

पावती क्र.

नोंदणी ३९ म.
Regn. 39 m.

दस्तऐवजाचा/अर्जाचा अनुक्रमांक ११/१५

दिनांक १/१/ सन २०१५

दस्तऐवजाचा प्रकार- शोध १८८६ ते २०१५ (३०० वर्षे)

सादर करणाऱ्याचे नाव- अॅड. दिपक शीकर पटेल

खालीलप्रमाणे फी मिळाली:-

नोंदणी फी

नकल फी (फोटो)

पृष्ठांकनाची नकल फी

टपालखर्च

नकला किंवा आपणे (कलम ६४ ते ६७)

शोध किंवा निरीक्षण

दंड-कलम २५ अन्वये

कलम ३४ अन्वये

प्रमाणित नकला (कलम ६८) (फोटो)

इतर फी (मागील पात्रावरील) बाब क्र.

"

"

"

"

"

"

"

"

एकूण ..

१५०० ००

दस्तऐवज

नकल

रोजी तयार होईल व

नोंदणीकृत दावेने पाठवली जाईल.

या कार्यालयात देण्यास येईल.

प्र. दुय्यम निबंधक.

दस्तऐवज खाली नाव दिलेल्या व्यक्तीच्या

नावे नोंदणीकृत दावेने पाठवली

होवती करावी.

सह-दुय्यम निबंधक वर्ग-२

हवेली क्र.५, पिंपरी-चिंचवड

सादरकर्ता

ADV. DIPAK S. PATIL

Address:

302, Amit Court,
Shivaji Nagar,
Pune 411 005.
Mob. 9822840869

SERCH & TITLE OPINION

1. INTRODUCTION

I have been called upon by M/S. Vighnaharta Developers through its Partner Mr. Sandeep Manohar Raut to investigate the title of the properties Which are described in Para 2 herein after.

2. DESCRIPTION OF THE PROPERTIES:

A) All that piece and parcel of land admeasuring 0H. 16 Ares out of land bearing Survey No. 180 Hissa No.1A total area admeasuring 00H 53 Ares , assessed at Rs. 3 Paise 12 situated at Village Ravet, Taluka Haveli, District Pune and within the registration jurisdiction of Sub-Registrar at Haveli, Pune and bounded as under:

On or towards East : By S. No. 154(part) and property of
Sakharam Bhondave,
On or towards South : Reaming Property from same Survey number,
On or towards West : By Road,
On or towards North : By Survey No.154,

(Herein after referred to as the said property)

B) All that piece and parcel of land admeasuring 0H. 29.5 Ares out of land bearing Survey No. 154 Hissa No.1 total area admeasuring 00H 60 Ares , assessed at Rs. 3 Paise 50 situated at Village Ravet, Taluka Haveli, District Pune and within the registration jurisdiction of Sub-Registrar at Haveli, Pune and bounded as under:

On or towards East : By property of Shantram Bhondave ,
On or towards South : By property of Sakharam Bhondave,
On or towards West : By Road and Survey No.180/1,
On or towards North : By proposed 45 mtrs. Road,
(Herein after referred to as the said property)



3. NAME OF OWNER:-

Mr. Vishnu Baburao Bhondave and others.

4. NAME OF DEVELOPER:-

M/S. Vighnaharta Developers

5. Documents given to me for my perusal :

- a) Photocopy of 7/12 Extract of Survey No. 180/1, Mouje Ravet, from the year 1930 to 1974.
- b) Photocopy of 7/12 Extract of Survey No. 180/1A, Mouje Ravet, from the year 1975 to 2014.
- c) Photocopy of 7/12 Extract of Survey No. 154, Mouje Ravet, from the year 1951 to 1953 and 1956 to 1964.
- d) Photocopy of 7/12 Extract of Survey No. 154/1, Mouje Ravet, from the year 1964 to 2014.
- e) Photocopy of Mutation Entry Nos. 456, 691, 1222, 1375, 1716, 2407, 2408, 2783, 5640, 6247, 8114, 8638, 8967.
- f) Photocopy of Release Deed dt.15/05/2007 at Sr. No.4090/2007.
- g) Photocopy of Partition Deed dt. 17/8/2013 at Sr. No. 6172/2013.
- h) Photocopy of Development Agreement dt. 08/11/2013 at Sr. No. 9076/2013.
- i) Photocopy of Power of Attorney dt. 08/11/2013 at Sr. No. 9077/2013.
- j) Photocopy of Correction Deed dt.30/11/2013 at Sr. No. 9536 /2013.
- k) Commencement Certificate No. B.P/Layout / Ravet/41/2014.
- l) Photocopy of Zone Certificate .
- m) Public Notice published in Deink Prabhat dt. 15/01/2015
- n) NA order dated 13/01/2015



