed by Udhav Sadhu@Sahadu Borate and Kumar Properties Life Spaces Pvt. Ltd. which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 26154/2023.
 13. Copy of Power of Attorney dtd. 8/11/2023 executed by Uddhav Sahadu Borate and others in favour of Kumar Properties Life Spaces Pvt. Ltd. which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 26155/2023.
 14. Search Report by Adv. Vishal V. Dhage dtd. 6/12/2023.



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15.Xerox copy of the acknowledgement in respect of the review application/s filed before Sub-Divisional Officer, Pune on dtd. 08/04/2024.

AS TO THE CONVERSION OF PARTNERSHIP FIRM "KUMAR COMPANY" INTO NEW COMPANY NAMELY "KUMAR CONSTRUCTION AND PROPERTIES PRIVATE LIMITED."

The firm previously known as Kumar Company, a partnership firm, duly registered under the provisions of the Indian Partnership Act, 1932 and having its registered office at 2413, Kumar Capital, 1st Floor, East Street, Camp, Pune -411 001 is now converted into and incorporated as a Private Limited Company as per the provisions of the Companies Act, 2013 and is now known as "Kumar Construction and Properties Private Limited".

It is seen from the copy of the Certificate issued by Mr. Niranjana S. Kumar, Chartered Accountant that, M/s. Kumar Company with principal place of business at- 2413, East Street, Kumar Capital, First Floor, Camp, Pune- 411001 duly registered under the provisions of Partnership Act 1932 under registration No.M-58797 has been converted into a Private Limited Company as per the provisions of Section 366 Under Part-1 of Chapter XXI of the Companies Act, 2013. Accordingly M/s. Kumar Company has ceased to exist and the business of the firm on a going concern basis alongwith all the assets and liabilities has been vested with the Private Limited Company incorporated pursuant to conversion under the name of KUMAR CONSTRUCTION AND PROPERTIES PRIVATE LIMITED.

It is seen from the Xerox Copy of the Certificate of Incorporation dtd. 27th May 2020 issued by Registrar of Companies that, Kumar Construction and Properties Private Limited, having office address at- 1st Floor, Kumar Office, 2413, East Street, Camp, Pune and also having Corporate Identity Number (CIN) of the Company as – U45309PN2020PTC190958.

AS TO THE DEMERGER INTO KUMAR AGRO PRODUCTS PVT. LTD. :-

It is seen from the copy of the Order dtd. 24/03/2022 issued by the **NATIONAL COMPANY LAW TRIBUNAL, MUMBAI, COURT – II**, in the matter of Scheme of Arrangement involving demerger of **Kumar construction and Properties Private Limited** (CIN- U45309PN2020PTC190958) ("KCPPL" or "Demerged Company") into **Kumar Agro Product Private Limited** (CIN U45100PNI99IU45PTCO64416) ('



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 Manikbaug, Sinhgad Road, Pune- 51.
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KAPPL" or the "Resulting company -1 and **Kumar Properties and Promoters Private Limited** (CIN- U15200PN2013PTC117351) ("KPPL" or the "Resulting Company2) filed before the NATIONAL COMPANY LAW TRIBUNAL, MUMBAI, COURT – II under Company Petition No. C.P. (C.A.A.)102/M.B./2021 that, the sanction of the Tribunal is sought under sections 230 to 232 of the Companies Act. 2013 to the Scheme of Arrangement involving **demerger** between **Kumar construction and Properties Private Limited** (CIN: U45309PN2020PTC190958) ("KCPPL" or "Demerged Company") into **Kumar Agro Product Private Limited** (CIN: U45 I00PNI99tPTC064416) ("KAPPL" or the "Resulting Company 1") and **Kumar Properties and Promoters Private Limited** (CIN:U45200PN2013PTC147354) ("KPPL" or the "Resulting Company 2"), the NCLT has passed the Order dtd. 24/03/2022 in the aforesaid matter i.e. Company Petition No. C.P. (C.A.A.)102/M.B./2021.

It is observed that, the Demerged undertaking -1 means the business of construction and development as managed by Shri. Kevalkumar Jain and more particularly the 6 projects mentioned in the order alongwith all related assets including related lands, liabilities and employees including the Said lands stands vested and transferred to the Resulting Company 1 i.e. **Kumar Agro Product Private Limited** alongwith all its assets and liabilities.

As per the Order dtd. 24/03/2022, the demerged companies need to comply with the directions issued by the NATIONAL COMPANY LAW TRIBUNAL, MUMBAI, COURT – II and also comply as per the terms mentioned in the Scheme of Arrangement (demerger).

The effect of the earlier conversion from Kumar Company to Kumar Construction and properties Pvt. Ltd. and thereafter the demerger of Kumar Construction and Properties Pvt. Ltd. into Kumar Agro Products Pvt. Ltd. need to be given in to the revenue record and all other relevant papers in respect of the projects which are included in the demerger order.

It is also seen from the copy of the Deed of Confirmation Dtd. 6/12/2022 that, the same is executed in pursuance of the order dtd. 24/03/2022 of Company Law Tribunal Mumbai-2 which is registered in the Office of Sub-Registrar Haveli No. 7 at Serial No. 18908/2022.

A) AS TO THE DEVOLUTION OF TITLE PERUSING THE CONCERNED DOCUMENTS DISCLOSES THE FACTS IN RESPECT OF THE LAND BEARING GAT NO. 103 (OLD GAT NO. 1223) AND 106 (OLD GAT NO.1226) OF BORHADEWADI, PUNE.



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Mutation Entry No. 1 Dated 17/01/1970 reveals that, lands bearing Gat No. 1 to 1456 of **Village-Moshi** (including all that piece and parcel of land bearing **Gat No. 1223** area admeasuring about 75 Ares and land bearing **Gat No. 1226**, area admeasuring about 85 Ares) Taluka-Haveli, District-Pune, are included under the Consolidation Scheme sanctioned by Dy. Director of Land Records vide No. Con/S/R/ 287 Pune, dtd. 5/02/1969 and the published in the Govt. Gazatte Part-1 Pune Region Supplemental page No. 675 on dtd.20/02/1969 and accordingly new record of rights are prepared for the Village- Moshi. In pursuance of the same name of Mr. Yashwant Sagaji Borate was entered in the revenue record as occupant of the old Gat No. 1223 and Gat No. 1226.

It is also seen from the copy of the Mutation Entry No.1 dtd. 1/08/1989 that, the **Village-Borhadewadi** was separated from the Village- Moshi and subsequently the new record of rights for the village- borhadewadi were prepared and accordingly Gat numbers 1223, 1226 are changed as Gat Nos. 103, 106 respectively. The Talathi, Borhadewadi has given letter dtd. 24/11/2023 mentioning the changed new gat numbers and corresponding old gat numbers of Village -Borhadewadi.

It is observed that there is a charge of Moshi Vikas Sahakari Mandal on **Gat No. 106** and accordingly its name is mutated in the other right column of record of rights and the same is deleted as the entire loan is repaid and effect of the same is given in the revenue record vide Mutation Entry No. 4320 dtd. 1/03/2011.

The Mutation Entry No. **95** dated 26/05/1972 reveals that, the said owner i.e. Mr. Yashwant Sagaji Borate had availed loan of Rs. 5000/- from Pune Jilha Sahakari Bhu-Vikas Bank Ltd. and had mortgaged the said lands including Gat No. 1223 and Gat No. 1226 to the said Bank as security for the repayment of the said loan amount and accordingly the name of the said Bank was mutated in the holder column of the record of right and the name of Mr. Yashwant Sagaji Borate was mutated in the other rights column of the record of right.

The Mutation Entry No. **732** reflecting on the 7/12 extract of the land bearing Gat No. 103 was not relevant and not related to the Gat No. 103.

