

P. M. KHIRE
B.Sc. (Hons.) L.L.B.
Advocate

"SAKET"
44/54, Navsahyadri Society,
Parijat Lane, Karvenagar,
Pune - 411 052
Tel. : 25420579 / 25462224
Email : pmkhire@gmail.com

Date : 20.03.2015

TITLE OPINION

To:
M/s Sanraj Realty,
D Building, Siddheshwarnagar,
Vishrantwadi, Pune 411 015.

Sub.: Title Opinion in respect of properties bearing
S.Nos.35/1 (part),35/9A/1/1 and 35/9B, Mouje
Yeolewadi, Taluka Haveli, District Pune.

Sirs,

I have investigated title to the above said properties and I have
to state in my opinion as follows:--

1. LIST OF DOCUMENTS GIVEN FOR MY PERUSAL :

- a) S.No.35/1 -
- i. Copies of 7/12 extracts
 - ii. Copies of relevant mutation entries
 - iii. Copy of Power of Attorney Cancellation Deed dated 06.06.2002
by Shri Ganesh Vasantrao Kamathe in favour of Shri Sopan
Laxman Kamathe and others, registered at the Office of the Sub-
Registrar Haveli 12 at Serial No 2731/2002.
 - iv. Copy of Release Deed dated 28.02.2003 by Savitra Dinkar
Ghate and another in favour of Shri. Madhukar Laxman Kamathe
and others, registered at the Office of Sub-Registrar Haveli-12
at Serial No.1090/2003



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- v. Copy of Sale Deed dated 12.07.2004 by Smt. Shama Abdul Pansare in favour of Shri Jitendra Vijay Sharma, registered at the Office of the Sub Registrar Haveli 12 at Serial No.2764/2004
- vi. Copy of Release Deed dated 22.03.2007 by Sou. Krishnabai Rohidas Ghule and another in favour of Shri. Pandurang Sopan Kamathe, registered at the Office of Sub-Registrar Haveli-2 at Serial No. 2150/2007
- vii. Copy of Development of Agreement dated 17.08.2007 by Shri. Ramachandra alias Chandrakant Laxman Kamathe and others in favour of Shri. Pramod Babanrao Misal, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 7431/2007.
- viii. Copy of Power of Attorney dated 17.08.2007 by Shri. Ramachandra alias Chandrakant Laxman Kamathe and others in favour of Shri. Pramod Babanrao Misal, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 7432/2007.
- ix. Copy of Release Deed by Mrs. Nasim Shaikhali Mulani and others in favour of Babulal Imambhai Pansare & others, registered at the Office of the Sub-Registrar Haveli-20 at Serial No.6491/2008
- x. Copy of Sale Deed dated 29.06.2011 by Shri. Pramod Babanrao Misal in favour of Shri. Jayant Vasant Jawalekar, registered at the Office of Sub-Registrar Haveli-9 at Serial No. 5168/2011.
- xi. Copy of Correction Deed dated 30.06.2011 by Shri. Ramachandra alias Chandrakant Laxman Kamathe and others in favour of Shri. Jayant Vasant Jawalekar, registered at the Office of Sub-Registrar Haveli-9 at Serial No. 5187/2011.
- xii. Copy of Sale Deed dated 30.06.2011 by Shri. Ramachandra alias Chandrakant Laxman Kamathe and others in favour of Shri. Jayant Vasant Jawalekar, registered at the Office of Sub-Registrar Haveli-9 at Serial No. 5188/2011.
- xiii. Copy of Sale Deed dated 30.06.2011 by Shri. Pramod Babanrao Misal in favour of Shri. Jayant Vasant Jawalekar, registered at the Office of Sub-Registrar Haveli-9 at Serial No. 5189/2011



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- xiv. Copy of Sale Deed dated 27.12.2011 by Shri. Jayant Vasant Jawalekar in favour of M/s. Sunraj Realty, registered at the Office of Sub-Registrar Haveli-8 at Serial No. 13427/2011.
 - xv. Copy of Confirmation Deed/Agreement dated 22.03.2012 by Shri. Ramachandra alias Chandrakant Laxman Kamathe and others in favour of M/s. Sunraj Realty, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 2035/2012.
 - xvi. Copy of Affidavit dated 14.08.2013 of Shri Ramachandra alias Chandrakant Laxman Kamathe
 - xvii. Copy of Affidavit dated 14.08.2013 of Shri Madhukar Laxman Kamathe
 - xviii. Copy of Affidavit dated 14.08.2013 of Shri Hiranman Laxman Kamathe
 - xix. Copy of Declaration dated 31.12.2013 by Nasim Shekhlal Mulani and others, registered at the Office of Sub-Registrar Haveli-8 at Serial No. 10808/2013.
- b) S.No.35/9A/1/1 and S. No.35/9B -
- i. Copy of Sale Deed dated 17.07.1989 by Smt. Roshanbi Kasam Inamdar and others in favour of Smt. Yasmin Sadik Sheikh and another, registered at the Office of Sub-Registrar Haveli No. 1 at Serial No. 11768/1989
 - ii. Copy of Sale Deed dated 22.02.2011 by Yasmin Sadik Sheikh and another in favour of Shri. Shakil Babulal Pansare and others, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 1506/2011
 - iii. Copy of Power of Attorney dated 21.02.2011 by Yasmin Sadik Sheikh and another in favour of Shri. Shakil Babulal Pansare and others, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 1507/2011
 - iv. Copy of Confirmation Deed dated 06.07.2012 by Shri. Amjad Yunus Khan and others in favour of Shri. Shakil Babulal Pansare and others, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 4774/2012



