

Date : 13.9.2014

Ref : An area admeasuring 89.33
Ares from and out of Gat No.1102
totally admeasuring 3 Hectares 67
Ares from Village Wagholi,
Taluka Haveli, District Pune.

- 1) Smt. Jijabai Tukaram Kale
- 2) Shri Balasaheb Tukaram Kale
- 3) Sou. Kamal Balasaheb Kale
- 4) Shri Ganesh Balasaheb Kale
- 5) Shri Dattatray Tukaram Kale
- 6) Sou. Satybhama Dattatray Kale
- 7) Ku. Priyanka Dattatray Kale
- 8) Sou. Deepali Prashant Shinde
- 9) Master Rahul Dattatraya Kale
- 10) Shri Bajirao Tukaram Kale
- 11) Smt. Chanda Bajirao Kale
- 12) Shri Rohit Bajirao Kale
- 13) Shri Amit Bajirao Kale

VENDORS

Ms/ Shivsagar Promoters & Developers
DEVELOPER

SEARCH & TITLE REPORT

AS TO THE TITLE OF VENDORS & DEVELOPERS, IN RESPECT OF
THE ABOVE SAID PROPERTY.

- 1) Description of the property : A piece or parcel of land admeasuring 0
Hectare 89.33 Ares from and out of land bearing Gat No.1102 (new),
corresponding to old Gat No.1608, which totally aggregates or
admeasures 3 Hectares 67 Ares and the same is bounded as under :

On or towards the EAST	:	By Gat No.1102 (remaining part)
On or towards the SOUTH	:	By Gat No.1103
On or towards the WEST	:	By Gat No.1102 (part)



On or towards the NORTH : By Kesnand Road

- 2) Heirs of Mr. Maruti Baban Kale, heirs of Tukaram Kale and Uttam Babu Kale, together with his two sons have executed a Partition Deed on 23rd August, 2007 whereunder they have accorded that between themselves, they have done oral partition, in respect of immovable properties and, in pursuance of the same, are reducing into writing the Partition Deed dated 23rd August, 2007. By perusing the said Partition Deed, it is seen that Gat No.1102 totally admeasuring 3 Hectares 67 Ares at Village Wagholi was partitioned in three equal portions of 1 Hectare 22.33 Ares each and out of them, one portion came to each of the 3 families. The heirs of Tukaram, viz., Smt. Jijabai, Balasaheb, Dattatraya Bajirao were allotted one share admeasuring 1 Hectare 22.33 Ares from Gat No.1102. However, the same was allotted in 2 different pieces and parcels of land one admeasuring 89.33 Ares and the other admeasuring 33 Ares. The larger portion of the same is the subject matter of this report.
- 3) It is further seen that the effect of the said partition has given in the revenue record by Mutation Entry bearing No.4926 and the names of Balasaheb Tukaram Kale and three others were duly mutated in respect of their share allotted in the partition. Moreover, they were already in possession of the said lands as is recorded in the partition and, as such, acquired absolute right, title or interest, in respect of the aforesaid two particular portions of land from Gat No.1102.

Smt. Jijabai is the widow of Tukaram. Balasaheb is the son. Kamal is the wife of Balasaheb. Ganesh is the son of Balasaheb. Satyabhama is the wife of Dattatraya, Priyanka, Deepali are the daughters and Rahul is the son of Dattatraya. Chanda is the wife of Bajirao and Rahul and Amit are his sons.
- 4) By Development Agreement dated 30th June, 2011, Smt. Jijabai Tukaram Kale and heirs 3 sons, viz., Balasaheb, Dattatray and Bajirao with the consent of their wives and children, granted rights to develop in respect of portion admeasuring 40.62 Ares, i.e., 4062 sq.mtrs. from larger portion of Gat No.1102, Wagholi, admeasuring 89.33 Ares in favour of M/s Shivsagar Promoters & Developers. The said Development Agreement is registered in the Office of Sub-Registrar Haveli No.1 at Serial No.5916. Moreover, correspondingly they have

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also executed a Power of Attorney, which is also registered in the office of Sub-Registrar of Haveli No.1 at Serial No.5917.