The mutation entry no. **733** reveals that said owner i.e. Mr. Yashwant Sagaji Borate died sometime in the year 1977, leaving behind two sons viz. Mr. Dnyaneshwar Yashwant Borate, Mr. Narayan Yashwant Borate and three



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 Mobile No. 9860718007

married daughters viz. Mrs. Jijabai Sahadu Alhat, Mrs. Muktabai Sadashiv Parandwal, Mrs. Gangubai Pandharinath Shevkari as his only legal heirs and accordingly their names are mutated on record of rights of the lands bearing Gat No. 103 (old Gat No. 1223) and 106 (old Gat No. 1226) of Borhadewadi, Pune as owners thereof.

The Mutation Entry No. **1578** appearing on the 7/12 extract of the land bearing Gat No. 103 (Old Gat No. 1223) was irrelevant and not related to the land bearing Gat No. 103 (Old Gat No. 1223)

The mutation Entry No. **1857** dated 06/12/2001 reveals that the aforesaid loan of Pune Jilha Sahakari Bhu-Vikas Bank Ltd. was repaid entirely and accordingly the said Bank issued letter dated 23/11/1992 to that effect and the name of the said Bank was deleted from the record of right and the name of the aforesaid heirs of late Mr. Yashwant Sagaji Borate i.e. Mr. Dnyaneshwar Yashwant Borate, Mr. Narayan Yashwant Borate and three married daughters viz. Mrs. Jijabai Sahadu Alhat, Mrs. Muktabai Sadashiv Parandwal, Mrs. Gangubai Pandharinath Shevkari were mutated on record of right as owner thereof.

It is observed that Mrs. Jijabai Sahadu Alhat died intestate on 20/09/1996 leaving behind son Mr. Malhari Sahadu Alhat, two married daughters viz. Mrs. Kantabai Jayawant Mane, Mrs. Nandabai Kaluram Londhe, legal heirs of predeceased son Mr. Shivaji i.e. Mrs. Tarabai Shivaji Alhat, Mr. Ram Shivaji Alhat as his only legal heirs.

It is further observed that, Mrs. Muktabai Sadashiv Parandwal died intestate on 17/02/2005 leaving behind two sons viz. Mr. Pandurang Sadashiv Parandwal, Mr. Raju Sadashiv Parandwal and married daughter Mrs. Hausabai Ramchandra Vidhate as her only legal heirs.

It is further observed that Mr. Narayan Yashwant Borate and others were desirous of developing one half share in the said lands i.e. area admeasuring about 37.5 Are out of land bearing Gat No. 103 and area admeasuring about 42.5 Are out of Gat No. 106 and along with family members entrusted development rights in respect of the same in favour of M/s. Kumar Company, a registered partnership firm, having address at- 2413, Kumar Capital, East Street, Camp, Pune- 411001 vide Development Agreement dated -10/08/2007 which is registered at the office of Sub-Registrar Haveli No. 17 on 06/09/2007 at serial No. 8513/2007, to which Mr. Malhari Sahadu Alhat, Mrs. Kantabai Jayawant Mane, Mrs. Nandabai Kaluram Londhe, Mrs. Tarabai Shivaji Alhat,



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 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

Mr. Ram Shivaji Alhat, Mr. Pandurang Sadashiv Parandwal, Mr. Raju Sadashiv Parandwal, Mrs. Housabai Ramchandra Vidhate, Mrs. Gangubai Pandharinath Shevkari have joined as consenting party. The aforesaid owners i.e. Mr. Narayan Yashwant Borate, Mrs. Krushnabai Narayan Borate, Mr. Ananda Narayan Borate, Mr. Pandurang Narayan Borate along with their respective family members and Mr. Malhari Sahadu Alhat, Mrs. Kantabai Jayawant Mane, Mrs. Nandabai Kaluram Londhe, Mrs. Tarabai Shivaji Alhat, Mr. Ram Shivaji Alhat, Mr. Pandurang Sadashiv Parandwal, Mr. Raju Sadashiv Parandwal Mrs. Hausabai Ramchandra Vidhate, Mrs. Gangubai Pandharinath Shevkari also executed power of attorney dated 06/09/2007 which is registered at the office of Sub-registrar Haveli No. 17 at Serial No. 8514/2007 in favour of Mr. Kewalkumar Kesarial Jain and other.

It is revealed from the Mutation Entry No. **6428** dtd. 29/07/2017 that, as per the Order of Dy. Director, Town Planning, Pimpri Chinchwad Municipal Corporation bearing Order No. जा.क्र./नरवी/कावि/१६/९६/२०१६ दिनांक-२५/०५/२०१६ the Pimpri Chinchwad Municipal Corporation has acquired portion of various lands including portion of land admeasuring 15.50 sq. mtrs. out of the land bearing **Gat No.103** affected by Road owned by Narayan Yashwant Borate and others and land admeasuring 2672.62 sq. mtrs. which is also affected by 18 M wide Road out of the land bearing **Gat No. 106** owned by Narayan Yashwant Borate and others alongwith the Possession Deed dtd. 28/08/2015 which was executed by Owners and Kumar Company in favour of Pimpri Chinchwad Municipal Corporation which is registered in the Office of Sub-Registrar Haveli No.18 at Serial No.6793/2015, the Owners / M/s. Kumar Company has handed over the possession of the said portions of lands to the Pimpri Chinchwad Municipal Corporation. The name of Pimpri Chinchwad Municipal Corporation was mutated on the revenue record /7/12 extract of the lands bearing Gat No. 103 and 106 of Borhadewadi vide Mutation Entry No. 6428.

Mutation Entry No. **6617** shows that certain corrections in the 7/12 extract of the land bearing Gat No. 106 were done which includes correction of name of Anil Farande was inserted also name appearing in the other rights column of the 7/12 extract of Moshi Vikas Sahakari Society mandal for area ane 271 was deleted and some other nos. deleted and some nos added.

Mutation Entry No. **7337** dtd. 6/07/2020 shows that, upon application of Baban Dnyanoba alias Dnyaneshwar Borate names of legal heirs of Late Mr. Dnyaneshwar Borate were entered on the Gat No. 103, 106, 107, and other gat numbers and accordingly names of his legal heirs viz. Jijabai Dnyanoba



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B.Sc. LL. M.
ADVOCATE



Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

Borate, Baban Dnyanoba Borate, Gulab Dnyanoba Borate, Sudam Dnyanoba Borate, Anjali Hemant Kanade were recorded on the 7/12 extract. In fact the entry of legal heirs is invalid since Mr. Baban Dnyanoba Borate and all his legal heirs have transferred their rights unto and in favour of Farande Promoters and Builders through Partner Anil Jayaram Farande vide Sale Deed dtd. 30/11/2010 which is registered in the Office of Sub-Registrar Haveli No.18 at Serial No. 10051/2010. Hence the names appearing in the revenue record of legal heirs of Dnyaneshwar Borate are incorrect and needs to be corrected. It is also seen that, Farande Promoters and Builders have transferred their rights in favour of Woods Ville Phase-2 and the same is effected vide Mutation Entry No.7644.