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- v. Copy of Power of Attorney dated 06.07.2012 by Shri. Amjad Yunus Khan and others in favour of Shri. Shakil Babulal Pansare, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 4775/2012.
- vi. Copy of Power of Attorney dated 06.07.2012 by Shri. Amjad Yunus Khan and others in favour of Shri. Shakil Babulal Pansare, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 4776/2012.
- vii. Copy of Sale Deed dated 24.07.2012 by Shri. Shakil Babulal Pansare and another in favour of Shri. Sanjay Sharadanand Tyagi and another, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 5275/2012.
- viii. Copy of Sale Deed dated 24.07.2012 by Shri. Pheroz Amir Pansare and others in favour of Shri. Sanjay Sharadanand Tyagi and another, registered at the Office of Sub-Registrar Haveli-12 at Serial No. 5276/2012.
- ix. Copy of Confirmation Deed dated 22.01.2013 by Hussein Abdul Pansare and others in favour of M/s. Sunraj Realty, registered at the Office of Sub-Registrar Haveli-8 at Serial No. 825/2013.
- x. Copy of Sale Deed dated 07.02.2013 by Shri. Sanjay Sharadanand Tyagi and another in favour of M/s. Sunraj Realty, registered at the Office of Sub-Registrar Haveli-20 at Serial No. 752/2013.
- xi. Copy of Correction Deed dated 30.03.2013 by Shri. Sanjay Sharadanand Tyagi and another in favour of M/s. Sunraj Realty, registered at the Office of Sub-Registrar Haveli-6 at Serial No. 4384/2013.
- xii. Copy of Declaration, Confirmation Deed/Indemnity Bond dated 23.07.2013 by Ashafa Saniyab Sayyad and Pharjeen Ismail Inamdar, registered at the Office of Sub Registrar Haveli-12 at Serial No. 6267/2013.
- xiii. Copy of Declaration, Confirmation Deed/Indemnity Bond dated 23.07.2013 by Smt. Khatunbi Amin Khan and others in favour of



- Shri. Shakil Baburao Pansare and others, registered at the Office of Sub Registrar Haveli-12 at Serial No. 6269/2013.
- xiv. Copy of Consent/Confirmation Deed dated 09.10.2012 by Raziya Yakub Sayyad, registered at the Office of Sub Registrar Haveli-12 at Serial No. 7822/2012
- xv. Copy of Declaration/Consent Deed dated 23.07.2013 by Shri. Mohammad Hanif Sikandar Pathan and others, registered at the Office of Sub Registrar Haveli-12 at Serial No. 6561/2013
- c] Copy of Zone Certificate 09.02.2012.
- d] Copies of Public Notices by Advocate Shri. Altaf Sakkarge in daily Prabhat and Indian Express dated 27.07.2013 and letter dated 16.08.2013 of Shri. Altaf Sakkarge, Advocate.
- e] Copy of Correction Deed dated 28.10.2013 by Smt. Shama Abdul Pansare in favour of Shri. Jitendra Vijay Sharma and another, registered at the Office of Sub Registrar Haveli-8 at Sr No. 8861/2013
- f] Copy of Search Report dated 20.08.2013, 27.06.2014 and 20.03.2015
- g] Copy of Title Opinion dated 29.03.2014 and 03.07.2014
- h] Copy of sanctioned plan
- i] Copy of N.A. Order bearing No. PMH/NA/SR/75/13 dated 18.12.2013
- j] Letter dated 02.03.2015 of M/s Sanraj Realty

2. DESCRIPTION OF PROPERTY :

All those pieces and parcels of land and ground totally admeasuring an area of 01 Hectar 20 Are comprising a portion admeasuring 80 Are from and out of the entire land bearing S.No.35/1 admeasuring 02 Hectar 00 Are, S.No.35/9A/1/1 admeasuring 07 Are and S.No.35/9B admeasuring 33 Are, situate at Mouje Yeolewadi, within the limits of Pune Municipal Corporation, Taluka Haveli, District Pune totally



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admeasuring an area of 12000 Sq.mtrs. and bounded as per the sanctioned plan as follows –

On or towards the East	: By Road
On or towards the South	: By S.No.35 (part)
On or towards the West	: By S.No.35 (part)
On or towards the North	: By Road and then S.No.35 (part)

3. I had issued Title Opinions in respect of the captioned property on 29.03.2014 and 03.07.2014 after perusing the documents mentioned therein. The said documents at that time were returned by me along with the said Title Opinion. The said Title Opinion dated 03.07.2014 is now shown to me without however the documents mentioned thereon. Copies of the documents pertaining to the transactions in respect of the captioned property are now shown to me. I am therefore giving this Title Opinion relying on my Title Opinion dated 03.07.2014 and relying on the same.

4. S. No. 35/1 :

a] It is seen from Mutation Entry No 787 dated 28.09.1934 that there was Phalni measurement and land bearing S.No.61/1, Mouje Kondhawe Budruk, Pune admeasuring an area of 4 Acre 38 Gunthas belonged to Shri. Rahiman Kadarbhai and Dhondi Balabhai and their names were recorded in 7/12 record by the said mutation entry showing their shares as 12 Annas and 4 Annas, respectively. It is seen from the said mutation entry that the said land was Inam land-Class 2 and remark to that effect was recorded in 7/12 record of the year 1956-57 which was deleted. It is seen from the copy of extract of Alienation Register given to me that Old S.No.61 is not shown therein as Inam land and therefore it is presumed that there is an error in preparing revenue record.

b] It is seen from Mutation Entry No. 990 dated 17.03.1939 that Shri. Pappu Ibrahim Yasin Raisalgar sold S.No.61/1 to Shri. Laxman