The Development Agreement dated 13th September, 2012, which is registered in the office of Sub-Registrar Haveli No.10 at Serial No.11547 and consequent Power of Attorney also registered in the said office at Serial No.11548, Smt. Jijabai, Balasaheb, Dattatraya Bajirao further granted development rights in respect of the balance area admeasuring 48.71 Ares from 89.33 Ares and the entire smaller portion of the land allotted to them in partition admeasuring 33 Ares from Gat No.1102, Wagholi also in favour of M/s Shivsagar Promoters & Developers. By perusing the said two Development Agreements, it is seen that Shivsagar Promoters & Developers have acquired rights to develop and sell the tenements in terms of the Agreement, in respect of the entire holding of Balasaheb Tukaram Kale in Gat No.1102 Wagholi admeasuring 1 Hectare 22.33 Ares.

It is further seen that for both the aforesaid two Development Agreements, the immediate family members of Dattatraya Tukaram Kale had not joined themselves. Therefore, they have executed a Supplementary Development Agreement on 15th October, 2012 together with the consequent Power of Attorney both of which are registered in the Office of Sub-Registrar Haveli No.10 at Serial No.11688 and 11689 whereunder they have confirmed that by the aforesaid two Development Agreements, Dattatraya Tukaram had granted right to develop the entire family holding and they confirmed the same.

- 5) Consequent to which, M/s Shivsagar Promoters & Developers have acquired absolute right, title or interest to develop in respect of an area admeasuring 1 Hectare 22.33 Ares from Gat No.1102, Wagholi.
- 6) M/s Shivsagar Promoters & Developers intended to develop the said lands in phase-wise manner and in the 1st phase, have decided to develop larger portion admeasuring 89.33 Ares. I have been informed that, accordingly an application was moved with the Collector, Pune and Assistant Director Town Planning for obtaining permission for non-agricultural usage and also for getting the sanction for constructing multiple buildings over the area admeasuring 89.33 Ares. In pursuance of the said application, the Collector has granted N.A. permission on 16th August, 2014, in respect of 89.33 Ares with the

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approval and recommendation of Assistant Director of Town Planning for various commercial and residential buildings.

- 7) By going through the N.A. order, it is seen that by excluding the area under the roads, the Collector has granted N.A. permission for 7540 sq.mtrs. out of which, 6183.07 is for residential usage and 1381.33 is for commercial usage by constructing multi-storied buildings thereat in terms of the plan which are recommended by the Assistant Director, Town Planning.
- 8) I have also deputed Advocate Nilesh Dagade to take search in the office of Sub-Registrar of Assurances. As per is report, he has not come across any entry adverse to the title of the aforesaid property.
- 9) DOCUMENTS : I have inspected all the concerned records of the said property, viz.,
 - a) 7/12 Extract of Gat No.1102
 - b) Mutation Entry bearing No.4926
 - c) N.A. Order dated 16th August, 20124 passed by the Collector, Pune, in respect of land bearing Gat No.1102, Wagholi
 - d) Copy of partition deed dated 23.8.2007 executed between Shri Ramdas Maruti Kale and others registered with the office of Sub-Registrar Haveli No.7 at Serial No.6404/2007.
 - e) Development Agreement dated 30.6.2011 executed by the Vendors in favour of M/s Shivsagar Promoters & Developers registered with the Office of Sub-Registrar of Haveli No.1 at Serial No.5916/2011.
 - f) Power of Attorney dated 30.6.2011 registered with the Office of Sub-Registrar of Haveli No.1 at Serial No.5917/2011.
 - g) Development Agreement by Smt. Jijabai Tukaram Kale and others in favour of M/s Shivsagar Promoters and Developers registered with the office of Sub-Registrar of Haveli No.10 at Serial No.11547
 - h) Power of Attorney by Smt. Jijabai Tukaram Kale and others in favour of M/s Shivsagar Promoters and Developers registered with the office of Sub-Registrar of Haveli No.10 at Serial No.11548
 - i) Supplementary Agreement dated 15th October, 2012 executed by Sou. Dipali Prasad Shinde and others in favour of M/s Shivsagar Promoters & Developers registered at Serial No.11687 with Haveli No.10.

