

PSD/12/ 000500

4<sup>th</sup> August, 2012.

**TO WHOMSOEVER IT MAY CONCERN**

**Re: All that pieces and parcels of land being (A) area admeasuring 00 Hector 41.79 Ares i.e. 4179 sq. mtrs. out of Survey No. 222A admeasuring area about 03 Hector 73 Ares, assessment Rs. 07.29, and Survey No. 222B admeasuring area 01 Hector 04 Ares (it should be as per calculation 01 Hector 08 Ares) i.e. 10400 sq. mtrs., assessment Rs. 01.46, total area admeasuring 01 Hector 45.79 Ares i.e. 14579 sq. mtrs. out of total area admeasuring 04 Hector 77 Ares corresponding area admeasuring 01 Hector 45.7746 i.e. 14577.46 sq. mtrs. out of City Survey No. 4746 admeasuring 47700 sq. mtrs. (B) area admeasuring 01 Hector 20.8750 Ares i.e. 12087.50 sq. mtrs. out of Survey No. 223 admeasuring area about 01 Hector 43 Ares, assessment Rs. 02.50 corresponding area admeasuring 12087.50 sq. mtrs. out of City Survey No. 4751 admeasuring 14300 sq. mtrs. and (C) area admeasuring 01 Hector 01.02 Ares i.e. 10102 sq. mtrs. out of survey No. 224A/1 admeasuring Rs. 03.50, Survey No. 224A/2 admeasuring Rs. 02.12 and 00 Hector 00.79 Ares out of Survey No. 224B admeasuring area about 00 Hector 82 Ares i.e. 8200 sq. mtrs. corresponding area admeasuring 20381 sq. mtrs. out of area admeasuring 20490.45 sq. mtrs. out of City Survey No. 4752 admeasuring 35494.09 sq. mtrs., situated at Village Chinchwad, within the Registration District Pune, Taluka Haveli, Dist Pune within the limits of Pimpri Chinchwad Municipal Corporation Pimpri and which as per 7/12 extract area under transaction total area admeasuring 04 Hector 70.4596 (it should be 04 Hector 74.4596 Ares) Ares and as per City Survey Record area under transaction area admeasuring 47045.96 sq. mtrs. (it should be 47445.96 sq. mtrs.) (Hereinafter referred to as "the said property").**

**THIS IS TO CERTIFY THAT** under the instructions of my clients **M/s. Empire Properties**, a duly registered partnership firm under the provisions of the Indian Partnership Act, 1932 having its principal place of business at CTS No. 4510/1, Chinchwad, Pune 411019, I have caused searches to be carried out in respect of the property at the office of the Sub Registrar Haveli No. 1 to 20, Pune through my associate Mr. Arif Nadaf, Advocate for the period commencing from the year 1983 till date. I have perused the photocopies of the Deeds and Documents given to me for my perusal pertaining to the right, title and interest of my clients to the said property more

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particularly described in para 6 hereunder written and have also relied upon certain information given to me by my clients and have to observe as follows:-

**1. Flow of title of the said property**

(a) It appears that Survey No. 222 area admeasuring 11 Acre 35 Gunthas assessment 08 Rupees 12 Anna, Survey No. 223 area admeasuring 03 Acre 21 Gunthas assessment 02 Rupees 08 Anna, Survey No. 224A area admeasuring 06 Acre 33 Gunthas assessment 05 Rupees 10 Anna and Survey No. 224B area admeasuring 02 Acre 01 Gunthas assessment 20 Rupees 04 Anna, village Chinchwad alongwith other 26 properties were inherited by Shri. Pandhrinath Rangnath Gupchup who expired on 25/04/1929 leaving behind him his three sons namely (i) Shri. Heramb, (ii) Shri. Narayan and (iii) Shri. Shankar as his legal heirs. Pursuant thereto the names of the said legal heirs were mutated in the revenue records by deleting the name of the deceased. The same is reflected vide mutation entry no. 635 and which is certified on 25/09/1929.

(b) It appears that the said Shri. Shankar Pandharinath Gupchup had preferred an application for the partition of his share of 05 Anna 04 Pai in respect of the various properties including Survey Nos. 222, 223, 224A and 224B and in pursuance thereto of the share of 01 Anna 04 Pai given to Shri. Shankar Pandharinath Gupchup, 01 Anna 04 Pai given to Shri. Ganesh Shankar Gupchup, 01 Anna 04 Pai given to Shri. Ramchandra Shankar Gupchup and 01 Anna 04 Pai given to Shri. Chintaman Shankar Gupchup and accordingly their names alongwith the aforesaid share was recorded in revenue record for the aforesaid properties. The same is reflected vide mutation entry no. 1679 and certified on 16/04/1957.

(c) It appears that as per the compromise decree passed in Special Civil Suit No. 34/1953 the share of Shri. Heramb Pandharinath Gupchup in the properties stated in the mutation entry includes the Survey No. 222, 223, 224A and 224B village Chinchwad, subdivided between he himself his two sons and heirs of one deceased son and accordingly 01 Anna 04 Pai share shown in the name of Shri. Heramb Pandharinath Gupchup, 01 Anna 04 Pai share shown in the name of Shri. Hari Heramb Gupchup, 01 Anna 04 Pai share

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shown in the name of Shri. Jagannath Heramb Gupchup and 01 Anna 04 Pai share shown in the name of Shri. Bhaichandra Krishnarao Gupchup, Shri. Arun Krishnarao Gupchup, Smt. Malatibai Alias Rukhminibai Krishnarao Gupchup, jointly being heirs of Shri. Krishnarao Heramb Gupchup and accordingly the revenue record is implemented. The same is reflected vide mutation entry no. 1786 and which is certified on 28/03/1958.

(d) It appears that by a Sale Deed dated 08/08/1959, which is duly registered in the office of Sub-Registrar Haveli No. 2 at serial No. 882/1959, one Shri. Dnyanoba Maruti Kale had purchased 05 Anna 04 Pai share out of Survey No. 222 area admeasuring 11 Acre 35 Gunthas Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A area admeasuring 06 Acre 33 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad from Shri. Narayan Pandharinath Gupchup, Mrs. Dwarkabai W/o Narayan Gupchup, Shri. Shantaram Narayan Gupchup, Shri. Moreshwar Narayan Gupchup, Shri. Gajanan Narayan Gupchup, Kumari. Shushila alias Babi D/o Narayan Gupchup, Kumari. Prabhavati alias Suman D/o Narayan Gupchup and Mrs. Pratibha Shantram Gupchup and pursuant thereto the name of the said purchaser was mutated in the revenue records by deleting the name of the sellers. The same is reflected vide mutation entry no. 1896 and which is certified on 20/1/1960.

(e) It appears that by a Sale Deed dated 17/8/1959, which is duly registered in the office of Sub-Registrar Haveli No. 2 at serial No. 921/1959, one Shri. Dnyanoba Maruti Kate had purchased 01 Aana 04 Pai share out of Survey No. 222 area admeasuring 11 Acre 35 Gunthas, Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A area admeasuring 06 Acre 33 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad from Shri. Jagannath Heramb Gupchup, Mrs. Vijayabai W/o Jagannath Gupchup, Shri. Sanjay Jagannath Gupchup and Kumari. Sunanda D/o Jagannath Gupchup and pursuant thereto the name of the said purchaser was mutated in the revenue records by deleting the name of the sellers. The same is reflected vide mutation entry no. 1897 and which is certified on 20/1/1960.