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Mhapa Kamathe and his name was mutated in 7/12 record by the said mutation entry. (Who is Pappu Ibrahim Yasin Risaidar and how he sold the said land to Kamathe when S.No.61/1 belonged to Shri. Rahiman Kadarbhai and Dhondi Balabhai is not known. His name is not seen in any 7/12 extracts.) However, more than 70 years have lapsed since the mutation entry and it appears that the said mutation entry and the sale is not challenged and this opinion is given relying on the same.

c] It is seen from Mutation Entry No.4205 dated 17.10.1985 that Shri. Laxman Mhapaji Kamathe expired on 27.12.1984 leaving behind him his wife Rangubai, four sons- Sopan, Chandrakant, Madhukar, Hiranman and daughters Savitra Dinkar Ghare and Lilabai Raghunath Awate as his only legal heirs. The names of the said sons were mutated as holders and names of married daughters were recorded in other rights of 7/12 record by the said mutation entry.

d] It is seen from Mutation Entry No.1 dated 30.10.1988 that Yeolewadi was separated as a revenue village from Mouje Kondhawe Budruk and Settlement Record of Mouje Kondhawe Budruk was corrected accordingly and lands in new Mouje Yeolewadi were given separate survey numbers commencing from S.No.1, whereby S.No.61 was renumbered as S.No.35 and new 7/12 record was prepared.

e] It is seen from Mutation Entry No.1052 dated 15.04.1997 that Smt. Rangubai Laxman Kamathe expired on 22.09.1996 leaving behind him her four sons- Sopan, Chandrakant, Madhukar, Hiranman and daughters Savitra Dinkar Ghare and Lilabai Raghunath Awate as her only legal heirs. The name of Rangubai was deleted from 7/12 record by the said mutation entry and names of the daughters also were mutated as holders by the said mutation entry.

f] It is seen from Mutation Entry No.2148 dated 24.07.2003 and copy of Release Deed dated 28.02.2003 (not properly legible) that by Release Deed dated 28.02.2003 Savitra Dinkar Ghare and Lilabai



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Raghunath Awale released and relinquished their share in the S.No.35/1 along with other lands in favour of Shri. Sopan Laxman Kamathe, Shri. Ramchandra Laxman Kamathe (it appears that Chandrakant was also known as Ramachandra), Shri. Madhukar Laxman Kamathe and Shri. Hiranman Laxman Kamathe. The said Release Deed is registered at the Office of Sub Registrar Haveli-12 at Serial No.1090/2003. The names of Savitra Dinkar Ghare and Lilabai Raghunath Awale were deleted from 7/12 record by the said mutation entry.

g) It is seen from Mutation Entry No.2263 dated 27.10.2005 that Shri. Sopan Laxman Kamathe expired on 17.02.2005 leaving behind him his wife - Mathubai, sons - Sugandh and Pandurang and daughters - Krishnabai Rohidas Ghule, Meera Sharad Ghare as his only legal heirs. The names of the said heirs were mutated in 7/12 record by the said mutation entry.

h) It is seen from copy of Release Deed dated 22.03.2007 that by Release Deed dated 22.03.2007 Sou. Krishnabai Rohidas Ghule and Sou. Meera Sharad Ghare released and relinquished their share in the S.No.35/1 along with other lands in favour of their brother Shri. Pandurang Sopan Kamathe. The said Release Deed is registered at the Office of Sub Registrar Haveli-2 at Serial No.2150/2007. The names of Savitra Dinkar Ghare and Lilabai Raghunath Awale are still appearing in 7/12 record and need to be got deleted.

i) It is seen from copy of Development Agreement dated 17.08.2007 that by Development Agreement dated 17.08.2007 Shri. Ramachandra alias Chandrakant Laxman Kamathe, Shri. Madhukar Laxman Kamathe, Hiranman Laxman Kamathe, Shri. Sugandh Sopan Kamathe, Shri. Pandurang Sopan Kamathe and Smt. Mathubai Sopan Kamathe transferred development rights of a portion admeasuring 80 Are from and out of S.No.35/1 totally admeasuring 2 Hectar 00 Are in favour of Shri. Pramod Babanrao Misal. The said Development Agreement is registered at the Office of Sub Registrar Haveli-12 at



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Serial No.7431/2007 on 18.08.2007. They also executed an Irrevocable General Power of Attorney in favour of above mentioned developer. The said Irrevocable General Power of Attorney is registered at the Office of Sub Registrar Haveli-12 at Serial No.4/7432/2007 on 18.08.2007.

j] It is seen from Mutation Entry No.3050 dated 01.02.2010 that Shri. Sugandh Sopan Kamathe expired on 06.11.2009 leaving behind him his wife - Kaveri, sons - Abhijeet and Kiran and daughter - Arati as his only legal heirs. The names of the said heirs were mutated in 7/12 record by the said mutation entry.

k] It is seen from copy of an Agreement of Sale dated 29.06.2011 that by Agreement of Sale dated 29.06.2011 Shri. Pramod Babanrao Missal with consent of Shri. Ramachandra alias Chandrakant Laxman Kamathe, Shri. Madhukar Laxman Kamathe, Shri. Hiranman Laxman Kamathe, Shri. Pandurang Sopan Kamathe and Smt. Mathubai Sopan Kamathe agreed to transfer his rights in a portion admeasuring 66.66 Are from and out of S.No.35/1 totally admeasuring 02 Hecter 00 Are sold to Shri. Jayesh Vasant Jawalekar. The said Agreement is registered at the Office of Sub Registrar Haveli-9 at Serial No.5168/2011 and appears to be mutated in other rights. It is further seen from copy of Correction Deed dated 30.06.2011 that by Correction Deed dated 30.06.2011 correction in nomenclature of executing parties was made in the Agreement dated 29.06.2011. The said Correction Deed is registered at the office of Sub Registrar Haveli-9 at Serial No.5187/2011.