AS TO THE SALE DEED OF THE LANDS GAT NO. 103 AND 106 OF BORHADEWADI –

Sale Deed dtd. 31/03/2022 which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No. 21877/2022 on 25/11/2022 reveals that, Mr. Narayan Yashwant Borate, Mrs. Krushnabai Narayan Borate, Mr. Ananda Narayan Borate, Kalpana Ananda Borate, Kishor Ananda Borate, Sonali Ananda Borate, Monali Ananda Borate, Mr.Pandurang Narayan Borate, Varsha Pandurang Borate, Sachin Pandurang Borate, Shantanu Pandurang Borate, Late Smt. Jijabai Sahadu Alhat through legal heirs- Mr. Malhari Sahadu Alhat, Mrs.Tarabai Shivaji Alhat, Mr. Ram Shivaji Alhat, Mrs. Kantabai Jayawant Mane, Mrs.Nandabai Kaluram Londhe, Late Mrs. Muktabai Sadashiv Parandwal through legal heirs- Mr.Pandurang Sadashiv Parandwal, Mr.Raju Sadashiv Parandwal, Mrs. Hausabai Ramchandra Vidhate and Mrs. Gangubai Pandharinath Shevkari have sold and conveyed i) portion of land admeasuring 37.35 Ares (excluding portion of land admeasuring 0.15 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing Gat No. 103 (old Gat No. 1223) of Boradewadi, Pune and ii) portion of land admeasuring 15.77 Ares (As per revenue record 7/12 extract area admeasuring 16.22 Ares) (excluding portion of land admeasuring 26.73 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing Gat No. 106 (old Gat No. 1226) of Boradewadi, Pune unto and in favour of Kumar Construction and Properties Pvt. Ltd.

Thus Kumar Construction and Properties Pvt. Ltd. became entitled to ownership rights, title and interest under and by virtue of the aforesaid Sale Deed dtd. 31/03/2022. It is observed that name of purchaser Kumar Construction and Properties Pvt. Ltd. is not yet mutated and recorded in the



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B.Sc. LL. M.
ADVOCATE



Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

revenue record. The entry of sale deed needs to be mutated in the revenue record.

It is seen that vide Mutation Entry No. 4141 dtd. 7/12/2010 Dnyaneshwar Yashwant Borate, Baban Dnyaneshwar Borate, Gulab Dnyaneshwar Borate, Mangal, Akshay, Shubhan Gulab Borate, Sudam Dnyaneshwar Borate, Vishal, yogesh, snehal Sudam Borate, Anjana Hemant Kande, Malhari Sahadu Alhat, Nandabai Pandurang Londhe, Kantabai Jaywant Mane, Tarabai, Shama Shivaji Alhat, Pandurang, Rajendra Sadashiv Parandwal, Housbai Ramchandra Vidhate, Gangubai Pandharinath Shevkari have sold portion of land adm. 37.5 Ares out of Gat No. 103 under the sale Deed dtd. 30/11/2010 which is registered in the Office of Sub-Registrar Haveli No.18 at Serial No. 10051/2010 unto M/s. Farande Promoters and Builders through Anil Jayram Farande.

It is seen that vide Mutation Entry No. 4142 dtd. 7/12/2010 Dnyaneshwar Yashwant Borate, Baban Dnyaneshwar Borate, Gulab Dnyaneshwar Borate, Mangal, Akshay, Shubhan Gulab Borate, Sudam Dnyaneshwar Borate, Vishal, yogesh, snehal Sudam Borate, Anjana Hemant Kande, Malhari Sahadu Alhat, Nandabai Pandurang Londhe, Kantabai Jaywant Mane, Tarabai, Shama Shivaji Alhat, Pandurang, Rajendra Sadashiv Parandwal, Housbai Ramchandra Vidhate, Gangubai Pandharinath Shevkari have sold portion of land admeasuring 42.05 Ares out of Gat No. 106 under the sale Deed dtd. 30/11/2010 which is registered in the Office of Sub-Registrar Haveli No.18 at Serial No. 10051/2010 unto M/s. Farande Promoters and Builders through Anil Jayram Farande.

Accordingly name of purchaser M/s. Farande Promoters and Builders through Anil Jayram Farande was recorded in the revenue record of the lands bearing Gat No.103 and 106. It is seen from the revenue record that while mutating the name the Purchaser M/s. Farande Promoters and Builders through Anil Jayram Farande in the record of rights/ 7/12 extract it is legally needed to delete the name of Dnyaneshwar Yashwant Borate from the revenue record but due to mistake of the revenue authorities the name of the seller Mr. Dnyaneshwar Yashwant Borate was not deleted. The correction / updation of the revenue record needs to be done. My client informed me that the necessary application has been submitted to Tahasildar, Pimpri Chinchwad by my client for updation of the same.

Vide Sale Deed dtd. 11/07/2023 which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No. 15195/2023 reveals that, **Kumar Construction and Properties Pvt. Ltd.** have sold and conveyed i) portion of



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B.Sc. LL. M.
ADVOCATE



Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

land admeasuring 37.35 Ares (excluding portion of land admeasuring 0.15 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing Gat No. 103 (old Gat No. 1223) of Boradewadi, Pune and ii) portion of land admeasuring 15.77 Ares (As per revenue record 7/12 extract area admeasuring 16.22 Ares) (excluding portion of land admeasuring 26.73 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing Gat No. 106 (old Gat No. 1226) of Boradewadi, Pune unto and in favour of **Kumar Properties Life Spaces Pvt. Ltd.** The name of purchaser Kumar Properties Life Spaces is mutated in the revenue record / 7/12 extract.

AS TO THE OWNERSHIP IN RESPECT OF THE LAND BEARING GAT NO. 103 AND 106 OF BORHADEWADI-

Kumar Properties Life Spaces Pvt. Ltd became entitled to ownership rights in respect of the i) portion of land admeasuring 37.35 Ares (excluding portion of land admeasuring 0.15 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing **Gat No. 103** (old Gat No. 1223) of Boradewadi, Pune and ii) portion of land admeasuring 15.77 Ares (As per revenue record 7/12 extract area admeasuring 16.22 Ares) (excluding portion of land admeasuring 26.73 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing **Gat No. 106** (old Gat No. 1226) of Boradewadi, Pune under and by virtue of the Sale Deed dtd. 11/07/2023.

The respective owners and M/s. Kumar Company has handed over the possession of the said portions of lands to Pimpri Chinchwad Municipal Corporation and entitled to the benefits of the same.

B) AS TO THE DEVOLUTION OF TITLE PERUSING THE CONCERNED DOCUMENTS DISCLOSES THE FACTS IN RESPECT OF THE LAND BEARING GAT NO. 104 (OLD GAT NO. 1224) AREA ADMEASURING ABOUT 01 HECTARE-10.38 ARES (INCLUDING POT KHARABA LAND ADM. 00 HECT. 6 ARES) SITUATED AT VILLAGE – BORHADEWADI (MOSHI), TAL. - HAVELI, DIST – PUNE.

The Mutation Entry No. 1 Dated 17/01/1970 reveals that, lands bearing Gat No. 1 to 1456 of **Village-Moshi** (including all that piece and parcel of land bearing **Gat No. 1224**) Taluka-Haveli, District-Pune, are included under the Consolidation Scheme sanctioned by Dy. Director of Land Records vide No. Con/S/R/ 287 Pune, dtd. 5/02/1969 and the published in the Govt. Gazatte Part-1 Pune Region Supplemental page No. 675 on dtd.20/02/1969 and accordingly new record of rights are prepared for the Village- Moshi. In



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Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

pursuance of the same name of Mr. Dharu Moru Borhade, Mr. Maruti Mahadu Borhade, each having One half (1/2) share, were entered in the revenue record as occupant of the old Gat No. 1224.

It is also seen from the copy of the Mutation Entry No.1 dtd. 1/08/1989 that, the **Village- Borhadewadi** was separated from the Village- Moshi and subsequently the new record of rights for the Village- Borhadewadi were prepared and accordingly Gat Number 1224 was changed as Gat No. 104.