(f) It appears that by a Sale Deed dated 27/7/1959, which is duly registered in the office of Sub-Registrar Haveli No. 2 at serial No. 823/1959, one Shri Dnyanoba Maruti

Kate had purchased 01 Anna 04 Pai share out of Survey No. 222 area admeasuring 11 Acre 35 Gunthas, Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A area admeasuring 06 Acre 33 Gunthas, Survey No. 224B area admeasuring 02 Acre 01 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad from Shri. Heramb Pandharinath Gupchup and pursuant thereto the name of the purchaser was mutated in the revenue records by deleting the name of the seller. The same is reflected vide mutation entry no. 1894 and which is certified on 20/01/1960.

**(g)** It appears that by a Sale Deed dated 09/06/1960, which is duly registered in the office of Sub-Registrar Haveli No. 2 at serial No. 694/1960, one Shri. Dnyanoba Maruti Kate had purchased 01 Aana 04 Pai share out of Survey No. 222 area admeasuring 11 Acre 35 Gunthas, Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A area admeasuring 06 Acre 33 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad from Shri. Bhalchandra Krishnaji Gupchup, Shri. Arun Krishnaji Gupchup and Smt. Malatibai W/o Krishnaji Gupchup and pursuant thereto the name of the said purchaser was mutated in the revenue records by deleting the name of the seller. The same is reflected vide mutation entry no. 1934 and which is certified in the year 1960.

**(h)** It appears that by a Sale Deed dated 18/10/1960, which is duly registered in the office of Sub-Registrar Haveli No. 2 at serial No. 1258/1960, one Shri. Dnyanoba Maruti Kate had purchased 01 Aana 04 Pai share out of Survey No. 222 area admeasuring 11 Acre 35 Gunthas, Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A Area admeasuring 06 Acre 33 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad from Shri. Hari Heramb Gupchup, his family members wife Gogubai, sons Shri. Nandu, Shri. Dattatray and Shri. Purushottam, daughter in law Kamal, and unmarried daughters Vijaya, Suman, Tarabai and Rajani and married daughter Mrs. Kusum Narayan Dharmadhikari and pursuant thereto the name of the said purchaser was mutated in the revenue records by deleting the name of the seller. The same is reflected vide mutation entry no. 1943 and which is certified on 29/12/1960.

(i) It appears that by a Sale Deed dated 17/04/1963, which is duly registered in the office of Sub-Registrar Haveli No. 2 at serial No. 650/1963, one Shri. Dnyanoba Maruti Kate had purchased 05 Aana 04 Pai share out of Survey No. 222 area admeasuring 11 Acre 35 Gunthas, Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A area admeasuring 06 Acre 33 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad from Shri. Shankar Pandharinath Gupchup for 01 Aana 04 Pai share, Shri. Ganesh Shankar Gupchup for 01 Aana 04 Pai share, Shri. Ramchandra Shankar Gupchup for 01 Aana 04 Pai share and Shri. Chintamani Shankar Gupchup for 01 Aana 04 Pai share and pursuant thereto the name of the said purchaser was mutated in the revenue records by deleting the name of the sellers. The same is reflected vide mutation entry no. 2179 and which is certified on 01/07/1963.

(j) It appears from the above referred six Sale Deed that Shri. Dnyanoba Maruti Kate had purchased all that, Survey No. 222 admeasuring 11 Acres 35 Gunthas, Survey No. 223 area admeasuring 03 Acre 21 Gunthas, Survey No. 224A area admeasuring 06 Acre 33 Gunthas and Survey No. 224B area admeasuring 02 Acre 01 Gunthas of village Chinchwad alongwith other three properties and accordingly his name was shown as the owner and possessor for the same in revenue records.

(k) It appears from Mutation Entry No. 3399 of Village Chinchwad and certified on 25/04/1970 that, for Village Chinchwad, The Maharashtra Weights and Measurement Act 1958 and Indian Coinage Act 1955 implemented as per Aakarband and Hissa Form No. 12 issued by District Inspector Land Record (Dashman). In pursuance of the aforesaid Mutation Entry the area of the Survey No. 222 admeasuring area 11 Acres 35 Gunthas assessment 08 Rupees 12 Aanas is converted as Survey No. 222 admeasuring area 04 Hector 81 Ares assessment Rs. 08.75, Survey No. 223 admeasuring area 03 Acres 21 Gunthas assessment 02 Rupees 08 Aanas is converted as Survey No. 223 admeasuring area 01 Hector 43 Ares assessment Rs. 02.50, Survey No. 224A admeasuring area 06 Acres 33 Gunthas assessment 05 Rupees 10 Aanas is converted as Survey No. 224A admeasuring area 02 Hector 74 Ares assessment Rs. 05.62 and Survey No. 224B admeasuring area 02 Acres 01 Gunthas assessment 20 Rupees 04 Aanas is converted as



Survey No. 224B admeasuring area 00 Hector 82 Ares assessment Rs. 20.25 and shown accordingly in Revenue Record for village Chinchwad.

(1) It appears that Shri. Dnyanoba Maruti Kate had made an application for mutation of partition of 19 properties of their joint family, partitioned between Shri. Maruti Shripati Kate, Shri. Namdeo Maruti Kate, Shri. Kondiba Maruti Kate, Shri. Nivrutti Maruti Kate, Shri. Dnyanoba Maruti Kate and Smt. Parvatibai w/o Sayaji Maruti Kate and which properties included Survey Nos. 222, 223, 224A and 224B of Village Chinchwad. Pursuant thereto property bearing Survey No. 224B admeasuring 02 Acres 01 Gunthas assessment 20 Rupees 04 Aana i.e. 00 Hector 82 Ares assessment Rs. 20.25 Village Chinchwad alongwith other four properties came to the share of Shri. Dnyanoba Maruti Kate, Area admeasuring 04 Acres 12 Gunthas assessment 03 rupees 08 Aana out of Survey No. 224A area admeasuring 06 Acres 33 Gunthas assessment 05 Rupees 10 Anna i.e. 02 Hectors 74 Ares assessment 05.62 Village Chinchwad alongwith other three properties came to the share of Shri. Kondiba Maruti Kate and accordingly for his share Survey No. 224A/1 admeasuring 04 Acres 12 Gunthas assessment 03 Rupees 08 Aana i.e. 01 Hector 72 Ares assessment Rs. 03.50 shown in the name of Shri. Kondiba Maruti Kate by opening separate 7/12 extract. Area admeasuring 02 Acres 21 Gunthas assessment 02 Rupees 02 Aana out of Survey No. 224A area admeasuring 06 Acres 33 Gunthas assessment 05 Rupees 10 Aana i.e. 02 Hectors 74 Ares assessment Rs. 05.62 Village Chinchwad alongwith other four properties came to the share of Shri. Maruti Shripati Kate and accordingly for his share Survey No. 224A/2 admeasuring 02 Acres 21 Gunthas assessment 02 Rupees 02 Aana i.e. 01 Hector 02 Ares assessment Rs. 02.12 shown in the name of Shri. Maruti Shripati Kate by opening separate 7/12 extract. Area admeasuring 09 Acres 11 Gunthas assessment 07 Rupees 04 Aana 06 Pai out of Survey No. 222 area admeasuring 11 Acres 35 Gunthas assessment 08 Rupees 12 Aana i.e. 04 Hectors 81 Ares assessment Rs. 08.75 village Chinchwad came to the share of Shri. Namdeo Maruti Kate and accordingly for his share Survey No. 222/A admeasuring 09 Acres 11 Gunthas assessment 07 Rupees 04 Aana 06 Pai i.e. 03 Hector 73 Ares assessment Rs. 07.29 shown in the name of Shri. Namdeo Maruti Kate by opening separate 7/12 extract. Area admeasuring 02 Acres 24 Gunthas assessment 01 Rupees 07 Aana 06 Pai out of Survey No. 222 area admeasuring 11 Acres 35 Gunthas assessment 08 Rupees 12 Aana i.e. 04

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Hectors 81 Ares assessment Rs. 08.75 Village Chinchwad came to the share of Shri. Maruti Shripati Kate and accordingly for his share survey No. 222/B admeasuring 02 Acres 24 Gunthas assessment 01 Rupees 07 Aana 06 Pai i.e. 01 Hector 04 Ares assessment Rs. 01.46 shown in the name of Shri. Maruti Shripati Kate by opening separate 7/12 extract. Survey No. 223 area admeasuring 03 Acres 21 Gunthas assessment Rs. 02.50 Village Chinchwad came to the share of Shri. Maruti Shripati Kate and accordingly shown in his name. The same is reflected vide mutation entry no. 3565 and which is certified on 24/05/1970.

