

V. D. ABHYANKAR

M.A., LL.B.
ADVOCATE

Amit Tower, Flat No. 18
Near Bharat Jyoti Bus Stop,
Bibwewadi, PUNE - 411 037
Tel. No. (020) 24410367

No. CMP/22/2011

Date : 08th Jun 2011

SEARCH AND TITLE REPORT

I. INTRODUCTION

(A) All that piece and parcel of the land bearing Gat No. 524 area 8 H 89 Ars (inclusive of pot-kharaba of 64 Ars) assessed for land revenue at Rs. 2=81 paise situate at Village Koregaon Mul, within grampanchyat limits and limits of Panchyat Samiti, District : Pune out of it an area of 7 H 05 Ars owner as per sale deed + 7 x 12 extract is M/s Pune Urban Projects through its Partner Shri Vijay Devichand Nibjiya.

(B) A total 30 year's Search of this property comprising for the period 1982 to 1991 (Part) was carried at the Offices of the Joint Sub Registrars, Haveli No. 1 and No. 2; for the period 1991 (Bal) to 2011 at Haveli No. 6. Also, few xerox copies of documents pertaining to the subject property have been perused.

II. DEVOLUTION OF TITLE WITHIN LAST 30 YEARS

(A) (i) As could be ascertained from copies of documents produced, the land bearing S. No. 93 area 21 Acres 39 Gunthas (inclusive of pot-kharaba of 1 Acre 23 Gunthas) assessed for land revenue at Rupee 2 - Annas 13 situate at Village Koregaon Mul, within grampanchyat limits and limits of Panchyat Samiti, District : Pune (and few others) originally belonged to Smt Vithabai kom Shankar Salunke as her personal property. (ii) However, there is no number of mutation entry is recorded against her name on the 7 x 12 extract from 1953-54 to 1962-63. (iii) Shri Waman Govinda Tambe was an agricultural tenant (M. E. No. 709 refers) and after his death the name of his son Shri Baburao Waman Tambe (HUF) was entered in 'Other Rights' column (M. E. No. 68 refers). (iv) However, as the land-lady was a widow, the proceedings under B.T.A.L. Act were kept suspended till her life time (M. E. No. 1074 refers).

(B) Upon implementation of the Metric System the land area and assessment were converted into hectare and ars vide M. E. No. 80. Accordingly, the land area was converted as 8 Hectare 89 Ars (inclusive of pot-kharaba of 64 Ars) with revenue assessment Rs. 2=81 paise with Gat Number 524.

(C) It is found that Smt Vithabai Shankar Salunke sold and transferred the same to Shri Dhondiba Dagdu Bondre and Shri Maruti Dagdu Bondre by a registered Sale Deed dated 23/2/1966 and their names were brought to the 7 x 12 extract vide M. E. No. 50 dated 26/6/1967.

(D) (i) Thereafter, Shri Rangrao Krishnarao Patil agreed to purchase the said land from S/Shri Bondre and a registered Sathekhat dated 28/8/1968 (Regn No. 3188/68 at Haveli No. 1) was entered by and between Shri Rangrao Krishnarao Patil (Purchaser) and the said S/Shri Bondre (Vendors) + Smt Vithabai Shankar Salunke and Shri Babu Waman Tambe (Consenting Party). (ii) The reading of the said Sathekhat makes it clear that Shri Babu Waman Tambe was joined as the legal heir of the deceased agricultural tenant late Waman Govind Tambe, and that Smt. Vithabai was joined as the first (original) owner of the said land. (iii) Subsequently, the parties

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executed a registered Sale Deed dated 7/9/1968 (Regn No. 3239/1968 at Haveli No. 1) and the name of Shri Rangrao Krishnarao Patil was brought to the 7 x 12 extract vide M. E. No. 71 dated 18/9/1968. (iv) It is further seen that the original of the said Sale Deed dated 7/9/1968 bearing registration No. 3239/1968 at Haveli No. 1 was lost Shri Rahul Arvind Patil and necessary Occurance Report No. 596/10 dated 5/5/2010 was lodged by him with Kasewadi Police Chowki under Khadak Police Station. (v) Necessary sworn Affidavit dated 30/4/2010 has also been subscribed by Shri Rahul Arvind Patil.