l] It is seen from Mutation Entry No.3499 dated 01.07.2011 and copy of Sale Deed dated 30.06.2011 that by Sale Deed dated 30.06.2011 Shri. Ramachandra alias Chandrakant Laxman Kamathe, Shri. Madhukar Laxman Kamathe, Shri. Hiranman Laxman Kamathe, Shri. Pandurang Sopan Kamathe and Smt. Mathubai Sopan Kamathe through their Power of Attorney Holder Shri. Pramod Babanrao Misal sold a portion admeasuring 66.66 Are from and out of S.No.35/1



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totally admeasuring 02 Hecter 00 Are to Shri. Jayesh Vasant Jawalekar. The said Sale Deed is registered at the Office of Sub Registrar Haveli-9 at Serial No.5188/2011 and name of the said purchaser was mutated in 7/12 record by the said mutation entry.

m] It is seen from Mutation Entry No.3500 dated 01.07.2011 and copy of Sale Deed dated 30.06.2011 that by Sale Deed dated 30.06.2011 Shri. Pramod Babanrao Misal, Smt. Kaveri Sugandh Kamathe, Shri. Abhijeet Sugandh Kamathe, Shri Kiran Sugandh Kamathe and Arati Sugandh Kamathe sold a portion admeasuring 13.33 Are from and out of S.No.35/1 totally admeasuring 2 Hecter 00 Are to Shri. Jayesh Vasant Jawalekar. The said Sale Deed is registered at the office of Sub Registrar Haveli-9 at Serial No.5189/2011 and name of the said purchaser was mutated in 7/12 record by the said mutation entry.

n] It is seen from Mutation Entry No.3681 dated 12.01.2012 and copy of Sale Deed dated 27.12.2011 that by Sale Deed dated 27.12.2011 Shri. Jayesh Vasant Jawalekar sold his portion admeasuring 80 Are from and out of S.No.35/1 totally admeasuring 2 Hecter 00 Are to M/s Sanraj Realty. The said Sale Deed is Registered at office of Sub Registrar Haveli-8 at Serial No.13427/2011 and name of the said purchaser is mutated in 7/12 record by the said mutation entry.

o] It is seen from copy of Confirmation Deed/Agreement for road dated 22.03.2012 that by Confirmation Deed/Agreement dated 22.03.2012 Shri. Ramachandra alias Chandrakant Laxman Kamathe, Shri. Madhukar Laxman Kamathe, Shri. Hiranman Laxman Kamathe, Smt. Kaveri Sugandh Kamathe, Shri. Abhijeet Sugandh Kamathe, Miss Arati Sugandh Kamathe, Miss Kiran Sugandh Kamathe, Shri. Pandurang Sopan Kamathe, Smt. Mathubai Sopan Kamathe, Sou. Ranjana Nanasahab Pathare, Sou. Vidya Mukund Dange, Sou. Anita Sunil Ambekar, Sou. Sarika Ravindra Memane, Shri. Hanumant Ramachandra alias Chandrakant Kamathe, Shri. Rajendra Madhukar



Kamathe, Shri. Sudhir Madhukar Kamathe, Shri. Vikas Madhukar Kamathe, Shri. Santhosh Hiranman Kamathe and Sou. Santa Vaimik Navale confirmed earlier documents executed by Shri. Ramchandra alias Chandrakant Laxman Kamathe, Shri. Madhukar Laxman Kamathe, Shri. Hiranman Laxman Kamathe, Shri. Pandurang Sopan Kamathe, Smt. Mathubai Sopan Kamathe and Smt. Kaveri Sugandh Kamathe, Shri. Abhijeet Sugandh Kamathe, Miss. Arati Sugandh Kamathe, Miss. Kiran Sugandh Kamathe and also gave the Purchaser right of way through land bearing S.No.31/16 over a 9 M wide strip of land. The said Confirmation Deed is registered at the office of Sub Registrar Haveli-12 at Serial No.2035/2012.

p] It is seen from the Affidavits of Shri. Ramchandra alias Chandrakant Laxman Kamathe, Shri. Hiranman Laxman Kamathe and Madhukar Laxman Kamathe that Shri. Laxman Kamathe had purchased the said land in the year 1939 from his self acquired funds and it was his self acquired and individual property and it was not his family property, that heirs of Laxman also held the said land as their individual property and not as of their family property. As per the decision of the Supreme Court reported in AIR 2007 SC 1808 son receives the property from his father in individual capacity and not as karta of HUF. This opinion is given relying upon the said affidavits and the decision.

5. S.No.35/9A/1/1 and S.No.35/9B :

a] It is seen from Mutation Entry No.787 dated 28.09.1934 that there was Phalni measurement and land bearing S.No.61/9A, Mouje Kondhawe Budruk, Pune admeasuring an area of 0 Acre 34 Gunthas (Phalni measurement shows it as 32 Gunthas whereas the 7/12 extract shows it as 34 Gunthas) belonged to Shri. Hussain Rajubhai Inamdar and his name was recorded in 7/12 record by the said mutation entry and land bearing S.No.61/9B, Mouje Kondhawe Budruk, Pune admeasuring an area of 0 Acre 33 Gunthas belonged to Shri. Subhana Rasul Pansare and his name was recorded in 7/12



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record by the said mutation entry. It is seen from the said mutation entry that the said land was Inam land. But in 7/12 record no remark is mentioned about the same. It is seen from the copy of extract of Alienation Register given to me that old S.No.61 is not mentioned therein as Inam and therefore it is presumed that there is an error in preparing revenue record.