(m) It appears that the effect of City Survey as implemented for Village Chinchwad in the year 1979 and in pursuance of that, City Survey No. 4746 admeasuring 47700 sq. mtrs. is allotted for Survey No. 222A admeasuring 03 Hector 73 Ares and Survey No. 222B admeasuring 01 Hector 04 Ares total admeasuring 04 Hector 77 Ares village Chinchwad. City Survey No. 4751 admeasuring 14300 sq. mtrs. is allotted for Survey No. 223 admeasuring 01 Hector 43 Ares village Chinchwad, City Survey No. 4752 admeasuring 35494.09 sq. mtrs. and City Survey No. 4752/1 to 4752/15 total admeasuring 306 sq. mtrs. is allotted for Survey No. 224A/1 admeasuring 01 Hector 72 Ares and Survey No. 224/A 2 admeasuring 01 Hector 01 Hector 02 Ares and Survey No. 224B admeasuring 00 Hector 82 Ares total admeasuring 03 Hector 56 Ares. The city Survey No. 4746 shown in the name of Shri. Namdeo Maruti Kate and Shri. Maruti Shriptati Kate. The City Survey No. 4751 shown in the name of Shri. Maruti Shripati Kate. The City Survey No. 4752 shown in the name of Shri. Maruti Shripati Kate, Shri. Kondiba Maruti Kate and Shri. Dnyanoba Maruti Kate. The City Survey No. 4752/1 to 4752/3 shown in the name of Shri. Kondiba Maruti Kate. The City Survey No. 4752/4 to 4752/15 shown in the name of Shri. Dnyanoba Maruti Kate.

(n) It appears that as per acquisition award dated 10/03/1995 in case No. LAQ/SU-2/46 passed by Special Land Acquisition Officer, Special Unit No. II, Pimpri shows that, area admeasuring 8158.25 sq. mtrs. out of City Survey No. 4752, area admeasuring 7606.40 sq. mtrs. out of City Survey No. 4746 and area admeasuring 1758.30 sq. mtrs. out of City Survey No. 4751 Village Chinchwad is acquired for 12 mtrs. and 45 mtrs. wide road, but effect of this award is not implemented in City Survey Record.

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(o) It appears that as per acquisition award dated 06/02/1995 in case no. LAQ/SU-2/64 passed by Special Land Acquisition Officer, Special Unit No. 1 Pimpri shows that, area admeasuring 8882.20 sq. mtrs. out of City Survey NO. 4746, area admeasuring 426.60 sq. mtrs. out of City Survey No. 4751 and area admeasuring 6951.30 sq. mtrs. out of City Survey No. 4752 Village Chinchwad is acquired swimming pool and cycle vellodrum, effect of this is implement in City Survey Record vide mutation entry certified on 04/11/2003.

(p) It appears that the owners of the said property by executing five separate Development Agreements as stated in para No. 3 hereunder written in preamble of each development agreement each executants of the same had declared and assured to M/s. Empire Properties that, in the said property, the heirs of Shri. Sayaji Maruti Kate are having 6537.50 sq. mtrs. undivided area, the heirs of Shri. Kondiba Maruti Kate are having 16618.50 sq. mtrs. undivided area, the heirs of Shri. Dnyanoba Maruti Kate are having 6637.50 sq. mtrs. undivided area, Shri. Nivrutti Maruti Kate and his family members are having 6537.50 sq. mtrs. undivided area and heirs of Shri. Namdeo Maruti Kate and his family members are having 10714.96 sq. mtrs. undivided area.

(q) It appears that the owners of the said property by executing five Development Agreements as stated in para no. 3 hereunder written in preamble of each development agreement each executants of the same had declared and assured to M/s. Empire Properties that, Shri. Maruti Shripati Kate expired on 13/07/1977 leaving behind wife Rahibai, four sons Shri. Kondiba, Shri. Dnyanoba, Shri. Namdeo and Shri. Nivrutti, married daughter Gaubai alias Laxmibai Bhausahab Tapkir and heirs of deceased son Shri. Sayaji Maruti Kate who expired on 03/12/1970, leaving behind wife Parvatibai, three sons Shri. Kashinath, Shri. Umakant and Shri. Suresh and seven married daughters Mrs. Kalindi Laxman Dangat, Mrs. Sunanda Dhananjay Choudhari, Mrs. Shakuntala Dnyaneshwar Kashid, Mrs. Ratan Vitthal Athkar, Mrs. Usha Sopan Lande, Smt. Kusum Vasant Gaikwad and Mrs. Yamuna Vasant Bajare out of the aforesaid heirs Parvatibai expired on 04/02/1979 leaving behind three sons and seven daughters as her legal heirs, out of the aforesaid married daughters Mrs. Yamuna Vasant Bajare expired on 29/07/1996 leaving

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behind one son Shri. Vijay Vasant Bajare and married daughter Mrs. Smita Prakash Dhumke and that the husband of deceased Yamuna Vasant Bajare had expired prior to her death. Out of the aforesaid heirs of Late Shri. Maruti Shripati Kate, his wife Rahibai Maruti Kate expired on 08/02/1983 leaving behind aforesaid four sons, one married daughter and heirs of one deceased son Shri. Sayaji as her legal heirs. Out of the heirs of Late Shri. Kondiba Maruti Kate, his son Shri. Keshav Kondiba Kate expired on 25/03/2002 leaving behind wife Jaishree, son Shri. Sanjay and four married daughters Mrs. Rajani Pravin Tupe, Mrs. Manjushri Baban Bhosale, Mrs. Sunita Ajay Gavane and Mrs. Anita Chandrakant Gundal. Out of the heirs of Late Maruti Shripati Kate, his son Shri. Dnyanoba Maruti Kate expired on 19/04/2003 leaving behind wife Jijabai, five sons Shri. Jaiwant, Shri. Chimanrao, Shri. Rambhau, Shri. Chandrakant and Shri. Vijay and four married daughters Mrs. Nisha Vasant Said, Mrs. Aasha Arjun Bangar, Mrs. Meena Ashok Dumbare, Mrs. Pramila Anant Harpude. The aforesaid four daughters had released their right, title interests in favour of their five brothers by release deed dated 06/06/2003 which is duly registered in the office of Sub-Registrar Haveli No. 14 at Serial No. 3573 on the same day, but considering in aforesaid release deed City Survey Numbers were not stated and hence the aforesaid four daughters had executed another Release Deed dated 20/09/2007 which is duly registered in the office of Sub-Registrar Haveli No. 19 at serial no. 7455/2007. It appears that the aforesaid facts are duly recorded in revenue record vide mutation entry nos. 12932, 12933, 12934 and 12937 and all of them certified on 05/06/2007. One heir of Shri. Maruti Shripati Kate, Smt. Gaubai alias Laxmibai Bhausahab Tapkir being married daughter of the deceased by executing Release Deed dated 17/05/2007 which is duly registered in the office of Sub-Registrar Haveli No. 17 at serial no. 4580/2007, had released her right, title interests in the said property in favour of Shri. Nivrutti Maruti Kate, Shri. Namdeo Maruti Kate, Shri. Kashinath Sayaji Kate, Shri. Umakant ISayaji Kate, Shri. Suresh Sayaji Kate, Shri. Yeshwant Kondiba Kate, Shri. Sanjay Keshavrao Kate, Shri. Chimanrao Dnyanoba Kate, Shri. Jaiwant Dnyanoba Kate, Shri. Rambhau Dnyanoba Kate, Shri. Chandrakant Dnyanoba Kate and Shri. Vijay Dnyanoba Kate and in pursuance of that, mutation entry no. 12936 was certified on 05/06/2007 by deleting the name of the releaser in revenue records.