The mutation Entry No. 148 dated 22/12/1974 reveals that Mr. Dharu Moru Borhade died intestate on 01/11/1973 leaving behind minor son Mr. Nathu, wife Mrs. Sonubai, and four married daughters viz. Mrs. Bhamabai Dashrath Saste, Mrs. Vithabai Ganpat Waghire, Mrs. Baisabai Baban Kotwal, Mrs. Sakhubai Sitaram Walekar as his only legal heirs and accordingly the name of minor son Mr. Nathu through natural guardian mother Mrs. Sonubai was mutated on record of right.

The mutation entry no. 157 dated 05/06/1974 reveals that the name of Mr. Nathu through natural guardian mother Mrs. Sonubai was deleted from the record of right and the name of Mr. Vishnu Moru Borhade was mutated on record of right as owner of one half (1/2) share in the said land i.e. area admeasuring about 88Are.

It is further observed that the said Mr. Vishnu Moru Borhade sold the portion of the said land area admeasuring about 43.5 Are to Mr. Shankar Rambhau Borhade, Mr. Baban Rambhau Borhade, Mr. Narayan Rambhau Borhade, Mr. Kisan Rambhau Borhade, Mr. Sudam Sopan Borhade vide sale deed dated 14/11/1977 which is registered at the office of Sub-registrar Haveli No. 1 at Sr. No. 1801/1977. By virtue of the said sale deed, Mr. Shankar Rambhau Borhade, Mr. Baban Rambhau Borhade, Mr. Narayan Rambhau Borhade, Mr. Kisan Rambhau Borhade, Mr. Sudam Sopan Borhade became absolute owners of the said land area admeasuring about 43.5 Are and accordingly their names were mutated on record of right vide mutation Entry No. 401 dtd. 20/02/1978.

It is further observed that partition took place between Mr. Shankar Rambhau Borhade, Mr. Baban Rambhau Borhade, Mr. Narayan Rambhau Borhade, Mr. Kisan Rambhau Borhade, Mr. Sudam Sopan Borhade and others vide partition deed dated 06/11/1990 which is registered at the office of Sub-registrar Haveli no. 2 at sr. no. 13896/90. By virtue of the said partition deed, the aforesaid land area admeasuring about 44 Are came to the share of Mr. Shankar Rambhau Borhade, Mr. Sudam Sopan Borhade, however actual area purchased



MAHESHKUMAR VIJAYSINH PAWAR
B.Sc. LL. M.
ADVOCATE



Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

by them as per sale deed is 43.5 Are. The names of Mr. Shankar Rambhau Borhade, Mr. Sudam Sopan Borhade are mutated on record of right vide Mutation Entry No. 127 dtd. 5/3/1991 as owners to the extent of their share.

It is further observed that Mr. Maruti Mahadu Borhade died on 26/06/1994 leaving behind wife Mrs. Chandrabhaga, sons viz. Mr. Yashwant Maruti Borhade, Mr. Kashinath Maruti Borhade,, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutii Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somath Maruti Borhade, married daughters Mrs. Yamunabai Motiram Kawade, Mrs. Draupadabai Kerba Bhadale as his only legal heirs and accordingly their names were mutated on record of right vide Mutation Entry No. 435. It is observed that Mrs. Chandrabhaga died on 24/08/2001 leaving behind aforesaid legal heirs and accordingly her name was deleted from the record of right vide Mutation Entry No. 2104.

The Mutation Entry No. 481 appearing in the revenue record of Gat No. 104 is irrelevant and pertaining to the Gat No 76.

Mutation Entry No. 1472 was shows that Mr. Shankar Rambhau Borate has availed loan from Moshi Gram Vikas Shakari Society Ltd. and the same is subsequently deleted under the Mutation Entry No. 6247.

It is observed that Mr. Vishnu Moru Borhade died intestate on 15/01/1985 leaving behind wife Mrs. Bhagubai Vishnu Borhade, sons viz. Mr. Baban Vishnu Borhade, Mr. Pandurang Vishnu Borhade, Mr. Narayan Vishnu Borhade, married daughter Mrs. Kaushalya Vinayak Gaware and legal heirs of predeceased son Mr. Shantaram i.e. Mrs. Sindhubai Shantaram Borhade, Mrs. Manisha Sunil Saste as his only legal heirs and accordingly their names are mutated on record of right vide Mutation Entry No. 2786.

Mutation Entry No. 4390 dtd. 28/04/2011 shows that, Mr. Somnath Maruti Borhade died on 14/4/2010 leaving behind heirs 1) Tanaji Somnath Borhade (Son) 2) Anjana Somnath Borhade (Wife) 3) Sanchita Naresh Chavan (daughter).

It is observed that the said Mr. Shankar Rambhau Borhade had entrusted development rights in respect of his 1/2 share in the said land area admeasuring about 22Are to Pharande Promoters and Builders vide development agreement followed by power of attorney both dated 27/03/2006 which are registered at the office of Sub-registrar Haveli no. 14 at Sr. No. 2475, 2476 respectively. It is further observed that the said Pharande



MAHESHKUMAR VIJAYSINH PAWAR
B.Sc. LL. M.
ADVOCATE



Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

Promoters and Builders executed cancellation deed dated 26/05/2006 which is registered at the office of Sub-registrar Haveli no. 14 at Sr. No. 4170/2006 in favour of Mr. Shankar Rambhau Borhade thereby canceling the said development agreement and power of attorney.

It is further observed that the said Mr. Shankar Rambhau Borhade entrusted development rights in respect of area admeasuring about 22Are out of the said land, along with his family members to M/s.Kumar Company vide Development Agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 15/01/2007 at Serial No. 383/2007. The aforesaid owner along with his family members also executed power of attorney 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 on 15/01/2007 at Serial No. 384/2007 in favour of Mr. Kewalkumar Kesarimal Jain and other.

It is further observed that Mr. Sudam Sopan Borhade entrusted development rights in respect of area admeasuring about 22 Ares out of the said land, along with his family members to M/s Kumar Company vide Development agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 on 16/01/2007 at Serial No. 422/2007. The aforesaid owner along with his family members also executed power of attorney 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 16/01/2007 at Serial No. 423/2007 in favour of Mr. Kewalkumar Kesarimal Jain and other.

The aforesaid owners were desirous developing the said land area admeasuring about 44.5 Are and hence along with their respective family members entrusted development rights in respect of the same in favour of M/s Kumar Company vide development agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 on 15/01/2007 at serial no. 387/2007. The aforesaid owners also executed power of attorney dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 on 15/01/2007 at Serial No. 388/2007 in favour of Mr. Kewalkumar Kesarimal Jain and other.

It is further observed that the brothers of late Mr. Maruti Mahadu Borhade i.e. Mr. Kisan Mahadu Borhade died leaving behind son Mr. Anil Kisan Borhade, Mrs. Bhagabai Kisan Borhade, daughter Ms. Ranjana Kisan Borhade and Mr. Sadashiv Mahadu Borhade died leaving behind Mrs. Nanda Dnyaneshwar Borhade, Mr. Manoj Dnyaneshwar Borhade and Mrs. Jijabai Balu Jagtap, Mrs. Shantabai Ananda Bahirat are the sisters of late Mr. Maruti Borhade.



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 Mobile No. 9860718007

It is observed that Mr. Yashwant Maruti Borhade, Mr. Kashinath Maruti Borhade,, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutii Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somath Maruti Borhade, Mrs. Yamunabai Motiram Kawade executed power of attorney dated-29/11/2006 which is registered at the office of Sub-registrar Haveli No. 14 at Sr. No. 9357/2006 in favour of Mrs. Bhagabai Kisan Borhade, Mr. Anil Kisan Borhade, Ms. Ranjana Kisan Borhade. It is further observed that Mr. Yashwant Maruti Borhade, Mr. Kashinath Maruti Borhade,, Mr.Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutii Maruti Borhade, Mr.Namdeo Maruti Borhade, Mr. Somath Maruti Borhade, Mrs. Yamunabai Motiram Kawade through their constituted attorneys Mrs. Bhagabai Kisan Borhade, Mr. Anil Kisan Borhade, Ms. Ranjana Kisan Borhade executed Power of Attorney dated 29/10/2006 which is registered at the office of Sub-registrar Haveli No. 14 at Sr. No. 9358/2006 in favour of Mr. Pramod Mahadeo Khaladkar, Mr. Rajesh Suryakant Kale.