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- j) Power of Attorney dated 15th October, 2012 executed by Sou. Dipali Prasad Shinde and others in favour of M/s Shivsagar Promoters & Developers registered at Serial No.11688 with Haveli No.10.
 - k) Building plan sanctioned by the Collector, Pune dated 16.8.2014 with the approval of the Assistant Director of Town Planning and recommendation.
- 10) **ASSESSMENT** : Non-agricultural assessment is required to be paid to the State of Maharashtra every year.
- 11) **ACQUISITION AND REQUISITION** : By perusing all the papers, it is seen that the said lands are neither reserved nor designated under the Regional Plan for any public or allied purpose.

In my opinion, M/s Shivsagar Promoters and Developers have acquired development rights, in respect of an area admeasuring 1 Hectare 22.33 Ares from Gat No.1102, Wagholi from the Vendors. Moreover, as permitted by the order dated 16th August, 2014 passed by the Collector, Pune, granting non-agricultural permission and sanction accorded by the Assistant Director of Town Planning, Pune, M/s Shivsagar Promoters & Developers are entitled to develop an area admeasuring 89.33 Ares from Gat No.1102, Wagholi, Taluka Haveli, District Pune.


(AJAY GADEGAONKAR)
ADVOCATE

NILESH DAGADE

Advocate

1206/B-23, Shivajinagar,

Pune – 411 004

Tele. 25521177, 25521277

Ref : An area admeasuring 89.33 Ares from and out of Gat No.1102 totally admeasuring 3 Hectares 67 Ares from Village Wagholi, Taluka Haveli, District Pune owned by Smt. Jijabai Tukaram Kale and 12 others.

Ms/ Shivsagar Promoters & Developers
DEVELOPER

To,

Shri. Ajay Gadegaonkar,
Advocate

6, Saraswati Sadan,
1206/B-13, Shivajinagar
Pune – 411004.

SEARCH REPORT

Sir,

As per your instructions, I have taken search of the captioned property for the years 1985 to 2014 in the office of Sub-Registrar Maval, as well as the Computer search available in the Central Search Room situated at Joint District Registrar, Pune – 411 001. I have also taken a search in the official website of [grm.maharashtra.gov.in.](http://grm.maharashtra.gov.in), i.e., online search. The prescribed fee for the search is paid in the office of Sub- Registrar Haveli No. 10 by dated 28/08/2014. During the search my finds are as under-



- 1) I have carried a search manually in the offices of Sub-Registrar Haveli No I, II, X, XI and XX for the years 1985 to 2014 from the available index registers kept with the offices of sub- Registrar. However, during my search, I have not found any adverse entry in respect of the title of Owner as well as Developer of captioned property.
- 2) I have also taken a computer search in the Central Search Room situated in Joint District Building, Pune- 411 001 for the years 1985 to 2014. However, I have not found any adverse entry in respect of the captioned property.
- 3) Thereafter, I have visited the site of igrmaharashtra.gov.in which has provided an online search. However, I have not found any adverse entry in respect of the said property.

In the light of the above narration, I am issuing this Search Report, subject to availability of the records and information reported by the concern office clerk .

Pune,

Dated: 9/09/2014


NILESH DAGADE
ADVOCATE

Encl. –

Search receipt dated 28/08/2014.

Date : 20.5.2015

Ref : An area admeasuring 89.33 Ares
from and out of Gat No.1102
totally admeasuring 3 Hectares
67 Ares from Village Wagholi,
Taluka Haveli, District Pune.

- 1) Smt. Jijabai Tukaram Kale
- 2) Shri Balasaheb Tukaram Kale
- 3) Sou. Kamal Balasaheb Kale
- 4) Shri Ganesh Balasaheb Kale
- 5) Shri Dattatray Tukaram Kale
- 6) Sou. Satybhama Dattatray Kale
- 7) Ku. Priyanka Dattatray Kale
- 8) Sou. Deepali Prashant Shinde
- 9) Master Rahul Dattatraya Kale
- 10) Shri Bajirao Tukaram Kale
- 11) Smt. Chanda Bajirao Kale
- 12) Shri Rohit Bajirao Kale
- 13) Shri Amit Bajirao Kale

VENDORS

Ms/ Shivsagar Promoters & Developers
DEVELOPER

SUPPLEMENTARY SEARCH & TITLE REPORT

AS TO THE TITLE OF VENDORS & DEVELOPERS, IN RESPECT OF
THE ABOVE SAID PROPERTY.