*Prasanna S Darade*

(r) It appears that the said Shri. Nivrutti Maruti Kate expired intestate on 9/3/2008 leaving behind his legal heirs namely his two sons Shri. Laxman and Shri. Gulab and six married daughters Mrs. Shantabai Shivaji Tupe, Mrs. Sulabai alias Sulochana Sitaram Vade, Mrs. Sangeeta Maruti Potale, Mrs. Manjushree Kashinath Zangle, Mrs. Ranjana Bhagwan Borhade, Mrs. Anjana Balkrishna Lokhande and widow Smt. Manubai Nivrutti Kate and pursuance thereof the names of the said legal heirs were mutated in the revenue records by mutation entry no. 13314.

(s) It appears that the said Shri. Chimanrao Dnyanoba Kate expired intestate on 2/8/2009 leaving behind his legal heirs namely his four sons Shri. Vivek, Shri. Ajay, Shri. Ashish and Shri. Chetan and his widow Smt. Vimal Chimanrao Kate and pursuance thereof the names of the said legal heirs were mutated in the revenue records by mutation entry no. 13605.

(t) It appears that the said Shri. Namdev Maruti Kate expired intestate on 11/8/2011 leaving behind his legal heirs namely his three sons Shri. Prakash, Shri. Subhash and Shri. Arun and two married daughters Mrs. Vimal Vitthal Medankar and Mrs. Kamal Vilas Pate. It appears that the names of the said legal heirs are yet to be mutated in the revenue records by deleting the name of Shri. Namdev Maruti Kate.

## **2. Urban Land (Ceiling and Regulation) Act, 1976**

(a) The said Shri. Nivrutti Maruti Kate had filed statement u/s 6(1) of the U.L.C. Act and which is numbered U.L.C. Case No. S. R. 407-K and the Deputy Collector and Competent Authority No. III, Pune Urban Agglomeration Pune by passing order dated 31/01/1991 u/s 8(4) has declared that, the said land alongwith adjacent lands under various non buildable reservations and hence declared, the declarant is not holding any surplus vacant land.

(b) The said Shri Nivrutti Maruti Kale had filed statement u/s 6(1) of the U.L.C. Act and which is numbered U.L.C. Case No. S. R. 411-K and the Deputy Collector and Competent Authority No. III, Pune Urban Agglomeration Pune by passing order dated 31/01/1991 u/s 8(4) has declared that, the said land alongwith adjacent lands under

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various non buildable reservations and hence declared, the declarant is not holding any surplus vacant land.

(c) The said Shri Dnyanoba Maruti Kate had filed statement u/s 6(1) of the U.L.C. Act and which is numbered U.L.C. Case No. S. R. 412-K and the Deputy Collector and Competent Authority No. III, Pune Urban Agglomeration Pune by passing order dated 31/01/1991 u/s 8(4) has declared that, the said land alongwith adjacent lands under various non buildable reservations and hence declared, the declarant is not holding any surplus vacant land.

(d) The said Smt. Parvatibai Sayaji Kate had filed statement u/s 6(1) of the U.L.C. Act and which is numbered U.L.C. Case No. S. R. 414-K and the Deputy Collector and Competent Authority No. III, Pune Urban Agglomeration Pune by passing order dated 31/01/1991 u/s 8(4) has declared that, the said land alongwith adjacent lands under various non buildable reservations and hence declared, the declarant is not holding any surplus vacant land.

(e) The said Shri Kondiba Maruti Kate had filed statement u/s 6(1) of the U.L.C. Act and which is numbered U.L.C. Case No. S. R. 408-K and the Deputy Collector and Competent Authority No. III, Pune Urban Agglomeration Pune by passing order dated 31/01/1991 u/s 8(4) Corrigendum there to dated 23/05/1991 has declared that, the said land alongwith adjacent lands under various non buildable reservations and hence declared, the said land was not vacant land and deleted from holding of the declarant and has declared from holding of the declarant and has declared admeasuring 816 sq. mtrs. out of Survey No. 75/A/A/3A and area admeasuring 149.87 sq. mtrs. out of Survey No. 76 village Dapodi, total area admeasuring 966.53 sq. mtrs. has declared as surplus vacant land of the declarants.

(f) The said Shri Maruti Shripati Kate had filed statement u/s 6(1) of the U.L.C. Act and which is numbered U.L.C. Case No. S. R. 413-K and the Deputy Collector and Competent Authority No. III, Pune Urban Agglomeration Pune by passing order dated 31/01/1991 u/s 8(4) Corrigendum there to dated 23/05/1991 has declared that, the said



land alongwith adjacent lands under various non buildable reservations and hence declared, the said land was not vacant land and deleted from holding of the declarant and has declared area admeasuring 119 sq. mtrs. out of Survey No.76 (part), area admeasuring 660.27 sq. mtrs. out of Survey No. 75A/3A, area admeasuring 575 sq. mtrs. out of Survey No. admeasuring 1102 sq. mtrs. being Plot No. 3 & 4 out of Survey No. 921/3 Village Charoli, total area admeasuring 2456.27 sq. mtrs. is declared as surplus vacant land of the declarant.

(g) As per the revised sanction development plan, sanction and commence on 18/09/1995, the said land, become buildable being shown in commercial zone and due to that, statement u/s 6(1) read with Sec. 15 of the U.L.C. Act, one of the co-owners of the said land, Shri. Sanjay Keshvrao Kate and others had filed statement and which is numbered as ULC Case No. 2765-K and which is finally heard and decided by Deputy Collector and Competent Authority No. II, Pune Urban Agglomeration Pune by passing order dated 25/10/2007 u/s 8(4) has declared that, the said land declarants are holding the said land within their allowable ceiling limits and not holding any surplus vacant land.