It is further observed that Mr. Kashinath Maruti Borhade,, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutii Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somath Maruti Borhade, Mrs. Yamunabai Motiram Kawade, Mrs. Draupadabai Kerba Bhadale executed release deed dated 29/11/2006 which is registered at the office of Sub-registrar Haveli No. 19 on 02/12/2006 at Sr. No. 8104/2006 in favour of Mr. Yashwant Maruti Borhade thereby relinquishing their undivided interest in the said land in his favour absolutely and forever.

It is further observed that the said Mr. Yashwant Borhade along with his family members entrusted development rights in respect of the area admeasuring about 88 Are in favour of M/s Kumar Company vide development agreement dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at Serial No. 270/2007. The aforesaid owner along with his family members also executed power of attorney dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at serial no. 271/2007 in Mr. Kewalkumar Kesarimal Jain and other.

It is seen from the copy of the Index-II of Mortgage Deed dtd. 26th May 2006 registered in the Office of the Sub-Registrar Haveli No.14 at Serial No. 3807/2006 that, the land bearing Gat No. 104 adm. 44 Ares mortgaged by Shankar Rambhau Borhade, Sudam Sopan Borhade, Tulsabai Shankar Borhade in favour of UTI Bank Ltd. Pune for availing loan. My client has informed me that the said loan has been repaid.



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ADVOCATE



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 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

It is further observed that Mr. Pramod Mahadeo Khaladkar, Mr.Rajesh Suryakant Kale executed confirmation deed dated 10/01/2007 which is registered at the office of Sub-registrar Haveli no. 14 on 15/01/2007 at Serial No. 371/2007 executed in favour of M/s Kumar Company, thereby confirming and consenting the Development Agreement and Power of Attorney executed by Mr. Yashwant Borhade and others in favour of M/s. Kumar Company.

It is further observed that Mrs. Nanda Dnyaneshwar Borhade, Mr. Manoj Dnyaneshwar Borhade, Mrs.Jijabai Balu Jagtap, Mrs. Shantabai Ananda Bahirat executed confirmation deed dated 18/09/2007 which is registered at the office of Sub-registrar Haveli No. 17 at Sr. No. 8895/2007 in favour of M/s. Kumar Company thereby confirming and consenting the development agreement and power of attorney executed by Mr. Yashwant Borhade and others in favour of M/s. Kumar Company.

It is further observed that, Mr.Kashinath Maruti Borhade, Mr. Eknath Maruti Borhade, Mr. Vitthal Maruti Borhade, Mr. Nivrutti Maruti Borhade, Mr. Namdeo Maruti Borhade, Mr. Somanth Maruti Borhade, along with their respective family members executed confirmation deed dated 10/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at Sr. No. 279/2007 in favour of M/s Kumar Company thereby confirming and consenting the development agreement and power of attorney executed by Mr. Yashwant Borhade and others in favour of Ms. Kumar Company. By virtue of the aforesaid development agreements and power of attorneys, M/s. Kumar Company is entitled to develop the said land.

It is seen from the Mutation Entry No. 5566 dtd. 17/02/2014 that, Kashinath Maruti Borhade, Eknath Maruti Borhade, Vitthal Maruti Borhade, Nivrutti Maruti Borhade, Namdeo Maruti Borhade, Somnath Maruti Borhade, Mrs. Yamunabai Motiram Kavade, Mrs. Dropadabai Kerba Bhadle have released their rights unto and in favour of Yashwant Maruti Borhade vide Release Deed without Consideration dtd. 29/11/2006, which was registered in the Office of Sub-Registrar Haveli No. 19 at Serial No. 8104/2006.

It is seen from the copy of the Release Deed dtd. 14/11/2013 which is registered in the Office of Sub-Registrar Haveli No.5 at Serial No. 10063/2013 executed by Nilesh Bharat Saste, Suvarna Yogesh Bhoir, Sharad Vishnu Saste, Manisha Sunil Saste, Snehal Sunil Saste, Sayali Sunil Saste through guardian Manisha Sunil Saste, Aditya Sunil Saste through guardian Manisha Sunil Saste, Alka Nivrutti Lande, Aruna Uttam Thorat unto and in favour of Bhagubai Vishnu Borhade, Smt. Sindhubai Shantaram Borhade, Manisha Sunil Saste, Baban



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 Mobile No. 9860718007

Vishnu Saste, Pandurang Vishnu Borhade, Narayan Vishnu Borhade for release of their rights in the lands including Gat No.104 of Borhadewadi, Pune.

In furtherance of the Development Agreement and Power of Attorney, vide Sale Deed dtd. 30/12/2013 which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No. 16/2014 on 01/01/2014 which is executed by Yashwant Maruti Borate and others unto and in favour of Kumar Company conveyed the rights, title and interest in respect of the land bearing Gat No. 104 and accordingly vide Mutation Entry No. 5567 dtd.17/02/2014 name of purchaser was recorded in the revenue record / 7/12 extract

Mutation Entry No. 5661 is appearing in the 7/12 extract but the same is irrelevant and not related to the land bearing Gat No. 104.

Mutation Entry No. 5761 shows that, as per the letter dtd. 14/11/2014 of Moshi Gram Vikas Karyakari Society Ltd. the encumbrance created by Sudam Sopana Borate was deleted.

It is revealed from the Mutation Entry No.6428 dtd. 29/07/2017 that, as per the Order of Dy. Director, Town Planning, Pimpri Chinchwad Municipal Corporation bearing Order No. जा.क्र./नरवी/कावि/१६/९६/२०१६ दिनांक-२५/०५/२०१६ the Pimpri Chinchwad Municipal Corporation has acquired portion of various lands including portion of land admeasuring 6561.75 sq. mtrs. out of Gat No. 104 affected by 18 M wide Road and road circle which was executed by Owners and Kumar Company in favour of Pimpri Chinchwad Municipal Corporation which is registered in the Office of Sub-Registrar Haveli No.18 at Serial No.6793/2015, the Owners / M/s. Kumar Company has handed over the possession of the said portions of lands to the Pimpri Chinchwad Municipal Corporation. The name of Pimpri Chinchwad Municipal Corporation was mutated on the revenue record / 7/12 extract of the lands bearing **Gat No. 104** of Borhadewadi vide Mutation Entry No. **6428**.

Mutation Entry No. **6586** shows that the same is for matching the old hand written 7/12 extracts and new computerized 7/12 extracts. For the Gat No. 104 the entry of encumbrance of Moshi gram vikas sahakari society was deleted.

Mutation Entry No. **8145** dtd. 29/03/2022 shows that, as per the order no. HNo./SR/194/2021 of Upper Tahasildar, Pimpri Chinchwad the invalid entry of names under Mutation Entry No.5567 of Balu Baban Hingne, Manik Baban Hingne, Vijay Baban Hingne were deleted and record of rights were accordingly updated.



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It is seen from the Copy of the Sale Deed dtd. 11/07/2023 which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 15196/2023 which is executed by Kumar Agro Products Pvt. Ltd. (previously known as Kumar Construction and Properties Pvt. Ltd.) unto and in favour of **Kumar Properties Life Spaces Pvt. Ltd.** and accordingly name of the purchaser Kumar Properties Life Spaces Pvt. Ltd. was recorded in the revenue record / 7/12 extract vide Mutation Entry No. **8789** dtd. 21/07/2023.