- 1) By Search & Title Report dated 13th September, 2014, I have opined that M/s Shivsagar Promoters & Developers have acquired development rights in respect of an area admeasuring 1 Hectare 22.33 Ares from Gat No.1102, Wagholi, Pune from Smt. Jijabai Tukaram, Kale and others. By the said Search & Title report, I have also opined that M/s Shivsagar Promoters and Developers are entitled to develop

Ajay GadeGaonkar

an area admeasuring 89.33 Ares from Gat No.1102, Wagholi, Taluka Haveli, District Pune, as permitted by order dated 16th August, 2014 by the Collector, Pune. However, by letter dated 11.5.2015, you have asked me to issue Supplementary Search & Title Report, in respect of the said property. Therefore, as per your request, I am issuing this Supplementary Search & Title Report in continuation with the earlier Report dated 13th September, 2014.

- 2) Title : Land bearing Survey No.194 Hissa No.2/2, Wagholi, Taluka Haveli, District Pune, was originally seized, owned and possessed by Shri Baburao Shripati Kale. Said Shri Baburao Shripati Kale expired on 27th January, 1944 leaving behind 3 sons, viz., (1) Maruti, (2) Tukaram, (3) Uttam and two daughters, viz., Housabai Yashwant Satav and Shantabai Laxman Kand and widow, viz., Smt. Gangubai. After the death of Shri Baburao Shripati Kale, the name of Shri Maruti and Tukaram were mutated or recorded on the 7/12 extract as the owner in respect of the land bearing Survey No.194, Hissa No.2/2. In the year, 1974 or thereabout, a consolidation scheme conducted by the revenue authority, whereunder the land bearing S. No.194, Hissa No.2/2 was converted into Gat No.1608. However, Shri Tukaram Baburao Kale expired on 29th October, 1988 leaving behind widow, viz., Jijabai and three sons, viz., Balasaheb, Dattatraya and Bajirao. Accordingly, a Mutation Entry bearing No.1959 was prepared by the revenue authorities and the same was confirmed by the Circle Officer, Wagholi on 26th March, 1990.

In the year, 1991, Shri Uttam Baburao Kale submitted application to the revenue authorities for recording the names of all the legal heirs of of Shri Baburao Shripati Kale. Accordingly, a Mutation Entry bearing No.2436 was prepared by the revenue authorities. However, by an order dated 7th December, 1993 by the Sub-Divisional Officer, Haveli in R.T.S. Appeal No.5/1992, the Mutation Entry bearing No.2436 was set side and cancelled. By the said order, the Tehsildar observed that said Shri Baburao Shripati Kale expired in the year, 1944, i.e., much prior to the commencement of Hindu Succession Act, 1956, therefore, the names of the daughters of Baburao Shripati Kale should not have been recorded on the 7/12 extract. Thereafter a Mutation Entry No.4308 was confirmed on 27th February, 1996,

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whereunder, the names of sons of late Baburao Shripati Kale, viz., Maruti, heirs of deceased son Tukaram and third son Uttam were alone recorded by deleting all other names as the absolute owners of Gat No.1608, Wagholi. The Gat No.1608 was further given new number as 1102. Thereafter, Shri Maruti Baburao Kale also expired on 4th June, 2005 leaving behind 2 sons, viz., Ramdas and Rohidas, two daughters, viz., Sharada and Kusum and widow Tarabai. Accordingly, by Mutation Entry bearing No.2894, the names of all the legal heirs of Shri Maruti Dattatraya Kale were mutated or recorded on the 7/12 extract in respect of Gat No.1102. Thus, the heirs of Shri Maruti Babu Kale, heirs of Tukaram Babu Kale and Uttam Kale became the absolute owners in respect of Gat No.1102, Wagholi.