### **3. Development Rights in favour of M/s. Empire Properties**

(a) It appears that by an Agreement dated 24/09/2007 duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7948/2007, the said Shri Kashinath Sayaji Kate, for self and as a Karta of H.U.F. Mrs. Baidabai Kashinath Kate, Shri Avinash Kashinath Kate, for self and as Karta of H.U.F. and as father, legal and natural guardian of minor son Master Raj, and minor daughter Miss. Jui, Mrs. Revati Avinash Kate, Shri Pradeep Kashinath Kate, for self and as Karta of his H.U.F. and as father, legal and natural guardian of minor daughter Miss. Sai, Mrs. Vaishali Pradeep Kate, Mrs. Sangeeta Chandrashekhar More, Shri. Umakant Sayaji Kate, for self and as Karta of his H.U.F. Mrs. Sushila Umakant Kate, Shri. Viraj Umakant Kate, for self and as a Karta of his H.U.F. and as father, legal and natural guardian of minor daughter Miss. Saloni, Mrs. Savita Viraj Kate, Shri Nilesh Umakant Kate, for self and as a Karta of his H.U.F. and as father, legal and natural guardian of minor son Master Prayas, and minor daughter Miss. Shreya, Mrs. Harshada Nilesh Kate, Mrs. Supriya Machindra Dhavale, Shri Suresh Sayaji Kate, for self and as a Karta of his

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H.U.F. and as father, legal and natural guardian of minor daughter Miss. Samruddhi , Mrs. Usha Suresh Kate, Shri. Amit Suresh Kate, Mrs. Arati Amit Kate, Shri Sumit Suresh Kate, Kumari Gauri Suresh Kate, Mrs. Kalindi Laxman Dangat, Mrs. Sunanda Dhanajay Choudhari, Mrs. Shakuntala Dnyaneshwar Kashid, Mrs. Rattan Vitthal Athkar, Mrs. Usha Sopan Lande, Smt. Kusum Vasant Gaikwad and Vijay Vasant Bajare and Mrs. Smita Prakash Dhumake, have agreed to sell and have entrusted development right of an area admeasuring 6537.50 sq. mtrs. out of said property to M/s. Empire Properties on the terms and conditions and for the consideration as stated therein. In pursuance of the aforesaid Agreement the aforesaid owners by executing Irrevocable General Power of Attorney dated 24/09/2007, appointed Mr. Gurumukh Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each others as their Constituted Attorney to do all acts and things to complete the aforesaid transactions in all acts respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7949/2007.

**(b)** It appears that by an Agreement dated 24/09/2007 which is duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7954/2007 , the said Shri Yashwant Kondiaba Kate, for self and as a Karta of H.U.F. Mrs. Tarabai Yashwant Kate, Shri Pravin Yashwant Kate, for self and as a Karta of his H.U.F., and as father, legal and natural guardian of minor son Miss Shamil and minor son Sidhant, Mrs. Kiran Pravin Kate, Shri Rajesh Yashwant Kate for self and as a Karta of his H.U.F. and as father, legal and natural guardian of minor son Master Aayush , Mrs. Deepali Rajesh Kate, Mrs. Vidya Babu Bankhele, Smt. Jayashree Keshav Kate, Shri Sanjay Keshav Kate, for self and as a Karta of his H.U.F. and as a father, legal and natural guardian of minor daughter Miss. Raksha, minor son Digvijay, Mrs. Rupali Sanjay Kate, Mrs. Rajani Pravin Tupe, Mrs. Manjushree Baban Bhosale, Mrs. Sunita Ajay Gavane and Mrs. Anita Chandrakant Gundal, Mrs. Kaushalya Namdeo Kad, Mrs. Baidabai alias Jaishri Rambhau Minde, Mrs. Leela alias Swati Ramesh Lomate and Mrs. Sushila Shantaram Garade, have agreed to sell and have entrusted development rights of area admeasuring 16615.50 sq. mtrs. out of said land to M/s. Empire Properties, on the terms and conditions and for the consideration as stated therein. In pursuance of the aforesaid agreement the aforesaid owners by executing Irrevocable General Power of Attorney dated 24/09/2007, appointed Mr. Gurumukh

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Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each others as their Constitutes Attorney to do all acts and things to complete the aforesaid transactions in all acts respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7955/2007.

(c) It appears that by an Agreement dated 24/09/2007 which is duly registered in the office of Sub-Registrar Haveli No. 5, at serial no. 7959/2007, the said Shri Namdeo Maruti Kate, for self and as a Karta of H.U.F., Shri Prakash namdeo Kate, for self and as a Karta of his H.U.F. Mrs. Usha Prakash Kate, Shri Pritam Prakash Kate, for self and as a Karta of his H.U.F. and as father, legal and natural guardian of his minor son Vedant, Mrs. Yogini Pritam Kate, Mrs. Dipali Mahesh Kamathe , Shri Subhash Namdeo Kate , for self and as Karta of his father of his H.U.F., Mrs. Ujjvala Subhash Kate, Shri Arun Namdeo Kate, for self and as Karta for of his H.U.F. and as father, legal natural guardian of minor daughter Miss. Pranita, and minor son Pranav, Mrs. Meena Arun Kate, Mrs. Vimal Vitthal Mandankar and Mrs. Kamal Vilas Pate, have agreed to sell and entrusted development rights of area admeasuring 10714.96 sq. mtrs. out of said land to M/s. Empire Properties, on the terms and conditions and for the consideration as stated therein. In pursuance of the aforesaid agreement the aforesaid owners by executing Irrevocable General Power of Attorney dated 24/09/2007, appointed Mr. Gurmukh Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each other as their Constituted Attorney to do all acts and things to complete the aforesaid transactions in all acts respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7960/2007.

(d) It appears that by an Agreement dated 24/09/2007 which is duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7951 on 26/09/2007, Shri Nivrutti Maruti Kate, for self and as a Karta of his H.U.F. Shri Laxman Nivrutti Kate, for self and as a Karta of his H.U.F., Mrs. Alka Laxman Kate, Shri Sachin Laxman Kate, for self and as a Karta of his H.U.F. and as a father, legal natural guardian of minor son Master Nishant, Mrs. Meghana Sachin Kate, Sandeep Laxman Kate, Mrs. Surekha Nandkumar Murkute, Shri Gulab Nivrutti Kate, for self and as Karta of his H.U F., Mrs. Suman Gulab Kate, Shri Rahul Gulab

Kate, for self and as Karta of his H.U.F., Mrs. Sujata Rahul Kate, Shri Vishal Gulab Kate, Mrs. Vaishali Sanjay Shinde, Mrs. Shantabai Shivaji Tupe, Mrs. Sulochana Sitaram Vede, have agreed to sell and have entrusted development rights of area admeasuring 6537.50 sq. mtrs. out of said land to M/s. Empire Properties, on the terms and conditions and for the consideration as stated therein. In pursuance of the aforesaid agreement the aforesaid owners by executing Irrevocable General Power of Attorney dated 24/09/2007, appointed Mr. Gurumukh Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each others as their Constitutes Attorney to do all acts and things to complete the aforesaid transactions in all acts respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7952/2007.

(e) It appears that by a Supplementary Agreement dated 26/09/2007 which is duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 8024/2007, the said Mrs. Manubai Nivrutti Kate, Mrs. Sangeeta Maruti Potale, Mrs. Manjushri Kashinath Zanjale, Mrs. Ranjana Baban Borade, Mrs. Anjana Balkrishna Lokhande being family member of Shri Nivrutti Maruti Kate, as a wife and married daughters have confirmed the aforesaid transaction and payment of consideration as stated in the aforesaid agreement dated 24/09/2007, which is duly registered in the office of Sub Registrar Haveli No. 5, at serial No. 7951/2007. In pursuance of the aforesaid agreement and supplementary agreement thereto aforesaid executants of the supplementary agreement, executing Irrevocable General Power of Attorney dated 26/09/2007, appointed Mrs. Gurmukh Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each other as their Constituted Attorney to do all acts and things to complete the aforesaid transactions in all respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 8025/2007.