b] It is seen from Mutation Entry No.1143 dated 10.11.1944 that Shri Kasambhai Hussain Inamdar sold land bearing S.No.61/9B to Shri. Subhan Rasuibhai Inamdar and Shri Hamid Rasuibhai Inamdar. It is seen from Phalani Measurement that the said land was held by Shri Subhan Rasuibhai Pansare. However, more than 65 years have passed since and it appears that the said mutation entry and sale are not challenged since then and this opinion is given relying on the same.

c] It is seen from Mutation Entry No.1247 dated 15.05.1948 that Shri Subhan Rasuibhai Inamdar and Shri Hamid Rasuibhai Inamdar sold S.No.35/9B to Roshanabi Kasam Inamdar on 13.01.1948 and name of the said purchaser was mutated in 7/12 record by the said mutation entry.

d] It is seen from Mutation Entry No.1254 dated 12.09.1948 that Shri Hussain Rajubhai Inamdar expired on 04.11.1942 leaving behind him his son Kasam and his name was mutated in 7/12 record by the said mutation entry. Mutation entry does not mention this land as land affected by the said entry.

e] It is seen from Mutation Entry No.1483 dated 01.08.1951 that lands bearing S.Nos.35/9A and 35/9B were declared as Tukada and a remark to that effect was made in other rights of 7/12 record by the said mutation entry. Copy of mutation entry given to me is incomplete and does not show the said land as land affected thereby, however the said mutation entry is mentioned in 7/12 extract.



f] It is seen from Mutation Entry No 1649 dated 23.04.1959 that Shri Kasam Hussian Inamdar and Roshanabi Kasam Inamdar sold the land bearing S No 51/9 (the mutation entry does not show separate hissa numbers as 9A and/or 9B) to Shri Subhanbhai Rasulbhai Inamdar and Shri. Hamidbhai Rasulbhai Inamdar on 16.02.1959. The names of the said purchasers were mutated in 7/12 records by the said mutation entry.

g] It is seen from Mutation Entry No.1845 of November 1965 that Shri Subhanbhai Rasulbhai Inamdar and Shri. Hamidbhai Rasulbhai Inamdar sold S.Nos.35/9A and 35/9B to Shri. Kasam Husain Inamdar and Roshanabi Kasam Inamdar on 17.11.1964. The names of the said purchasers were mutated in 7/12 record by the said mutation entry.

h] It is seen from Mutation Entry No 6128 dated 20.11.1987 that Shri. Kasam Husain Inamdar expired on 12.09.1979 leaving behind him his wife - Roshanabi, sons - Mohammad, Ibrahim, Ismail and married daughters - Khatunbi Amin Khan, Jainatubi Yunus Khan, Sugrabi Rajubhai Pansare, Jainabi Ali Mohammad and Raziya Yakub Pansare as his only legal heirs and names of the sons and wife were recorded as holders and names of married daughters were recorded in other rights of 7/12 record by the said mutation entry.

i] It is seen from Mutation Entry No.1 dated 30.10.1988 that Yeolewadi was separated as a revenue village from Mouje Kondhawe Budruk and Settlement Record of Mouje Kondhawe Budruk was corrected accordingly and lands in new Mouje Yeolewadi were given separate survey numbers commencing from Sr.No 1 whereby S No 61 was renumbered as S No.35 and new 7/12 record was prepared.

j] It is seen from Mutation Entry No 158 dated 31.03.1989 that Shri. Shaikh Yusuf Kasam expired on 06.10.1988 leaving behind him his wife Najama as his only legal heir and her name was mutated in 7/12 record by the said mutation entry.



k] It is seen from Mutation Entry No 159 dated 31.03.1989 that Ismail Kasam Inamdar expired on 13.10.1988 leaving behind him his wife Suraiyya as his only legal heir and her name was mutated in 7/12 record by the said mutation entry.

l] It is seen from Mutation Entry No 215 dated 02.09.1989 and copy of Sale Deed dated 17.07.1989 that by Sale Deed dated 17.07.1989 Smt. Roshanabi Kasam Inamdar, Smt. Nazamabi Yusuf Shaikh, Smt. Suraiyya Ismail Shaikh and Ibrahim Kasam Inamdar through Power of Attorney holder Shri. Kamruddin Rehman Pansare sold a portion admeasuring 07 Are from and out of S.No 35/9A totally admeasuring 34 Are and S.No 35/9B admeasuring 33 Are to Smt. Yasmin Sadik Shaikh and Shri. Sadik Abdul Majid Shaikh. The said Sale Deed is registered at the Office of Joint Sub Registrar Haveli No.1 at Serial No 11768/1989 on 21.07.1989. Portion sold admeasuring 7 Are out of S.No 35/9A was given S.No.35/9A/1 and portion admeasuring 27 Are remaining with owners continued as S.No.35/9A and separate 7/12 records were prepared and names of the said purchasers were recorded in 7/12 record of S.No 35/9A/1/1. It is further seen from remark in the mutation entry that consent of co owners was not taken for the above mentioned Sale Deed and that purchasers were not agriculturists and therefore remark that the said land was subject to section 84C of BTAL Act was recorded in 7/12 record by the said mutation entry. It is seen from Mutation Entry No.3730 dated 07.03.2012 that by an order of Awwal Karkun, Haveli dated 27.02.2012 bearing Nos.84C/SR/231+229/12 the transfer in respect of S.No.35/9A/1/1 and S.No.35/9B was held legal and the remark that the same was subject to section 84C of BTAL Act was deleted from 7/12 record by said mutation entry. It is seen from various confirmation/consent deeds that later on various sale deeds were confirmed by the share holders/co owners.

m] It is seen from Mutation Entry No 3378 dated 26.02.2011 and copy of Sale Deed dated 22.02.2011 that by Sale Deed dated 22.02.2011 Smt. Yasmin Sadik Shaikh and Shri. Sadik Abdul Majid