- 3) In the year, 2007, the heirs of Mr. Maruti Baban Kale, heirs of Tukaram Kale and Uttam Babu Kale, together with his two sons have executed a Partition Deed on 23rd August, 2007 whereunder they have reduced into writing an oral partition. By perusing the said Partition Deed, it is seen that Gat No.1102 totally admeasuring 3 Hectares 67 Ares at Village Wagholi was partitioned in three equal portions of 1 Hectare 22.33 Ares each and out of them, one portion came to each of the 3 families. The heirs of Tukaram, viz., Smt. Jijabai, Balasaheb, Dattatraya Bajirao were allotted one share admeasuring 1 Hectare 22.33 Ares from Gat No.1102. However, the same was allotted in 2 different pieces and parcels of land one admeasuring 89.33 Ares and the other admeasuring 33 Ares. The larger portion of the same is the subject matter of this report.
- 4) It is further seen that the effect of the said partition has given in the revenue record by Mutation Entry bearing No.4926 and the names of Balasaheb Tukaram Kale and three others were duly mutated in respect of their share allotted in the partition. Moreover, they were already in possession of the said lands as is recorded in the partition and, as such, acquired absolute right, title or interest in respect of the aforesaid two particular portions of land from Gat No.1102.

Smt. Jijabai is the widow of Tukaram. Balasaheb is the son. Kamal is the wife of Balasaheb. Ganesh is the son of Balasaheb. Satyabhama is the wife of Dattatraya, Priyanka, Deepali are the daughters and

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Rahul is the son of Dattatraya. Chanda is the wife of Bajirao and Rahul and Amit are his sons.

- 5) By Development Agreement dated 30th June, 2011, Smt. Jijabai Tukaram Kale and heirs 3 sons, viz., Balasaheb, Dattatray and Bajirao with the consent of their wives and children, granted rights to develop in respect of portion admeasuring 40.62 Ares, 4062 sq.mtrs. from larger portion of Gat No.1102, Wagholi, admeasuring 89.33 Ares in favour of M/s Shivsagar Promoters & Developers. The said Development Agreement is registered in the Office of Sub-Registrar Haveli No.1 at Serial No.5916. Moreover, correspondingly they have also executed a Power of Attorney, which is also registered in the office of Sub-Registrar of Haveli No.1 at Serial No.5917.

The Development Agreement dated 13th September 2012, which is registered in the office of Sub-Registrar Haveli No.10 at Serial No.11547 and consequent Power of Attorney also registered in the said office at Serial No.11548, Smt. Jijabai, Balasaheb, Dattatraya Bajirao further granted development rights in respect of the balance area admeasuring 48.71 Ares from 89.33 Ares and the entire smaller portion of land allotted to them in partition admeasuring 33 Ares from Gat No.1102, Wagholi also in favour of M/s Shivsagar Promoters & Developers. By perusing the said two Development Agreements, it is seen that Shivsagar Promoters and Developers have acquired rights to develop and sell the tenements in terms of the Agreement, in respect of the entire holding of Balasaheb Tukaram Kale in Gat No.1102 Wagholi admeasuring 1 Hectare 22.33 Ares.

It is further seen that for both the aforesaid two Development Agreements, the immediate family members of Dattatraya Tukaram Kale had not joined themselves. Therefore, they have executed a Supplementary Development Agreement on 15th October, 2012 together with the consequent Power of Attorney both of which are registered in the Office of the Sub-Registrar Haveli No.10 at Serial No.11688 and 11689 whereunder they have confirmed that by the aforesaid two Development Agreements, Dattatraya Tukaram had granted right to develop the entire family holding and they confirmed the same.