(f) It appears that by a Confirmation Deed dated 21/7/2012 which is duly registered in the office of Sub Registrar Haveli No. 17, at serial no. 7357/2012, executed by the legal heirs of Shri. Nivrutti Maruti Kate namely Shri. Laxman Nivrutti Kate, Shri. Sandip Laxman Kate, Shri. Sachin Laxman Kate, Shri. Gulab Nivrutti Kate, Shri. Rahul Gulab Kate, Smt. Manubai Nivrutti Kate, Mrs. Sangeeta Maruti Potale, Mrs. Manjushree Kashinath Zangle,

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Mrs. Ranjana Bhagwan Borhade and Smt. Anjana Balkrishna Lokhande in favour of Empire Properties, the said legal heirs have confirmed execution of the said Agreement 24/9/2007, Power of Attorney dated 24/9/2007, Supplementary Agreement dated 24/9/2007 and Power of Attorney dated 24/9/2007 and declared the same as valid and binding and confirmed the receipt of the consideration thereunder and undertook to withdraw the Regular Civil Suit No. 162/2009 filed before the Civil Judge Senior Division, Pimpri at Pune filed by Mrs. Sangeeta Maruit Potale, Mrs. Manjushree Zangle and Mrs. Ranjana Bhagwan Borhade and further declared and confirmed that Empire Properties are entitled to develop the said land mentioned therein.

(g) It appears that by an Agreement dated 24/09/2007 which is duly registered in the office of Sub-registrar Haveli No. 5, at serial no. 7962/2007, the said Smt. Jijabai Dnyanoba Kate, Shri Jaiwant Dnyanoba Kate, for self and as a Karta of his H.U.F. Mrs. Pushpa Jaiwant Kate, Shri Yogesh Jaiwant Kate, for self and as a Karta and as a father, legal natural guardian of minor daughter Apurva, minor son Master Soham, Mrs. Sayali Yogesh Kate, Shri Paresh Jaiwant Kate, for self and as a Karta of his H.U.F., Mrs. Mona Paresh Kate, Shri Shailesh Jaiwant Kate, for self and as a Karta of his H.U.F. and as father, legal and natural guardian of minor son Master Atharv, and son Master Darshan, Mrs. Veena Shailesh Kate, Shri Chimanrao Dnyanoba Kate, for self and as a Karta of his H.U.F., Mrs. Vimal Chimanrao Kate, Shri Vivek Chimanrao Kate, for self and as a Karta of his H.U.F. and as father, legal and natural guardian of minor daughter Miss Vaishnavi, Mrs. Vaishali Vivek Kate, Shri Ajay Chimanrao Kate, for self and as a Karta of his H.U.F. and as a father, legal and natural guardian of minor daughter Miss. Sakshi, and Miss Siddhik, Mrs. Rekha Ajay Kate, Shri Ashish Chimanrao Kate, for self and as a Karta of his H.U.F. and as a father, legal and natural guardian of minor son Master Shravan, and minor daughter Janvi, Mrs. Priti Ashish Kate, Shri Chetan Chimanrao Kate, Shri Rambhau alias Ramchandra Dnyanoba Kate, for self and as a Karta of his H.U.F., Mrs. Mandakini Rambhau Kate, Kumari Archana Rambahu Kate, Mrs. Manisha Sachin Jagtap, Mrs. Varsha Mauli Karale, Shri Chandrakant Dnyanoba Kate, Mrs. Swati Chandrakant Kate, Shri Anup Chandrakant Kate, Shri Shekhar Chandrakant Kate, Mrs. Prajakta Amol Bangar, Shri Vijay Dnyanoba Kate, for self and as a Karta of his H.U.F., and as father, legal and natural guardian of minor daughter Pallavi, Mrs. Savita Vijay Kate and Shri Abhijeet Vijay Kate, have agreed to sell

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and have entrusted development rights of area admeasuring 6637.50 sq. mtrs. out of said land to M/s. Empire Properties, on the terms and conditions and for the consideration as stated therein. In pursuance of the aforesaid agreement the aforesaid owners by executing Irrevocable General Power of Attorney dated 24/09/2007, appointed Mr. Gurmukh Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each other as their Constituted Attorney to do all acts and things to complete the aforesaid transactions in all respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7963/2007.

(h) It appears that the owners of the said property, who have executed the agreements and power of attorneys as stated in Para No. 3(a) to 3 (d) and 3(f) hereinabove written, as per the demand from M/s. Empire Properties for convenience to represent the said owners collectively in completion of this transaction, the said owners (excluding land owners who have executed supplementary agreement as stated in para 3(e) hereinabove written) jointly have executed another separate Irrevocable General Power of Attorney dated 24/9/2007, appointed Mr. Gurmukh Jangaldas Sukhwani and Mr. Rakesh Satyanarayan Agarwal who are the partners of M/s. Empire Properties, authorizing to act separately from each other as their Constituted Attorney to do all acts and things to complete the aforesaid transactions in all respects and which is also duly registered in the office of Sub Registrar Haveli No. 5, at serial no. 7964/2007 on same day.

**4. Name of the Owners and Holders of Development Rights**

**(a) Name of the Owners:** (1) Shri. Yashwant Kondiba Kate, (for self and as karta and manager of his Hindu Undivided Family), (2) Sou. Tarabai Yashwant Kate, (3) Shri. Pravin Yashwant Kate, (for self and as natural and legal guardian of Master Sidhant Pravin Kate and Ms. Shamali Pravin Kate), (4) Sou. Kiran Pravin Kate, (5) Shri. Rajesh Yashwant Kate (for self and as natural and legal guardian of Master Ayush Rajesh Kate) (6) Sou. Deepali Rajesh Kate, (7) Sou. Vijaya Babu Bankhele, (8) Smt. Jayashree Keshavrao Kate, (9) Shri. Sanjay Keshavrao Kate, (for self and as natural and legal guardian of Master Digvijay Sanjay Kate and Ms. Raksha Sanjay Kate), (10) Sou. Rupali Sanjay Kate, (11) Sou. Rajani Pravin Tupe, (12) Sou. Manjushree Baban Bhosale, (13) Sou. Sunita Ajay Gavane, (14) Sou.