(E) (i) Shri Rangrao Krishnarao Patil died on 31/5/1976 leaving behind the legal heirs viz. Smt. Shalinibai (widow), Shri Suhas, Shri Arvind, Shri Sanjay (three sons) and Mrs. Sunanda Prataprao Surve, Mrs. Alka Vasantryao Patil (two married daughters) + Miss Bharati Rangrao Patil (one unmarried daughter) and their names (excepting of Mrs. Sunanda Prataprao Surve, Mrs. Alka Vasantryao Patil) were brought to the 7 x 12 extract vide M. E. No. 407 dated 5/7/1976. (ii) Subsequently, the names of Mrs. Sunanda Prataprao Surve, Mrs. Alka Vasantryao Patil were entered vide M. E. No. 1912 dated 6/11/1991. (iii) Out of the said co-owners, Shri Arvind died on 13/8/2004 leaving behind the legal heirs viz. Smt. Asha (widow), Shri Rahul (son) and Mrs. Smita Sudin Jadhav (married daughter) and their names were brought to the 7 x 12 extract vide M. E. No. 3739 dated 8/2/2005. (iv) Out of the said co-owners, Mrs. Sunanda Prataprao Surve died on 20/11/2007 leaving behind the legal heirs viz. Shri Prataprao Shankarrao Surve (husband), Shri Sameer (son) and Mrs. Sujata Shivraj Jagtap (married daughter) and their names were brought to the 7 x 12 extract vide M. E. No. 4330 dated 11/1/2008. (v) Out of the said co-owners, Mrs. Alka Vasantryao Patil died on 25/5/2009 leaving behind the legal heirs viz. Shri Vasantrao Balasaheb Patil (husband), Shri Uday, Shri Prashant (two sons) and Mrs. Sanjivini Prakash Patil (married daughter) + Miss Sunita Vasantryao Patil (unmarried daughter) and their names were brought to the 7 x 12 extract vide M. E. No. 4774 dated 2/3/2010.

(F) (i) It is found that the said land-owners i.e. S/Shri Suhas R. Patil etc sold and transferred an area of 03 Acres (i.e. about 1 H 20 Ars) out of the said land to Shri Dnyanadev Dattatraya Toraskar by registered Sale Deed dated 14/10/1982 and the name of Shri Toraskar was brought to the 7 x 12 extract vide M. E. No. 1102 dated 1/12/1985. (ii) However, a remark of transaction affected by 84(C) of B.T.A.L. Act was recorded by the said Mutation Entry. (iii) Subsequently, the remark of 'transaction affected by 84(C) of B.T.A.L. Act' was deleted under orders of Tahsildar, Haveli as per M. E. No. 2976 dated 24/6/2000.

(G) (i) There was possessory mortgage in favour of Pune Dist Land Development Bank vide M. E. No. 183, however, the same was repaid and the entry came to be deleted vide M. E. No. 401. (ii) There has been bunding charge vide M. E. No. 302, however the entry came to be deleted vide M. E. No. 904. (iii) There has been an entry of simple mortgage vide M. E. No. 349 dated 18/9/1975 by S/Shri Rangrao Patil etc in favour of Bank of Maharashtra to the tune of Rs. 30,000=00 on 22/5/1975, however, there is nothing about its repayment etc.

(H) (i) Now the said land-owners have sold and transferred their entire holding of 7 H 69 Ars out of the said land in favour of M/s Pune Urban Projects, a Partnership Firm through its Partner Shri Vijay Devichand Nibjiya by a registered Sale Deed dated 14/5/2010 duly registered at No. 4304/2010 at Haveli No. 2. (ii) The respective branch of HUF appears to have been covered in the said Sale Deed. (iii) The said land-owners S/Shri Patil have subscribed separate sworn

W. S. Patil

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affidavits about correct names of members of their family etc. (iv) The name of M/s Pune Urban Projects has been brought to the 7 x 12 extract vide M. E. No. 4869 dated 21/8/2010, but the copy of extract of M. E. No. 4869 produced is a kachichia entry.