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- 6) Consequent to which, M/s Shivsagar Promoters & Developers have acquired absolute right, title or interest to develop in respect to an area admeasuring 1 Hectare 22.33 Ares from Gat No.1102, Wagholi.
- 7) M/s Shivsagar Promoters & Developers intended to develop the said lands in phase-wise manner and in the 1st phase, have decided to develop larger portion admeasuring 89.33 Ares. I have been informed that, accordingly an application was moved with te Collector, Pune and Assistant Director Town Planning for obtaining permission for non-agricultural usage and also for getting the sanction for constructing multiple buildings over the area admeasuring 89.33 Ares. In pursuance of the said application, the Collector has granted N.A. permission on 16th August, 2014, in respect of 89.33 Ares with the approval and recommendation of Assistant Director of Town Planning for various commercial and residential buildings.
- 8) By going through the N.A. order, it is seen that by excluding the area under the roads, the Collector has granted N.A. permission for 7540 sq.mtrs. Out of which 6183.07 is for residential usage and 1381.33 is for commercial usage by constructing multi-storied buildings thereat in terms of the plans which are recommended by the Assistant Director, Town Planning.
- 9) I have also deputed Advocate Nilesh Dagade to take search in the office of Sub-Registrar of Assurances. As per his report, he has not come across any entry adverse to the title of the aforesaid property.
- 10) Documents :
 - a) 7/12 Extract of Gat No.1102
 - b) Mutation Entry bearing No.4926
 - c) N.A. Order dated 16th August, 20124 passed by the Collector, Pune, in respect of land bearing Gat No.1102, Wagholi
 - d) Copy of partition deed dated 23.8.2007 executed between Shri Ramdas Maruti Kale and others registered with the office of Sub-Registrar Haveli No.7 at Serial No.6404/2007.

Shivsagar

- e) Development Agreement dated 30.6.2011 executed by the Vendors in favour of M/s Shivsagar Promoters & Developers registered with the Office of Sub-Registrar of Haveli No.1 at Serial No.5916/2011.
 - f) Power of Attorney dated 30.6.2011 registered with the Office of Sub-Registrar of Haveli No.1 at Serial No.5917/2011.
 - g) Development Agreement by Smt. Jijabai Tukaram Kale and others in favour of M/s Shivsagar Promoters and Developers registered with the office of Sub-Registrar of Haveli No.10 at Serial No.11547
 - h) Power of Attorney by Smt. Jijabai Tukaram Kale and others in favour of M/s Shivsagar Promoters and Developers registered with the office of Sub-Registrar of Haveli No.10 at Serial No.11548
 - i) Supplementary Agreement dated 15th October, 2012 executed by Sou. Dipali Prasad Shinde and others in favour of M/s Shivsagar Promoters & Developers registered at Serial No.11687 with Haveli No.10.
 - j) Power of Attorney dated 15th October, 2012 executed by Sou. Dipali Prasad Shinde and others in favour of M/s Shivsagar Promoters & Developers registered at Serial No.11688 with Haveli No.10.
 - k) Building plan sanctioned by the Collector, Pune dated 16.8.2014 with the approval of the Assistant Director of Town Planning and recommendation.
 - l) 7/12 Extract of land bearing Survey No.194 Hissa No.2/2 for the period from 1943 to 1974
 - m) 7/12 extract of land bearing Survey No.1608 for the period from 1974 to 1991
 - n) 7/12 extract of land bearing Gat No.1102 for the period from 1991 to 2015
 - o) Mutation Entry bearing No.1949
 - p) Mutation Entry bearing No.2436
 - q) Mutation Entry bearing No.2894
 - r) Search & Title Report dated 13th September, 2014.
- 11) **ASSESSMENT** : Non-agricultural assessment is required to be paid to the State of Maharashtra every year.

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- 12) ACQUISITION AND REQUISITION : By perusing all the papers, it is seen that the said lands are neither reserved nor designated under the Regional Plan for any public or allied purpose.

In my opinion, M/s Shivsagar Promoters and Developers have acquired development rights, in respect of an area admeasuring 1 Hectare 22.33 Ares from Gat No.1102, Wagholi from the Vendors. Moreover, as permitted by the order dated 16th August, 2014 passed by the Collector, Pune, granting non-agricultural permission and sanction accorded by the Assistant Director of Town Planning, Pune, M/s Shivsagar Promoters & Developers are entitled to develop initially an area admeasuring 89.33 Ares from Gat No.1102, Wagholi, Taluka Haveli, District Pune.