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Anita Chandrakant Gundal, (15) Sou. Kaushalya Namdev Kad, (16) Sou. Baidabai alias Jayashree Rambhau Bhinde, (17) Sou. Leela alias Swati Ramesh Lomate, (18) Sou. Sushila Shantaram Garade, (19) Shri. Prakash Namdev Kate, (for self and as karta and manager of his Hindu Undivided Family), (20) Sou. Usha Prakash Kate, (21) Shri. Pritam Prakash Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Vedant Pritam Kate), (22) Sou. Yogini Pritam Kate, (23) Sou. Deepali Mahesh Kamathe, (24) Shri. Subhash Namdev Kate, (for self and as karta and manager of his Hindu Undivided Family), (25) Sou. Ujwala Subhash Kate, (26) Shri. Arun Namdev Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Pranav Arun Kate and Ms. Pranita Arun Kate) (27) Sou. Meena Arun Kate, (28) Sou. Vimal Vitthal Medankar, (29) Sou. Kamal Vilas Pate, (30) Shri. Kashinath Sayaji Kate, (For self and as karta and manager of his Hindu Undivided Family), (31) Sou. Baidabai Kashinath Kate, (32) Shri. Avinash Kashinath Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Raj Avinash Kate and Ms. Jui Avinash Kate), (33) Sou. Revati Avinash Kate, (34) Shri. Pradeep Kashinath Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Ms. Sai Pradeep Kate), (35) Sou. Vaishali Pradeep Kate, (36) Sou. Sangeeta Chandrashekhar More, (37) Shri. Umakant Sayaji Kate, (For self and as karta and manager of his Hindu Undivided Family), (38) Sou. Sushila Umakant Kate, (39) Shri. Viraj Umakant Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Ms. Saloni Veeraj Kate), (40) Sou. Savita Viraj Kate, (41) Shri. Nilesh Umakant Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Prayas Nilesh Kate and Ms. Shreya Nilesh Kate), (42) Sou. Harshada Nilesh Kate, (43) Sou. Supriya Machindra Dhavale, (44) Shri. Suresh Sayaji Kate, (For self and as karta and manager of his Hindu Undivided Family), (45) Sou. Usha Suresh Kate, (46) Shri. Amit Suresh Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Ms. Samrudhi Amit Kate), (47) Sou. Arati Amit Kate, (48) Shri. Sumit Suresh Kate, (49) Ms. Gauri Suresh Kate, (50) Sou. Kalinda alias Kalindi Laxman Dangat, (51) Sou. Sunanda Dhananjay alias Popat Choudhari, (52) Sou. Shankutala Dnyaneshwar Kashid, (53) Sou. Ratan Vitthal Aatkar, (54) Sou. Usha Sopan Lande, (55) Smt. Kusum Vasant Gaikwad, (56) Sou. Smita Prakash Dhumade, (57) Shri. Vijay Vasant Bajare, (58) Smt.

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Jeejabai Dnyanoba Kate, (59) Shri. Jaywant Dnyanoba Kate, (For self and as karta and manager of his Hindu Undivided Family), (60) Sou. Pushpa Jaywant Kate, (61) Shri. Yogesh Jaywant Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Soham Yogesh Kate and Ms. Apurva Yogesh Kate), (62) Sou. Sayali Yogesh Kate, (63) Shri. Paresh Jaywant Kate, (For self and as karta and manager of his Hindu Undivided Family), (64) Sou. Meena Paresh Kate, (65) Shri. Shailesh Jaywant Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Darshan Shailesh Kate and Master Atharva Shailesh Kate), (66) Sou. Veena Shailesh Kate, (67) Sou. Vimal Chimanrao Kate, (68) Shri. Vivek Chimanrao Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Ms. Vaishnavi Vivek Kate), (69) Sou. Vaishali Vivek Kate,, (70) Shri. Ajay Chimanrao Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Ms. Sakshi Ajay Kate and Ms. Siddhi Ajay Kate), (71) Sou. Rekha Ajay Kate, (72) Shri. Ashish Chimanrao Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Shravan Ashish Kate and Ms. Janhavi Ashish Kate), (73) Sou. Preeti Ashish Kate, (74) Shri. Chetan Chimanrao Kate, (75) Shri. Rambhau alias Ramchandra Dnyanoba Kate, (For self and as karta and manager of his Hindu Undivided Family), (76) Sou. Mandakini Rambhau Kate, (77) Shri. Deepak Rambhau Kate, (78) Ms. Archana Rambhau Kate, (79) Sou. Manisha Sachin Jagtap, (80) Sou. Varsha Mauli Karale, (81) Shri. Chandrakant Dnyanoba Kate, (For self and as karta and manager of his Hindu Undivided Family), (82) Sou. Swati Chandrakant Kate, (83) Shri. Anup Chandrakant Kate, (84) Shri. Shekhar Chandrakant Kate, (85) Sou. Prajkata Amol Bangar, (86) Shri. Vijay Dnyanoba Kate, (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Ms. Pallavi Vijay Kate), (87) Sou. Savita Vijay Kate, (88) Shri. Abhijeet Vijay Kate, (89) Shri. Laxman Nivrutti Kate, (For self and as karta and manager of his Hindu Undivided Family), (90) Sou. Alka Laxman Kate, (91) Shri. Sachin Laxman Kate (For self and as karta and manager of his Hindu Undivided Family and as natural and legal guardian of Master Nishant Sachin Kate), (92) Sou. Meghana Laxman Kate, (93) Shri. Sandeep Laxman Kate, (94) Sou. Surekha Nandkumar Murkute, (95) Shri. Gulab Nivrutti Kate, (For self and as karta and manager of his Hindu Undivided Family), (96) Sou. Suman Gulab Kate, (97) Shri. Rahul Gulab Kate, (For self and as karta and manager of his Hindu

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Undivided Family), (98) Sou. Sujata Rahul Kate, (99) Shri. Vishal Gulab Kate, (100) Sou. Vaishali Sanjay Shinde, (101) Sou. Shantabai Shivaji Tupe, (102) Sou. Sulochana Sitaram Vede, (103) Sou. Manubai Nivrutti Kate, (104) Sou. Sangeeta Maruti Potale, (105) Sou. Manjushree Kashinath Jhangale, (106) Sou. Ranjana Bhagwan alias Baban Borde and (107) Sou. Anjana Balkrishna Lokhande.

**(b) Name of the Holders of the Development Rights: M/s. Empire Properties**, a duly registered partnership firm under the provisions of the Indian Partnership Act, 1932 having its principal place of business at CTS No. 4510/1, Chinchwad, Pune 411019, PAN No. AACFE0636N, through the hands of two of its partners (1) Mr. Gurmukh Jangaldas Sukhwani and (2) Mr. Rakesh Satyanarayan Agarwal.

**5. Zone. Searches. Public Notice. Encumbrances/Litigations, and Permissions / Sanctions**

**(a) Zone:** As per revised sanctioned development plan for the Pimpri Chinchwad Corporation Areas, sanctioned as per Government Resolution No. TPS/1893/1276/CR/174/93/UD-13 dated 18/09/1995, the said land is shown within commercial zone and under 12 mtrs. wide D. P. Road.

**(b) Searches:** I have also caused searches to be carried out of the Index II registers available in the office of the Joint Sub Registrar of Assurances Haveli No. 1 to 20, Pune through my associate Mr. Arif Nadaf, Advocate for the period commencing from 1983 till date. I have been informed by Mr. Arif Nadaf, Advocate that during the course of searches no entry evidencing any encumbrances of whatsoever nature in and upon the said property has been found. It is clarified that this report is based on the searches carried out at the office of the Sub Registrar of Assurances and on the documents produced before me inter alia title deeds and revenue records for my inspection and certain information supplied to me by my clients.

**(c) Public Notices:** It is clarified that prior to the purchase of the said property by my clients through Mr. Sudhakar Kale, Advocate had published a Public Notice in Daily Sakal dated 1/4/2008 in respect of the said property and called objections from public at large

for the purpose to ascertain the marketable title of the said owners towards the said property and the right, title, interest and authorities of the said M/s. Empire Properties. I have been informed that no objections and/or claims have been received to the said public notice. It is further clarified that I have not issued any Public Notice for the issuance of this report at the instance and specific request of my clients.

**(d) Encumbrances/Litigations:** It appears that one M/s. Vijay Construction Company through its partners Shri. Dnyanoba Maruti Kate, Shri. Jaywant, Shri. Chimarrao, Shri. Ramchandra, Shri. Chandrakant and Shri. Vijay Dnyanoba Kate had obtained cash credit facility to the tune of Rs. 80,00,000/- from Citizen Cooperative Bank Limited, Pimpri and hence the charge of the said bank was duly mutated in the revenue records. It appears that the said Citizen Cooperative Bank Ltd. was amalgamated with Abhyudaya Cooperative Bank Ltd vide Order dated 30/5/2006 and 15/6/2006 of the Commissioner for Cooperation and Registrar of Cooperative Societies, M.S, Pune. It appears that under OTS scheme, the said M/s. Vijay Construction Company had duly repaid the entire loan and due amounts to the said Abhyudaya Cooperative Bank Ltd and pursuant thereto the said bank and issued the letter dated 9/2/2009 for release of its charge. Pursuant thereto the said charge of the bank was deleted from the revenue records vide mutation entry no. 13437.