AS TO THE OWNERSHIP IN RESPECT OF THE LAND BEARING GAT NO. 104, BORHADEWADI-

Kumar Properties Life Spaces Pvt. Ltd became entitled to ownership rights in respect of the land bearing Gat No. 104 (old Gat No. 1224) area admeasuring about 01 Hectare-10.38 Ares (including Pot Kharaba land adm. 00 Hect. 6 Ares) situated at Village – Borhadewadi, Tal. - Haveli, Dist - Pune vide Sale Deed dtd. 11/07/2023 which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 15196/2023 which is executed by Kumar Agro Products Pvt. Ltd.(previously known as Kumar Construction and Properties Pvt. Ltd.) unto and in favour of Kumar Properties Life Spaces Pvt. Ltd.

C) AS TO THE FACTS SEEN FROM THE DOCUMENTS PRODUCED BEFORE ME DISCLOSES THE FACTS IN RESPECT OF THE PROPERTY BEARING GAT NO. 108 (NEW) GAT NO. 1228 (OLD) OF BORHADEWADI

The Mutation Entry No. 1 Dated 17/01/1970 reveals that, lands bearing Gat No. 1 to 1456 of **Village-Moshi** (including all that piece and parcel of land bearing **Gat No. 1228** area admeasuring about 01 Hectare 05 Ares is included under the Consolidation Scheme sanctioned by Dy. Director of Land Records vide No. Con/S/R/287 Pune, dtd. 5/02/1969 and the published in the Govt. Gazatte Part-1 Pune Region Supplemental page No. 675 on dtd.20/02/1969 and accordingly new record of rights are prepared for the Village- Moshi. In pursuance of the same name of Mr. Hanumant Babu Borate was entered in the revenue record as occupant of the old Gat No. 1228. The Scheme Extract of the lands consolidated under the Fragmentation and Consolidation Act shows that the lands consolidated under the scheme have given Gat No. 1228 after the scheme and shown in the name of Hanmant Babu Borate.



MAHESHKUMAR VIJAYSINH PAWAR
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ADVOCATE



Flat No.21, B- Building, A- Wing,
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 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

It is also seen from the copy of the Mutation Entry No.1 dtd. 1/08/1989 that, the **Village Borhadewadi** was separated from the Village- Moshi and subsequently the new record of rights for the village- borhadewadi were prepared and accordingly Gat numbers 1228 was changed as Gat Nos. 108.

Mutation Entry No. 430 is irrelevant and pertaining to the land bearing Gat No. 1228. Mutation Entry No. 6247, 6586 are also irrelevant and pertaining to corrections in the record of rights of the other lands situated at Borhadewadi. It is revealed from the Mutation Entry No.6428 dtd. 29/07/2017 that, as per the Order of Dy. Director, Town Planning, Pimpri Chinchwad Municipal Corporation bearing Order No. जा.क्र./नवी/कावि/१६/९६/२०१६ दिनांक-२५/०५/२०१६ the Pimpri Chinchwad Municipal Corporation has acquired portion of various lands including portion of land admeasuring 260 sq. mtrs. out of the land bearing **Gat No.108** affected by 18 M wide Road which was executed by Owners and Kumar Company in favour of Pimpri Chinchwad Municipal Corporation which is registered in the Office of Sub-Registrar Haveli No.18 at Serial No.6793/2015, the Owners / M/s. Kumar Company has handed over the possession of the said portions of lands to the Pimpri Chinchwad Municipal Corporation. The name of Pimpri Chinchwad Municipal Corporation was mutated on the revenue record /7/12 extract of the lands bearing Gat No. 108 of Borhadewadi vide Mutation Entry No. 6428.

Mr. Hanumant Babu Borate was desirous of developing the said land and hence along with his family members entrusted development rights in respect of the land bearing Gat No. 1228 (New Gat No.108) in favour M/s. Kumar Company, a registered partnership firm having address at – Kumar Capital, East Street, Camp, Pune- 411001 vide Development Agreement Dated-18/01/2006 which is registered at the office of Sub-registrar Haveli No. 14 at Serial No. 539/2007. The aforesaid owners also executed Power Of Attorney Dated 19/01/2007 which is registered at the office of Sub-registrar Haveli No. 14 at Serial No. 540/2007 in favour of partners of M/s. Kumar Company viz. Mr. Manish Vimalkumar Jain and other. The aforesaid owner also executed declaration cum indemnity bond dated 19-01-2007 which is registered at the office of Sub-registrar Haveli No. 14 at serial no. 541/2007 in favour of M/s. Kumar Company.

By virtue of the aforesaid Development Agreement and Power Of Attorney, M/s Kumar Company is entitled to develop the land bearing Gat No. 108.

It is seen from the copy of the Mutation Entry No. 7555 dtd. 16/02/2021 that, Mr. Hanumant Babu Borate expired on 04/09/2020 leaving behind legal heirs-



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 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

Indubai Hanumant Borate (wife), Balasaheb Hanumant Borate (Son), Namdeo Hanumant Borate (Son), Late Dilip Hanumant Borate (son) since died on 12/11/2012 through legal heirs a) Ranjana Dilip Borate b) Ganesh Dilip Borate c) Shital Pravin Darawade d) Archana Nilesh Birdawade e) Rajashri Ganesh Lokhande, Smt. Mangal Chagan Dhayarkar (Daughter), Sarubai Kailas Bagade (Daughter) and accordingly their names were recorded in the record of rights / 7/12 extracts.

Pursuant to the Development Agreement and Power of Attorney, a Sale Deed dtd. 08/11/2021 which is registered in the Office of Sub-Registrar Haveli No.11 at Serial No.17257/2021 in favour of Kumar Construction and Properties Pvt. Ltd. through Director, Kewalkumar K. Jain executed by Late Hanumant Babu Borate (Under Sec.202 of Indian Contract Act 1872), Late Indubai Hanumant Borate (deceased) (Under Sec.202 of Indian Contract Act 1872), Balu Hanumant Borate, Parubai Balu Borate, Vaishali Ashok Tamhane, Dilip Hanumant Borate (deceased) (Under Sec.202 of Indian Contract Act 1872) through legal heirs- a) Ranjana Dilip Borate b) c) Sonam Dilip Borate (after marriage Archana Nilesh Birdawade), Rajashri Dilip Borate(name after marriage Rajashri Ganesh Lokhande), Shital Pravin Darawade, Sushila Namdeo Borate, Manoj Namdeo Borate, Rani Namdeo Borate, Didi Namdeo Borate all through their constituted attorney Mr. Manish V. Jain, Ramkrushna Balu Borate (for self and as Manager of HUF), Ganesh Dilip Borate (for self and manager of his HUF), Namdeo Hanumant Borate (for self and Manager of HUF), Smt. Mangal Chagan Dhayarkar (Daughter), Sarubai Kailas Bagade (Daughter). By virtue of the said Sale Deed dtd. 08/11/2021 Kumar Construction and Properties Pvt. Ltd. became entitled to the rights, title and interest in respect of the property bearing Gat No. 108 (Old Gat No. 1228). Pursuant to the said Sale Deed dtd. 08/11/2021 Mutation Entry No. 7899 dtd. 13/11/2021 was taken in the revenue record for mutating name of the purchaser. The same was not certified because Udhav Sahadu Borate has raised objection to the same before the Circle Officer, Bhosari stating that he has purchased the said land bearing Gat No. 1228 admeasuring 01 hectare 05 Ares vide Sale Deed dtd. 08/06/1981 from Hanumant Borate. The Circle Officer has conducted the enquiry in the objection S.R. No.140/2021 and passed Order on dtd. 21/4/2022 and recorded name of Mr. Uddhav Sahadu Borate on the 7/12 extract on the land bearing Gat No. 108. Aggrieved by the said Order of Circle Officer, Kumar Construction Properties Pvt. Ltd. have filed Appeal No. 527/2022 before Sub-Divisional Officer, Pune.