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Shaikh sold S.No.35/9B to Shri. Shakil Babulal Pansare, Shri. Yogesh Sanjay Sonawane and Shri. Pheroze Amir Pansare and S.No.35/9A/1/1 to Shri. Mohammad Hanif Sikandar and Shri. Shafi Gafar Khan. The said Sale Deed is registered at the office of Sub Registrar Haveli-12 at Serial No.1506/2011 and names of the said purchasers were mutated in 7/12 record by the said mutation entry. The said owners also executed Power of Attorney on 21.02.2011 in favour of Shakil Babulal Pansare and others. The said Power of Attorney is registered at the Office of the Sub-Registrar Haveli-12 at Serial No.1507/2011.

n] It is seen from Mutation Entry No.4125 dated 14.08.2013 and copy of Confirmation Deed dated 06.07.2012 that by confirmation Deed dated 06.07.2012 Shri. Amjad Yunus Khan, Shri. Imran Yunus Khan, Sou. Meheraj Ayyaj Shaikh, Sou. Reshma Anjum Beg (heirs of deceased Jaitunabi Yunus Khan), Sugrabi Rajjubhai Pansare, Jainbabi Ali Mohammad Inamdar, Shri. Altaf Yusuf Inamdar, Shri. Ashfaq Yusuf Inamdar, Shri. Nasim Ashfaq Shaikh and Yasmin Anis Shaikh (heirs of deceased Mohammad Yusuf Kasam Inamdar) confirmed various Sale Deeds executed in favour of Shri. Shakil Babulal Pansare, Shri. Yogesh Sanjay Sonawane, Shri. Pheroze Amir Pansare, Shri. Mohammad Hanif Sikandar Pathan, Shri. Shafi Gafar Khan, Shri. Rafiq Ibrahim Nadaf, Shri. Samir Abdul Razzak Nadaf, Shri. Irfan Ali Alihasan Khan, Shri. Irshad Ali Alihasan Mohammad Mansuri, Shri. Iqbal Mohammad Hanif Shaikh, Shri. Mehabub Saifan Nadaf, Shri. Abdul Mehabub Mulla, Sou. Suraiyya Shakil Pansare, Shri. Imran Dadebir Shaikh, Shri. Kamaruddin Nazir Khan, Shri. Salim Mehabub Shaikh and Shri. Sattar Mohammad Hanif Shaikh, in respect of various lands including S.No.35/9A/1/1 and 35/9B, stating therein that the said sales included their respective shares and that they have received consideration of their shares. The said Confirmation Deed is registered at the Office of Sub Registrar Haveli-12 at Serial No.4774/2012. The said mutation entry is yet to be certified and opinion is given subject to the same.



o] It is seen from Mutation Entry No 3804 dated 01.08.2012 and copy of Sale Deed dated 24.07.2012 that by Sale Deed dated 24.07.2012 Shri. Shakil Babulal Pansare and Shri. Yogesh Sanjay Sonawane with consent of Shri. Sandip Nanasaheb Bandal, Shri. Somanath Shankar Bobade, Shri. Vikas Balasaheb Bobade, Shri. Yuvaraj Pandharinath Dhanawade as Consenting Party No.1 and Shri. Jabbar Babulal Pansare, Shri. Ayyaj Babulal Pansare, Shri. Nasir Babulal Pansare, Shri. Ayub Nabilal Pansare and Asma Bashir Pansare as Consenting Party No.2, sold a portion admeasuring 29 Are from and out of S.No.35/9B totally admeasuring 33 Are to Shri. Sanjay Shraddhanand Tyagi and Shri. Rajeev Shraddhanand Tyagi. The said Sale Deed is registered at the Office of Sub Registrar Haveli-12 at Serial No.5275/2012. Accordingly names of the said purchasers were mutated in 7/12 record by the said mutation entry.

p] It is seen from Mutation Entry No.3805 dated 01.08.2012 and copy of Sale Deed dated 24.07.2012 that by Sale Deed dated 24.07.2012 Shri. Pheroze Amir Pansare sold a portion admeasuring 04 Are of his share from and out of S.No.35/9B totally admeasuring 33 Are and Shri. Mohammad Hanif Sikandar Pathan and Shri. Shafi Gafar Khan sold land bearing S.No.35/9A/1/1 admeasuring 7 Are to Shri. Sanjay Shraddhanand Tyagi and Shri. Rajeev Shraddhanand Tyagi. The said Sale Deed is registered at the Office of Sub Registrar Haveli-12 at Serial No.5276/2012. Accordingly names of the said purchasers were mutated in 7/12 record by the said mutation entry.

q] It is seen from copy of Consent/Confirmation Deed dated 22.01.2013 that by confirmation Deed dated 22.01.2013 Shri. Hussain Abdul Pansare, Shri. Rasul Ahmad Pansare, Shri. Dilawar Mansur Pansare and Shri. Maqbul Mansur Pansare confirmed the Sale Deeds executed in favour of Shri. Sanjay Shraddhanand Tyagi and Shri. Rajeev Shraddhanand Tyagi. The said Consent/Confirmation Deed is registered at the Office of Sub Registrar Haveli-8 at Serial No.825/2013.