**(e)** It appears that after the death of Shri. Nivrutti Maruti Kate on 9/3/2008, certain legal heirs of the said Shri. Nivrutti Maruti Kate have issued certain notices to M/s. Empire Properties and details whereof are as under (i) Notice dated 29/7/2008 issued by Ms. Jyoti Shivaji Gayake, Advocate on behalf of Smt. Sangeeta Maurti Potale inter alia the consideration payable under the Agreement dated 24/9/2007 be divided and the share out of the same be paid directly, (ii) Notice dated 29/7/2008 issued by Ms. Jyoti Shivaji Gayake, Advocate on behalf of Mrs. Manjushree Kashinath Zangle inter alia the consideration payable under the Agreement dated 24/9/2007 be divided and the share out of the same be paid directly, (iii) Notice dated 19/3/2009 issued by Mr. S. B. Pawar, Advocate on behalf of Smt. Manubai Nivrutti Kate inter alia the consideration payable under the Agreement dated 24/9/2007 be divided and the share out of the same be paid directly, (iv) Notice dated 16/1/2009 issued by Mr. P.B. Jagdale, Advocate on behalf of

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Mrs. Sangeeta Maurti Potale, Mrs. Manjushree Kashinath Zangale and Mrs. Ranjana Baban Borhade interalia the consideration payable under the Agreement dated 24/9/2007 be divided and the share out of the same be paid to them directly failing which interest at the rate of 18% shall be charged. In light of the Confirmation Deed dated 21/7/2012 which is duly registered in the office of Sub Registrar Haveli No. 17, at serial no. 7357/2012, the said notices stand withdrawn and nonest.

(f) It appears that the said Mrs. Sangeeta Maurti Potale, Mrs. Manjushree Kashinath Zangale and Mrs. Ranjana Baban Borhade had filed a Regular Civil Suit bearing No. 162/2009 before the Civil Judge Senior Division, Pimpri at Pune against Shri. Kashinath Sayaji Kate and others including M/s. Empire Properties for Partition, Possession, Declaration and Injunction. In light of the Confirmation Deed dated 21/7/2012 which is duly registered in the office of Sub Registrar Haveli No. 17, at serial no. 7357/2012, the said parties thereto including Mrs. Sangeeta Maurti Potale, Mrs. Manjushree Kashinath Zangale and Mrs. Ranjana Baban Borhade have agreed to unconditionally withdraw the said suit and hence the suit doesnot in any manner affect the development of the said property.

(g) **Permissions/Sanctions:** The Pimpri Chinchwad Municipal Corporation has sanctioned the layout and building plans in respect of the proposed building/s to be constructed on the said property and has issued the necessary Commencement Certificate bearing No. B.P/Chinchwad/16/2010 dated 18/2/2010 and Revised Commencement Certificate bearing No. B.P/Chinchwad/22/2012 dated 20/4/2012. The Collectorate, Pune vide its Order bearing No. PMA/NA/SR/764/10 dated 3/11/2010 has permitted the non agricultural use of the portion admeasuring 43826.30 square metres out of the said property.

(h) It is clarified that this report is based on the deeds and documents and information provided to me by my clients and actual searches caused to be carried out in the office of the Sub Registrar of Assurances

**6. Description of the said property**

*for*

All that pieces and parcels of land being (A) area admeasuring 00 Hector 41.79 Ares i.e. 4179 sq. mtrs. out of Survey No. 222A admeasuring area about 03 Hector 73 Ares, assessment Rs. 07.29, and Survey No. 222B admeasuring area 01 Hector 04 Ares (it should be as per calculation 01 Hector 08 Ares) i.e. 10400 sq. mtrs., assessment Rs. 01.46, total area admeasuring 01 Hector 45.79 Ares i.e. 14579 sq. mtrs. out of total area admeasuring 04 Hector 77 Ares corresponding area admeasuring 01 Hector 45.7746 i.e. 14577.46 sq. mtrs. out of City Survey No. 4746 admeasuring 47700 sq. mtrs. (B) area admeasuring 01 Hector 20.8750 Ares i.e. 12087.50 sq. mtrs. out of Survey No. 223 admeasuring area about 01 Hector 43 Ares, assessment Rs. 02.50 corresponding area admeasuring 12087.50 sq. mtrs. out of City Survey No. 4751 admeasuring 14300 sq. mtrs. and (C) area admeasuring 01 Hector 01.02 Ares i.e. 10102 sq. mtrs. out of survey No. 224A/1 admeasuring Rs. 03.50, Survey No. 224A/2 admeasuring Rs. 02.12 and 00 Hector 00.79 Ares out of Survey No. 224B admeasuring area about 00 Hector 82 Ares i.e. 8200 sq. mtrs. corresponding area admeasuring 20381 sq. mtrs. out of area admeasuring 20490.45 sq. mtrs. out of City Survey No. 4752 admeasuring 35494.09 sq. mtrs., situated at Village Chinchwad, within the Registration District Pune, Taluka Haveli, Dist Pune within the limits of Pimpri Chinchwad Municipal Corporation Pimpri and which as per 7/12 extract area under transaction total area admeasuring 04 Hector 70.4596 (it should be 04 Hector 74.4596 Ares) Ares and as per City Survey Record area under transaction area admeasuring 47045.96 sq. mtrs. (it should be 47445.96 sq. mtrs.) which is sub-divided at site into two parts as under:-

**A)** Area admeasuring 45085.19 sq. mtrs. (it should be 45485.19 sq. mtrs.) which is bounded as follows:-

- On or towards East : By Nala
- On or towards South : By boundary wall of the property  
belonging to H. Fillunger Company being  
Survey No. 227.
- On or towards West : By 45 mtrs. Wide D. P. Road out of Survey  
No. 222, 223 and 224.
- On or towards North : By boundary wall of the property  
belonging to Autocluster Project being

*PSD*

Survey No. 213.

**B)** Area admeasuring 1960.77 sq. mtrs. Which is bounded as follows:-

On or towards East : By 45 mtrs. wide road out of Survey No. 224

On or towards South : By 45 mtrs. wide road out of Survey No. 227

On or towards West : By Survey No. 225.

On or towards North : By 12 mtrs. Wide road out of Survey No. 224.

The aforesaid area includes the western portion 12 mtrs. Wide D. P. Road.

**7. Opinion**

In view and subject to what is stated above, I certify that in my opinion, the owners as stated in para 4(a) are well and sufficiently entitled to the said property as the owners thereof and have a clear and marketable title to the same and that **M/s. Empire Properties**, a duly registered partnership firm under the provisions of the Indian Partnership Act, 1932 having its principal place of business at CTS No. 4510/1, Chinchwad, Pune 411019, through the hands of two of its partners (1) Mr. Gurmukh Jangaldas Sukhwani and (2) Mr. Rakesh Satyanarayan Agarwal have an exclusive right to develop the said property and to sell and/or dispose the units/tenements in the building/s in the complex to be known as "Empire Square" to be constructed thereon to any intending purchasers.

Dated this 4<sup>th</sup> day of August, 2012.

**Prasanna S Darade**

Advocate

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**सादरकर्ता**