6. HISTORY OF TITLE:

I) The said property which is described in Para 2(A)

- a) That in the year 1933-34 the land bearing S.No. 180 Hissa No. 1 totally admeasuring 1 Acres and 33 Gunthas belonged to Mr. Genu Mahadaji Bhondave. Said ownership was confirmed by Division Extract Form No. 12 (Falni Bara) of year 1934. Mutation entry to this effect bears no. 456 dated 8/10/1934.
- b) That Mr. Genu Mahadaji Bhondave died intestate on 27/10/1946 leaving behind his legal heirs son namely 1) Baburao, 2) Ananda and 3) Bhalchandra Genu Bhondave. Accordingly name of Mr. Baburao Genu Bhondave was entered to the record of rights of the said S.No. 180/1 as Karta and Manager of HUF. Mutation Entry to this effect bears No. 691 dated 21/3/1947.
- c) That Mr. Baburao, Mr. Ananda and Mr. Bhalchandra Genu Bhondave effected partition of the joint and ancestral properties 15 years prior to 1965. According to the said partition Mr. Baburao Genu Bhondave was given land S.No. 180 Hissa No. 1 admeasuring 1 Acre and 33 Gunthas as his independent and absolute property. Mutation Entry to this effect bears No. 1222 dated 15/11/1965.
- d) That upon enforcement of Standards of Weights and Measures Act, 1958 and Indian Currency Act, 1955 the measurement and assessment scales of the said property were converted to standard measures. Mutation entry to this effect bears no. 1375 dated 12/4/1969.
- e) That Mr. Bapurao Genu Bhondave died intestate on 8/8/1970 leaving behind his legal heirs son namely 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave, daughters 1) Dropada Kondiba Kalje, 2) Kamat Janardan Bahirat and widow Smt. Parvatibai Baburao Bhondave. Accordingly names of 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave were entered to the record of rights of the said property as the owners and name of



Dropada Kondiba Kalje, Kamal Janardan Bahirat and Smt. Parvatibai Baburao Bhondave were entered to the other rights column of the said S.No. 180/1. Mutation Entry to this effect bears no. 1716 dated 2/1/1979.

- f) That Mr. Sadanand, Mr. Vishnu and Mr. Bajirao Baburao Bhondave sold and conveyed the area admeasuring 10 Ares from said S. No. 180/1 to Mrs. Madhuri Nath Nalawade by virtue of a Sale Deed dated 31/1/1989. The said Sale Deed is registered in the office of Sub Registrar Haveli at Sr. No. 1621/1989. Accordingly area adm. "10 Ares" sold to Mrs. Madhuri Nalawade was given S. No. 180 Hissa No. 1C and area adm. "53 Ares" remaining with Bhondave family was given S. No. 180 Hissa No. 1A.
- g) That Mr. Sadanand, Mr. Vishnu and Mr. Bajirao Baburao Bhondave sold and conveyed the area admeasuring ' 3.3 Ares' from said S.No. 180/1A to Mrs. Indutai Ashok Satpute by virtue of a Sale Deed dated 21/2/1990. The said Sale Deed is registered in the office of Sub Registrar Haveli at Sr.No. 3171/1990. Mutation Entry to this effect bears no. 2407 dated 27/8/1990.
- h) That Mr. Sadanand, Mr. Vishnu and Mr. Bajirao Baburao Bhondave sold and conveyed the area admeasuring '3.3 Ares' from said S.No. 180/1A to Mrs. Surekha Sarjerao Patil by virtue of a Sale Deed dated 21/2/1990. The said Sale Deed is registered in the office of Sub Registrar Haveli at Sr.No. 3172/1990. Mutation Entry to this effect bears no. 2408 dated 27/8/1990.
- i) That Sm. Parvatibai Baburao Bhondave died intestate on 17/2/1983 leaving behind her legal heirs i.e. sons namely 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave and daughters 1) Dropada Kondiba Kalje, 2) Kamal Janardan Bahirat. Accordingly names of 1) Sadanand, 2) Bajirao and Vishnu Baburao Bhondave were entered to the record of rights of the said property as the owners and name of Dropada Kondiba Kalje, Kamal Janardan Bahirat were entered to the other rights column of the said S.No. 180/1A. Mutation Entry to this effect bears no. 2783 dated 1/9/1993.