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r) It is seen from Mutation Entry No.4107 dated 16.07.2013 and copy of Sale Deed dated 07.02.2013 that by Sale Deed dated 07.02.2013 Shri. Sanjay Shraddhanand Tyagi and Shri. Rajeev Shraddhanand Tyagi sold S.No.35/9A/1/1 and 35/9B to M/s Sanraj Realtors. The said Sale Deed is registered at the Office of Sub Registrar Haveli-20 at Serial No.752/2013 on 08.02.2013 and name of the said purchaser is mutated in 7/12 record by the said mutation entry. It is further seen from copy of Correction Deed dated 30.04.2013 that by Correction Deed dated 30.04.2013 name of M/s Sanraj Realtors mentioned in the aforesaid sale deed was corrected to M/s Sanraj Realty. The said Correction Deed is registered at the Office of Sub Registrar Haveli-8 at Serial No.4384/2013 on 07.05.2013.

s) It is seen from Mutation Entry No.4126 dated 12.08.2013 and copy of Declaration, Confirmation Deed/Indemnity Bond dated 23.07.2013 that by Declaration, Confirmation Deed/Indemnity Bond dated 23.07.2013 Afsha Zaryab Sayyad and Phanjeen Ismail Inamdar (heirs of deceased Ismail Kasam Inamdar) confirmed various Sale Deeds executed in favour of Shri. Shakil Babulal Pansare, Shri. Samir Abdul Rajjak Nadaf, Shri. Mohammad Hanif Sikandar Pathan, Shri. Rafik Ibrahim Nadaf, Shri. Irfan Ali Alihasan Khan, Shri. Irshad Ali Alihasan Mahammad Mansun, Shri. Iyasar Mahammad Hanif Shaikh, Shri. Mehabub Saifan Nadaf, Shri. Abdul Mehabub Mulla, Suraiyya Shakil Pansare, Shri. Imran Dadebir Shaikh, Shri. Kamaruddin Najir Khan, Shri. Salim Mehabub Shaikh, Shri. Sattar Mohammad Hanif Shaikh and M/s Sunraj Realty, in respect of various lands including S.Nos.35/9A/1/1 and 35/9B, stating therein that the said sales included their respective shares and that they have received consideration of their shares. The said Declaration, Confirmation Deed/Indemnity Bond is registered at the Office of Sub Registrar Haveli-12 at Serial No.6267/2013. The said mutation entry is yet to be certified and opinion is given subject to the same.



t] It is seen from Mutation Entry No.4127 dated 12.08.2013 and copy of Declaration, Confirmation Deed/Indemnity Bond dated 23.07.2013 that by Declaration, Confirmation Deed/Indemnity Bond dated 23.07.2013 Smt. Khatunbi Amin Khan, Shri. Ibrahim Kasam Inamdar and Smt. Suraiyya Ismail Shaikh confirmed various Sale Deeds executed in favour of Shri. Shakil Babulal Pansare, Shri. Mohammad Hanif Sikandar Pathan, Shri. Rafik Ibrahim Nadaf, Shri. Samir Abdul Rajjak Nadaf, Shri. Irfan Ali Alihasan Khan, Shri. Irshad Ali Alihasan Mahammad Mansuri, Shri. Ijhar Mahammad Hanif Shaikh, Shri. Mehabub Saifan Nadaf, Shri. Abdul Mehabub Mulla, Suraiyya, Shakil Pansare, Shri. Imran Dadevir Shaikh, Shri. Kamaruddin Najir Khan, Shri. Salim Mehabub Shaikh, Shri. Sattar Mohammad Hanif Shaikh and M/s Sunraj Realty, in respect of various lands including S.Nos.35/9A/1/1 and 35/9B, stating therein that the said sales included their respective shares and that they have received consideration of their shares. The said Declaration, Confirmation Deed/Indemnity Bond is registered at the Office of Sub Registrar Haveli-12 at Serial No.6269/2013. The said mutation entry is yet to be certified and opinion is given subject to the same.

u] It is seen from the copy of Consent/Confirmation Deed dated 09.10.2012 that by Consent/Confirmation Deed dated 09.10.2012 Rajiya Yakub Sayyad confirmed various Sale Deeds executed in favour of Shri. Shakil Babulal Pansare, Shri. Yogesh Sanjay Sonawane, Shri. Pheroz Amir Pansare, Shri. Mohammad Hanif Sikandar Pathan, Shri. Shafi Gafar Khan, Shri. Rafik Ibrahim Nadaf, Shri. Samir Abdul Rajjak Nadaf, Shri. Irfan Ali Alihasan Khan, Shri. Irshad Ali Alihasan Mahammad Mansuri, Shri. Ijhar Mahammad Hanif Shaikh, Shri. Mehabub Saifan Nadaf, Shri. Abdul Mehabub Mulla, Sou. Suraiyya Shakil Pansare, Shri. Imran Dadevir Shaikh, Shri. Kamaruddin Nazir Khan, Shri. Salim Mehabub Shaikh and Shri. Sattar Mahammad Hanif Shaikh, in respect of various lands including S.Nos.35/9A/1/1 and 35/9B, stating therein that the said sales included their respective shares and that they have received

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consideration of their shares. The said Consent/Confirmation Deed is registered at the Office of Sub Registrar Haveli-12 at Serial No.7822/2012. The said Consent/Confirmation Deed was kept pending for admission. It is further seen from the copy of Declaration/Consent Deed dated 23.07.2013 that by Declaration/Consent Deed dated 23.07.2013 Shri. Mohammad Hanif Sikandar Pathan, Shri. Shafi Gafar Khan, Shri. Rafik Ibrahim Nadaf, Shri. Samir Abdul Rajak Nadaf, Shri. Mehabub Saifan Nadaf, Sou. Suraiyya Shakil Pansare, Shri. Salim Mehabub Shaikh and Shri. Sattar Mahammad Hanif Shaikh confirmed the abovementioned Consent/Confirmation Deed. The said Declaration/Consent Deed is registered at the Office of Sub Registrar Haveli-12 at Serial No.8561/2013 on 02.08.2013.