(AJAY GADEGAONKAR)
ADVOCATE

AJAY GADEGAONKAR

B.Sl., LL.B., Advocate

6, 'Saraswati Sadan'
1206/B-13, Shivajinagar,
Pune - 411 004.
Tel: +91-20-25530012

Date : 30.4.2018

Ref : An area admeasuring 89.33 Ares
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67 Ares from Village Wagholi,
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- 1) Smt. Jijabai Tukaram Kale
 - 2) Shri Balasaheb Tukaram Kale
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- VENDORS

Ms/ Shivsagar Promoters & Developers
DEVELOPER

SUPPLEMENTARY SEARCH & TITLE REPORT

AS TO THE TITLE OF VENDORS & DEVELOPERS, IN RESPECT OF
THE ABOVE SAID PROPERTY.

- 1) By Search & Title Report dated 13th September, 2014, I have opined that M/s Shivsagar Promoters & Developers have acquired development rights in respect of an area admeasuring 1 Hectare 22.33 Ares from Gat No.1102, Wagholi, Pune from Smt. Jijabai Tukaram, Kale and others. By the said Search & Title report, I have also opined that M/s Shivsagar Promoters and Developers are entitled to develop



an area admeasuring 89.33 Ares from Gat No.1102, Wagholi, Taluka Haveli, District Pune, as permitted by order dated 16th August, 2014 by the Collector, Pune in phasewise manner. Thereafter, at the request of the Developer, I had issued Supplementary Search & Title Report on 20th May, 2015, in continuation with earlier report.

- 2) By letter dated 20th April, 2018, Shivsagar Promoters & Developers further requested me to issue Supplementary Search & title Report in respect of the said property. By the said letter, the Developer also informed me that after issuance of the said Supplementary Search & title Report, they have completed the construction of the Wing A, Commercial Building and the Amenity building over the said property in all respect as per the plans and drawings sanctioned by the Collector, Pune and Town Planning Department and the PMRDA has issued completion certificate on 3rd November 2016 to that effect. The Developer has also informed me that they have decided to construct Wing B over the said property. Moreover, they have also informed that they have submitted the revised building plans with PMRDA for approval and sanction for the construction of Wing B. It has been also informed that PMRDA has granted permission and approved the building plans vide Commencement Certificate dated 17th April, 2018. Along with the said letter, the Developer also provided me the copy of the Completion Certificate, revised Commencement Certificate and the building plans sanctioned and approved by the PMRDA. The Developer has also informed that the Developer has started the procedure for getting the said project registered with the MAHA RERA.
- 3) I have gone through the documents provided by the Developer. From the said document, it is clear that the Developer had submitted revised building plans with the PMRDA for the construction of Wing B and the PMRDA has sanctioned the same by Commencement Certificate dated 17th April, 2018. The DEVELOPER is perfectly entitled to develop and construct the Wing B over the said property in accordance with the plans sanctioned by the PMRDA. However, the Developer shall require to get the said project registered with MAHA RERA. The Developer shall further be entitled to sell the tenements from the Wing B being constructed on the said property, viz., Wing B, as per the Development Agreement executed by the Vendors to the prospective purchasers.



- 4) Documents : I have inspected following documents :
- 7/12 Extract of Gat No.1102
 - Building plan sanctioned by the PMRDA dated 17th April, 2018.
 - Commencement Certificate dated 17th April, 2018
 - Completion Certificate dated 3rd November 2016
 - Receipt dated 25.4.2018 issued by the Sub-Registrar of Haveli.
- 5) Search : I have also deputed Advocate Nilesh Dagade to take search in the office of Sub-Registrar of Assurance. Accordingly, he has taken search with the office of Sub-Registrar from 2015 to today by paying necessary charges, vide Receipt No.MH000880987201819E dated 25.4.2018. However, he has not come across any adverse entry in the search, in respect of the title of the Vendors and the Developer of the aforesaid property.

Considering the aforesaid fact and in continuation of my earlier Search Report dated 13.9.2014, Supplementary Search & Title Report dated 20.5.2015, I hereby opine that the Vendors have absolute clean, clear and marketable title, in respect of the captioned property. Moreover, as per Development Agreement, M/s Shivsagar Promoters & Developers have every legal right not only to develop the entire captioned property and also sell all the tenements to the prospective purchaser, as shall be developed by them in accordance with Building Plans approved and sanctioned by PMRDA by registering the said project with MAHA RERA.


 (AJAY GADEGAONKAR)
 ADVOCATE