- j) That Mr. Sadanand, Mr. Vishnu and Mr. Bajirao Baburao Bhondave sold and conveyed the area admeasuring '3 Ares' from said S.No. 180/1A to Mr. Ramchandran Uduja Variyar by virtue of a Sale Deed dated 26/6/1989. Mutation Entry to this effect bears no. 5640 dated 23/12/2002.
- k) That Mr. Ramchandra Variyar sold and conveyed the area admeasuring '3 Ares' from said S.No. 180/1A to Mr. Jinni Manoj and Mr. Manoj Josef by virtue of a Sale Deed dated 1/10/2010. The said Sale Deed is registered in the office of Sub Registrar Haveli No. 14 at Sr.No. 8350/2010. Mutation Entry to this effect bears no. 8114 dated 17/1/2012.
- l) That Mr. Jinni Manoj and Mr. Manoj Josef sold and conveyed the area admeasuring '3 Ares' from said S. No. 180/1A to Mr. Jinni Prabhakar Appa Kore by virtue of a Sale Deed dated 7/2/2012. The said Sale Deed is registered in the office of Sub Registrar Haveli No. 18 at Sr.No. 1491/2012. Mutation Entry to this effect bears no. 8967 dated 21/7/2014.
- m) That the daughter of late Baburao Bhondave namely Smt. Dropadabai Kondiba Kalje and Mrs. Kamal Janardan Bahirat released their entire shares from said S.No. 180/1A and all other ancestral properties in favour of their brothers i.e. Mr. Sadanand, Mr. Bajirao and Mr. Vishnu Baburao Bhondave by virtue of Release Deed dated 15/5/2007. The said Release Deed is registered in the office of Sub-Registrar Haveli No. 5 at Sr.No. 4090/2007.
- n) Thus the portion admeasuring 43.4 Ares from S.No. 180/1A belong to joint family comprising of the heirs of late Baburao namely Vishnu, Bajirao and Sadanand Baburao Bhondave.

II) The said property which is described in Para 2(B)

- a) That prior to year 1947 property bearing Survey No. 154 Hissa No. 1 belonged to Mr. Genu Mahadaji Bhondave.



b) That Mr. Genu Mahadaji Bhondave died intestate on 27/10/1946 leaving behind his legal heirs sons namely 1) Baburao, 2) Ananda and 3) Bhalchandra Genu Bhondave. Accordingly name of Mr. Baburao Genu Bhondave was entered to the record of rights of the said S.No. 154 Hissa No. 1 as Karta and Manager of HUF. Mutation Entry to this effect bears No. 691 dated 21/3/1947.

c) That Mr. Baburao, Mr. Ananda and Mr. Bhalchandra Genu Bhondave effected partition of the joint and ancestral properties in the year 1965.

According to the said partition Mr. Baburao Genu Bhondave was given land S.No. 154 Hissa No. 1 admeasuring 1 Acre 10 Gunthas + Potkharab admeasuring 9 Gunthas (totally admeasuring about 60 Ares) as his independent and absolute property, Mutation Entry to this effect bears No. 1222 dated 15/11/1965

d) That upon enforcement of Standards of Weights and Measures Act, 1958 and Indian Currency Act, 1955 the measurement and assessment scales of the said property were conveyed to standard measures, Mutation Entry to this effect bears no. 1375 dated 12/4/1969.

e) That Mr. Baburao Genu Bhondave died intestate on 8/8/1970 leaving behind his legal heirs son namely 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave, daughters 1) Dropada Kondiba Kalje, 2) Kamal Janardan Bahirat and widow Smt. Parvatibai Baburao Bhondave.

Accordingly names of 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave were entered to the record of rights of the said property as the owners and name of Dropada Kondiba Kalje, Kamal Janardan Bahirat and Smt. Parvatibai Baburao Bhondave were entered to the other rights column of the said S.No. 154/1. Mutation Entry to this effect bears no. 1716 dated 2/1/1979.



- f) That wife of late Mr. Baburao Bhondave namely Smt. Parvatibai Baburao Bhondave died intestate on 17/2/1983 leaving behind her legal heirs sons namely 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave and daughters 1) Dropada Kondiba Kalje, 2) Kamal Janardan Bahirat.

Accordingly names of 1) Sadanand, 2) Bajirao and 3) Vishnu Baburao Bhondave were entered to the record of rights of the said property as the owners and name of Dropada Kondiba Kalje, Kamal Janardan Bahirat were entered to the other rights column of the said S. No. 154/1. Mutation Entry to this effect bears no. 2783 dated 1/9/1993.

- g) According to Government Notification and the order of Land Acquisition Officer Pimpri the portion adm. 7229.74 Sq.Mtrs is proposed to be acquired from all the sub divisions of S.No. 154. Mutation Entry to this effect bears no. 6247 dated 29/9/2007. However the said order does not specify exactly how much of the area is being acquired from respective sub divisions/ pot hissa.