It is also seen that the Talathi/ Circle Officer have also without any authority cancelled the Mutation Entry No. 7555 by which names of the legal heirs of



MAHESHKUMAR VIJAYSINH PAWAR
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ADVOCATE



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 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

Hanumant Borate were recorded on the 7/12 extract and also by cancelling names of legal heirs of Hanumant Borate the name of Udhav Sahadu Borate was entered vide Mutation Entry No. 8351 on the revenue record. Aggrieved by such illegal acts of Circle and Talathi, Kumar Construction and Properties Pvt. Ltd. has filed Appeal bearing No. 1026/2022 against the cancellation of Mutation Entry No. 7555 and new Mutation Entry 8351 by the Circle Officer / Talathi.

Mr. Udhav Sahadu Borate has filed Special Civil Suit No. 56/2022 before the Hon. Civil Judge Sr. Division, Pune. The name of Mr. Udhav Sahadu Borate was entered in the revenue record vide Mutation Entry No. 8351 dtd. 14/07/2022.

AS TO THE LITIGATION FILED BY UDHAV SADHU@SAHADU BORATE –

Mr. Uddhav Sahadu Borate has filed Special Civil Suit No. 56/2022 before the Hon. Civil Judge Sr. Division, Pune for cancellation of Development Agreement, Power of Attorney and Sale Deed executed by Hanumant Borate and others in favour of Kumar Company (Kumar Construction and Properties Pvt. Ltd.).

During the pendency of the said Suit a compromise has been arrived between Uddhav Borate and Kumar Company (Kumar Construction and Properties Pvt. Ltd.) and accordingly since the property bearing Gat No. 1228 (new gat no. 108) was ancestral property and only Mr. Hanumant Babu Borate has executed the earlier **Sale Deed** dtd. 8/6/1981 was not binding on the other ancestors and hence the Development Agreement and Power of Attorney dtd. 19/01/2007 and the Sale Deed dtd. 8/11/2021 executed by Late Hanumant Borate and his family members in favour of Kumar Construction and Properties Pvt. Ltd (M/s. Kumar Company) will be in existence and valid for other family members of Hanumant Borate.

Thus as per the compromise purshis filed by the Plaintiff and Defendant No. 3 (Kumar Construction and Properties Pvt. Ltd.) the Defendant No. 3 is entitled to the area of **land admeasuring 90 Ares** (including portion of land adm. 2.60 Ares acquired by Pimpri Chinchwad Municipal Corporation for Road) out of the land bearing Gat No. 108 (old No. 1228) and **Mr. Uddhav Sahadu@Sadhu Borate** is entitled to the ownership of area of **land admeasuring 15 Ares** out of the land bearing Gat No. 108 (old No. 1228) and accordingly except the portion of land admeasuring 15 Ares out of Gat No. 108, Borhadewadi, the Defendant No.3 Kumar Construction and Properties Pvt. Ltd. have also agreed to allot 45000 sq. fts. of saleable builtup area in the



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 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

scheme / project being constructed by the defendant no.3 on the land bearing gat no. 108 or adjacent lands owned by the defendant no.3 .

And accordingly as per the compromise purshis and the decree passed by the Civil Court Sr. Division, Pune in the Sp.Civil Suit No 56/2022 the name of **Kumar Construction and Properties Pvt. Ltd.** was recorded for an area admeasuring **00 Hect. 87.40 Ares** and name of **Uddhav Sadhu alias Sahadu Borate** was recorded for an area admeasuring **00 Hect. 15 Ares** in the revenue record vide Mutation Entry No. 8780 dtd. 06/07/2023.

It is seen from the Copy of the **Sale Deed dtd. 06/10/2023** which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. **23277/2023** which is executed by **Kumar Company later on known as Kumar Construction and Properties Pvt. Ltd. and after demerger known as Kumar Agro Products Pvt. Ltd.** unto and in favour of **Kumar Properties Life Spaces Pvt. Ltd.** in respect of the portion of land admeasuring **87.40 ares** out of land bearing Gat No. 108 totally admeasuring 01 Hect. 05 Ares of Village- Borhadewadi, Pune and accordingly name of the purchaser Kumar Properties Life Spaces Pvt. Ltd. was recorded in the revenue record / 7/12 extract vide Mutation Entry No. **8877** dtd. 07/11/2023.

After arrival of the compromise in the aforesaid civil suit between the aforesaid parties they have also filed joint purshis before the Sub-Divisional Officer, Haveli, Pune in the RTS Appeal No. 527/2022 and 1026/2022. The Sub-Divisional Officer, Haveli Pune has passed Orders on 20/06/2023 in the said appeals and dismissed the said appeals. The Sub-Divisional Officer has mentioned certain observations in the said order/s which are not legal and consistent with the proceedings hence the appellant therein has filed Review Application/s in the said Appeals before the Sub-Divisional Officer on dtd. 08th April 2024 for modification of the said order/s dtd. 20/6/2023. The same is pending.

AS TO THE OWNERSHIP OF KUMAR PROPERTIES LIFE SPACES PVT. LTD.

Kumar Properties Life Spaces Pvt. Ltd. is owner of the portion of land admeasuring **87.40 Ares** out of land bearing **Gat No. 108** totally admeasuring 01 Hect. 05 Ares of Village- Borhadewadi.

AS TO THE DEVELOPMENT RIGHTS OF KUMAR PROPERTIES LIFE SPACES PVT. LTD. IN RESPECT OF LAND ADMEASURING 15 ARES



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 Mobile No. 9860718007

OWNED BY UDDHAV SADHU@SAHADU BORATE OUT OF THE LAND BEARING GAT NO. 108.

Mr. Udhav Sadhu alias Sahadu Borate has assigned, granted and transferred the Development Rights in respect of the portion of land admeasuring 15 Ares out of the land bearing Gat No. 108 totally admeasuring 1 Hect. 05 Ares unto and in favour of Kumar Properties Life Spaces Pvt. Ltd. vide Development Agreement and Power of attorney dtd. 08/11/2023 which are registered in the Office of Sub-Registrar Haveli No.11 at Serial No. 26154/2023 and Serial No. 26155/2023 in favour of the Kumar Properties Life Spaces Pvt. Ltd. Thus by virtue of the Development Agreement and Power of Attorney Kumar Properties Life Spaces Pvt. Ltd. became entitled to development rights in respect of the portion of land adm. 15 Ares out of the land bearing Gat No. 108, Borhadewadi, Pune as mentioned in the aforesaid Development Agreement.

AS TO THE SANCTION OF PLAN-

The Pimpri Chinchwad Municipal Corporation has sanctioned the Plans in respect of the lands bearing Gat No. 103(P), 106(P) and 104 (P) under the commencement certificate bearing No. B.P./Borhadewadi/24/2023 dtd. 23/03/2023. Thereafter the Pimpri Chinchwad Municipal Corporation has revise sanctioned the Plans in respect of the lands bearing Gat No. 103(P), 106(P), 104 (P) and 108(P) under the commencement certificate bearing No. B. P. / Borhadewadi / 10/2024 dtd. 05/03/2024.

AS TO THE NON AGRICULTURAL PERMISSION-

It is seen from the Copy of the letter dtd. 13/09/2023 issued by Additional Tahasildar, Pimpri Chinchwad, Tal.-Haveli District- Pune under the Order bearing No. Jamin/NA/SR/431/2023 dtd. 13/09/2023 that, the non-agricultural permission/ assessment of the land bearing Gat No. 103, 106 and 104 of Borhadewadi, Pune was granted.