6. It is seen from copy of zone certificate dated 09.02.2012 that S.No.35 old S.No.81 is designated in Residential Zone and is affected by 18 mtrs. road. It is seen from the said Zone Certificate that the said land was designated in Residential Zone since 10.02.1998. Therefore, provisions of Urban Land (Ceiling and Regulation) Act, 1976 were applicable. It is seen from the Sale Deed dated 24.07.2012 that the said property was neither declared surplus and was not acquired or exemption granted u/s 20 of the said Act.

7. The plans of the proposed building to be constructed on the captioned property are sanctioned by the Town Planning Office vide No.NABP/Mouje Yeolewadi/Tal. Haveli/S.No.35 (pt)/SSP/2730 dated 07.05.2013. The permission for the non agricultural use of the said land is obtained from the Collector Pune vide Order bearing No.PMH/NA/SR/75/13 dated 18.12.2013.

8. Advocate Shri. Aitaf Sakkarge had issued a public notice in respect of the captioned lands which was published in Daily Prabhat and Indian Express dated 27.07.2013. It is seen from his letter dated



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14.08.2013 that to the said public notice he has not received any objection and this opinion is given relying upon the same.

9. It is seen from the letter dated 02.03.2015 of M/s Sanraj Realty that it has executed 19 agreements of sale of units in the proposed building in its project named "ANTARA". It is further seen from the said letter that there is no dispute or litigation pending in any courts / tribunal / authority regarding the said property. M/s Sanraj Realty has further stated that it has obtained project loan from the Central Bank of India by a Mortgage Deed dated 10.04.2014 which is registered at the Office of the Sub Registrar Haveli No.XX at Serial No.2360/2014 and that except for the said loan it has not created any other charge or encumbrance on the captioned property.

10. I caused the search of Index II registers to be carried out of the offices of Sub Registries through Advocate Arif M. Nadaf who has given me report dated 20.08.2013. In the said report besides the transaction mentioned above following transactions have been reported-

a] Power of Attorney Cancellation Deed in marathi dated 06.06.2002 registered at the Office of Sub Registrar Haveli 12 at Serial No.2731/2002 by Shri Ganesh Vasantrao Kamathe in favour of Shri. Sopan Laxman Kamathe, Shri Chandrakant Laxman Kamathe, Shri Madhukar Laxman Kamathe and Shri Hiranman Laxman Kamathe regarding S No 35/1(part) admeasuring 0 Hector 40 Are out of total area 2 Hector. Copy of the said deed is given to me. It is seen there from that the said owners had given Power of Attorney on 25.04.2001 for the purpose of sale thereof and by abovementioned cancellation deed the said Power of Attorney was cancelled. It is mentioned therein that said Power of Attorney holder had not done any transaction on the basis of said Power of Attorney.

b] Sale Deed dated 12.07.2004 registered at the Office of Sub Registrar Haveli 12 at Serial No.2764/2004. The said Sale Deed purports to be between Abdul Ramzan Pansare (deceased) by his heir



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Smt. Shama Abdul Pansare in favour of Shri. Jitendra Vijay Sharma and Shri. Vijay Tirthram Sharma with consent of Abubhai Dhondibhai Pansare. It is further seen from the copy of Deed of Correction dated 28.10.2013 that by Deed of Correction dated 28.10.2013 Shri. Jitendra Vijay Sharma and Shri. Vijay Tirtharam Sharma on one hand and Smt. Shama Abdul Pansare (legal heir of deceased Shri. Abdul Ramjan Pansare) on other hand declared that S.No.35/1 was wrongly mentioned as transferred by Sale Deed dated 12.07.2004 herein above mentioned and that since the same was not owned by Shri. Abdul Pansare he could not have sold the same, by the said Deed of Correction the aforesaid parties declared that the S.No.35/1 be treated as deleted from Sale Deed dated 12.07.2004. The said Correction Deed is registered at the office of Joint Sub Registrar Haveli-8 at Serial No.8861/2013.

c] Release Deed (without date) registered at the office of Sub Registrar Haveli 20 at Serial No.6491/2008 by Mrs. Nasim Mulani, Mrs. Bilkis Inamdar and others in favour of Babulal Inambhai Pansare and others. In the said Release Deed S.No.61 (Old), S.No.35/1(new) admeasuring 02 Hectar is mentioned. As stated above the names of said persons never appeared on 7/12 extract of S.No.61 (old), 35/1 (New) and therefore the validity thereof at least regarding S.No.35/1 is doubtful and this opinion is given subject to the same. It is further seen from the copy of Declaration dated 31.12.2013 that by Declaration dated 31.12.2013 Nasim Shaikhial Mulani, Bilkis Rashid Inamdar, Malekha Gulab Mulani, Karima Ayub Sayyad, Zulekha Latif Sheikh and Akhtar Rahim Kazi declared that land bearing S.No.35/1 admeasuring 2 Hectar was never owned or possessed by the said declarants or their ancestors/ predecessors and that the same always belonged to Shri. Lakman Mhapa Kamthe and his family since about 1939 and further that the Release Deed dated 28.07.2008 mentioned above was by mistake and further that they had no right, title or interest in the said land and they or their heirs shall not claim any in future. The said Declaration is registered at the office of Sub Registrar Haveli 8 at Serial No.10808/2013.



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11. I caused the search of Index No.II registers at the office of the Sub-Registries for the last 30 years in respect of the captioned property and except for the Deed of Mortgage dated 10.04.2014 no other document evidencing any subsisting mortgage, charge or encumbrance was found recorded from the available registers. On the basis of the same and on the basis of the documents given for my perusal and subject to whatever stated hereinabove and subject to the charge of the Central Bank of India, I am of the opinion that the title of M/s Sanraj Realty to the captioned property as an owner is clean, clear and marketable without any encumbrance whatever.

All the documents are returned herewith.

Yours faithfully,


[P. M. KHIRE]
ADVOCATE