- 7) **Release by Mrs. Kalje and Mrs. Bahirat:-** That the sisters namely Smt. Dropadabi Kondiba Kalje and Mrs. Kamal Janardan Bahirat released their entire shares from said S.No. 180/1A and S.No. 154/1 and all other ancestral properties in favour of their brothers Mr. Sadanand, Mr. Bajirao and Mr. Vishnu Baburao Bhondave by virtue of a Release Deed dated 15/5/2007. The said Release Deed is registered in the office of Sub Registrar Haveli No. 5 at Sr. No. 4090/2007. Thus Mr. Sadanand, Bajirao and Vishnu Bajirao Bhondave became entitled to portion admeasuring 60 Ares from S.No. 154/1.

- 8) **Partition by Co-owners:** The co-owners of S.No. 154/1 adm. 60 Ares and S.No. 180/1A adm. about 41 Ares namely Mr. Sadanand, Bajirao and Vishnu Bajirao Bhondave effected partition of the joint and ancestral properties by virtue of a Deed of Partition dated 17/8/2013. The said partition deed is registered in the office of Sub Registrar Haveli No. 14 at Sr. No. 6172/2013.



According to the said partition Mr. Vishnu Baburao Bhondave is given land S.No. 154 Hissa No. 1 admesuring 00 Hectare and 60 Ares and well defined portion adm. 21 Ares from S.No. 180/1A as his independent and absolute property. Mutation Entry to this effect bears no. 8638 dated 23/8/2013.

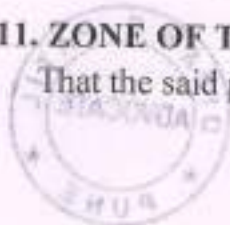
- 9) That Mr. Vishnu Baburao Bhondave and all his family members namely Laxmibai Baburao Bhondave, Mahadev, Sahdev Vishnu Bhondave and others have entered into a Development Agreement and Irrevocable General Power of Attorney both dated 31/10/2013 which are registered in the office of Sub Registrar Haveli No. 17 Pune at Sr.No. 9076/2013 and 9077/2013 with M/s. Vighnaharta Developers a Partnership Concern through Partner Mr. Sandip Manohar Raut. According to terms of said Development Agreement the developer firm is granted development rights in consideration of the constructed premises to be handed over to the land owners to the extent of 39500 Sq.Ft. Built up and refundable deposit. after execution of the said Development Agreement and Irrevocable General Power of Attorney, both parties realized that in the principle agreements registered dt. 31/10/2013 at Sr. No. 9076/2013 and 9077/2013 that in both agreements some typical mistakes are inserted Hence, to correct the said error the parties have mutually execute Correction Deed dt. 30/11/2013 The said Correction Deed is registered in the office of Sub Registrar Haveli No. 17 at Sr. No. 9536/2013.

10. LIABILITIES OR ENCUMBRANCES:

During the search conducted in the concerned Sub-Registrar of assurances for the last 30 years i.e. for the year 1986 to 2015, I have found no encumbrances over the said property. That the necessary charges for the same has been paid in the office of Sub-Registrar Haveli No.5, Pune vide receipt no. 11/15 dated 01/01/2015.

11. ZONE OF THE SAID LAND :

That the said property is shown in residential zone.



12. QUALIFICATIONS AND ASSUMPTIONS:

This Report is given subject to the following qualifications

- (i) I have presumed that the documents perused by me under column 4 as shown to me is final and has not been amended or modified in any manner.
- (ii) I presume that in relation to the documents provided to me that such documents are within the capacity and powers of and have been or shall be duly authorized, executed and delivered by and are binding on the parties thereto.
- (iii) This opinion does not extend to any oral amendments of any term of the aforementioned documents, which may be amended orally by the parties and substantiated by their conduct despite provisions in the aforementioned documents to the contrary.
- (iv) The entries made in Para 5 above are based upon the document made available for my perusal as mentioned in Para 4.
- (v) This opinion does not cover any litigation, suits etc. filed in any court in respect of the Said properties.

13. FINAL CERTIFICATE:

In view of the above, I observe that the title of Mr. Vishnu Baburao Bhondav w.r.t. the said properties is clean, clear and marketable and M/S. Vighnaharta Developers are entitled to rights of development and sale in respect of said properties subject to the terms of development agreement and according to concerned Development Control Regulation.

PUNE :

DATE: 27/01/2015




Dipak S. Patil
[ADVOCATE]