AS TO THE PENDING LITIGATIONS- Nil.

It is informed to me by my client that, there are no litigations pending in respect of the said lands bearing Gat No. 103, 104, 106 and 108 of Borhadewadi, Pune.



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 S.No.33(part), Kudale Patil Township,
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PREVIOUS ENCUMBRANCE AND RELEASE THEREOF :

It is informed to me by my client that, M/s. Kumar Company (incorporated as Kumar Construction and Properties Pvt. Ltd.) and others have mortgaged the various lands and projects etc. unto and in favour of Piramal Trusteeship Services Pvt. Ltd. under a Deed of Mortgage dated -21st September 2018 ("Original Mortgage Deed") registered under Serial No. 13746/2018 with the sub-registrar of Assurances at Pune and thereafter various lands including lands bearing Gat No. 103, 104, and 106 lying and situated at Village-Borhadewadi, Taluka- Haveli, District- Pune are also mortgaged under the first supplemental to the Original Mortgage Deed dated 18th February, 2019 and registered with the sub-registrar bearing registration number 2890 of 2019 ("First Supplemental Deed"). Subsequently the charge created on the lands bearing Gat No. 103,106,104 has been released vide **Deed of Release** dtd. 19th June 2023 which is registered in the Office of Sub-Registrar Haveli No. 11 at Serial No. 12703/2023.

PRESENT ENCUMBRANCES-

It is seen from the revenue record of the land bearing Gat No. 108 that, encumbrance of Moshi Gram Vikas Karyakari society of Rs. 500/- and Rs.1200/- is appearing in the other rights column of the 7/12 extract. The same needs to be cleared.

It is seen from the Copy of the Mortgage Deed **dtd. 27/12/2023** which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 29728/2023 executed by Kumar Properties Life Spaces Pvt. Ltd. in favour of Piramal Trusteeship Services Pvt. Ltd. that, by virtue of the said Mortgage Deed the F.S.I. adm. 43755 sq. mtrs and minimum saleable area adm. 448285 sq. feet (which includes retail area 16576 sq. ft. and MHADA area adm. 17435 sq. ft.) and future TDR / FSI and receivables of the residential cum retail project known as "Kumar Parv Phase-I being constructed on the lands bearing Gat No. 103 adm. 37.35 Ares, Gat No. 106 adm. 15.77 Ares and Gat No. 104 adm. 01 Hect. 10.38 Ares of Borhadewadi, Pune. It is informed to me by my client that except the said Mortgage Deed dtd. 27/12/2023 there are no encumbrance/s of any nature on the properties bearing Gat No. 103,104,106 and 108 of Borhadewadi.

AS TO THE SEARCH OF INDEX-II REGISTERS

I have caused through Adv. Vishal Vishwas. Dhage Search of the Index -II registers kept in the various Offices of the Sub-Registrars pertaining to the



MAHESHKUMAR VIJAYSINH PAWAR
B.Sc. LL. M.
ADVOCATE



Flat No.21, B- Building, A- Wing,
 S.No.33(part), Kudale Patil Township,
 Manikbaug, Sinhgad Road, Pune- 51.
 Mobile No. 9860718007

said property for last 30 (Thirty) years. Adv. Vishal Dhage has taken Search of Index-II registers by depositing necessary fees of Rs. 750/- each for four landed properties bearing Gat No.103, 106, 104 and 108 of Boradewadi, Pune vide Receipt Nos. MH011319449202324P, MH011321813202324P, MH011326220202324P and MH011505523202324P all dtd. 23/11/2023. The Search of the Index-II registers is made available online through e-search method by the IGR Department. Hence he has taken Search of the data / records maintained by IGR Department by way of E-search. Adv. Vishal Dhage has issued search report/s dtd. 06/12/2023 with respect to the lands bearing Gat No. 103,106, 104 and 108 mentioning that there are no adverse entries of encumbrance were found during the search except the Mortgage Deed **dtd. 27/12/2023** which is registered in the office of Sub-Registrar Haveli No.11 at Serial No. 29728/2023 executed by Kumar Properties Life Spaces Pvt. Ltd. in favour of Piramal Trusteeship Services Pvt. Ltd.

AS TO THE SEARCH OF RECORDS OF COMPANIES (ROC) -

It is seen from the copy of the Search Report dtd. 18th March 2024 issued by SSG and Co. Company Secretaries, address- Office No. 501, K Square, Next to Foundree School, Shroff Road, Baner, Pune- 45 in respect of the records of Registrar of Companies (ROC), that there are no encumbrances appearing in the records of Company except the Mortgage Deed dtd. 27/12/2023 executed by Kumar Properties Life Spaces Pvt. Ltd. in favour of Piramal Trusteeship Services Pvt. Ltd.

QUALIFICATIONS, ASSUMPTIONS AND LIMITATIONS - This opinion is given subject to following qualifications –

- i) This Opinion is given subject to observations and presuming that the documents mentioned above are the legally accurate and rights acquired under the deeds and documents are not subject matter of any litigation and photo copies of the documents and the documents mentioned are not modified and amended and the said documents are executed by the parties named in the documents. In case of any discrepancy in documents etc. affecting title of owners appears, the same shall be complied / rectified by client immediately.
- ii) This opinion covers only the transactions brought to my notice by my client.
- iii) All information including photocopies of documents that have been supplied to me have been accepted as being correct unless otherwise stated. It is also presumed that executants of the particular instrument/s are fully empowered to execute it with the contents mentioned therein. I further state that, I restrict my opinion on the photocopies of documents and information provided to me



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only. iv) The land acquisition, zoning, permitted user, reservations, set-back (if any), development potential, floor space index, development potential of the Premises, restrictions on transfers (if any) do not fall within my scope and I have not conducted any independent verification of any of these items and express no views on the same.

OPINION :

On the basis of photocopies of relevant documents produced before me, and information given to me and subject to whatever stated above, I am of the opinion that :

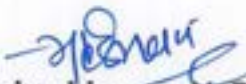
The title of **Kumar Properties Life Spaces Private Limited** in respect of said Lands bearing **Gat No. 103** (Old No. 1233) area admeasuring about **37.35 Are** out of 75 Ares and **Gat No. 106** (Old No. 1226) area admeasuring about **15.77 Are out of 85 Ares, Gat No. 104** (Old Gat No. 1224) admeasuring 01 Hectare 10.38 Ares and **Gat No. 108** (Old Gat No. 1228) area admeasuring **87.40 Ares** out of 01 Hectare 05 Ares of Village-Borhadewadi, Tal.-Haveli, Dist.-Pune (**Subject** to rights in respect of the area handed over to Pimpri Chinchwad Municipal Corporation from and out of the total area of respective lands under reservation of road and primary school), appears to be clear and marketable **Subject** to charge / Mortgage of Piramal Trusteeship Services Pvt. Ltd.).

Also title of the owner Uddhav Sadhu alias Sahadu Borate in respect of the portion of land admeasuring 00 Hect. 15 Ares out of the land bearing Gat No. 108 totally admeasuring 01 Hect. 05 Ares of Borhadewadi, Pune is clean and clear and **Kumar Properties Life Spaces Pvt. Ltd.** is having valid and legal rights and entitlement to Development Rights in respect of the portion of land admeasuring 00 Hect. 15 Ares owned by Uddhav Sadhu@ Sahadu Borate.

I further state that all information including documents that have been supplied to me have been accepted as being correct unless otherwise stated. It is also presumed that executants of the particular instrument/s are fully empowered to execute it with the contents mentioned therein. I further state that I restrict my opinion on the aforesaid documents and information only.

Pune.
 Dated - 08/04/2024




Maheshkumar V. Pawar
 (Advocate)