(I) (i) A Deed of Partnership dated 9/4/2010 in the name of 'M/s Pune Urban Projects' is available in the papers produced. There are total 15 partners inclusive of Manav Promoters Private Limited which is a duly incorporated private limited company. (ii) However, a partnership firm registration certificate issued by the Assistant Registrar of Firms, Pune is not available in the papers produced.

(J) (i) As per the zonal certificate dated 21/11/2007 from Assistant Director of Town Planning, Pune the land Gat No. 524 falls in residential zone with 24 meter wide road passing through it. (ii) Therefore, colour zoning required.

(K) (i) Thereafter, the said land-owner-Firm M/s Pune Urban Projects and M/s Gagan Horizon Developers a registered Partnership Firm through its Partner Shri Sushil Ghanshyamdas Agarwal have formed a Joint Venture in the name and style 'Gagan Horizon Ventures' by executing a registered Joint Venture Agreement dated 25/5/2011 (Regn No. 6080/2011 at Haveli No. 2). (ii) Necessary registered GPA No. 6081/2011 in the name of Shri Sushil G. Agarwal and/or Shri Nilesh I. Laddad has also been executed by the parties.

(L) The xerox copies of the following documents have been perused :-

- (i) 7 x 12 extracts from 1953-54 to 2009-2010;
- (ii) M. E. Nos. 50, 71, 183, 302, 349, 401, 407, 904, 1102, 1912, 2976, 3739, 4330, 4774 and 4869;
- (iii) Sathekhhat dated 28/8/1968 (Regn No. 3188/1968);
- (iv) Sale Deed dated 7/9/1968 (Regn No. 3239/68);
- (v) Sale deed dated 14/10/1982 (Regn No. 4805/82);
- (vi) Sale Deed dated 14/5/2010 (Regn No. 4304/2010);
- (vii) Declaration/Affidavits from Patil family;
- (viii) Zonal Certificate No. 15938 dated 23/5/2011 from Assistant Director of Town Planning, Pune;
- (ix) Deed of Partnership dated 9/4/2010 in the name of M/s Pune Urban Projects.
- (x) Joint Venture Agreement dated 25/5/2011 (Regn No. 6080/2011)
- (xi) GPA dated 25/5/2011 (Regn No. 6081/2011).

III. PERMISSIONS/NOCs/DOCUMENTS REQUIRED

(A) Copies of M. E. Nos. 68, 70, 80, 709 and 1074 may please be obtained.

(B) The final ordered copy of M. E. No. 4869 dated 21/8/2010 may please be obtained.

(C) The Demarcation Certificate from TILR, Haveli showing the land held by M/s Pune Urban Projects may please be obtained.

(D) Colour zoning certificate from Town Planning may please be obtained.

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(E) There has been an entry of simple mortgage vide M. E. No. 349 dated 18/9/1975 by S/Shri Rangrao Patil etc in favour of Bank of Maharashtra to the tune of Rs. 30,000=00 on 22/5/1975, however, there is nothing about its repayment etc. The same may please be clarified and if already repaid the remark on the 7 x 12 extract be got deleted by proper mutation entry.

(F) A copy of partnership firm registration certificate issued by the Assistant Registrar of Firms, Pune in the name of M/s Pune Urban Projects may please be supplied.

(G) ULC status is required to be got ascertained from land-owners.

IV. ENCUMBRANCES

(A) For the period 1982 to 1991 (Part) at Haveli No. 1 all the registers excepting for the years 1982, 1983, 1987 were available and at Haveli No. 2 almost all the registers are extensively torn out and are not available for search. For the period 1991 (Bal) to 2011 at Haveli No. 6 all the registers excepting for 1995, 1999 and 2001 are available with the registers for year 2010 and 2011 are in unready/loose sheets only and the on-line service beyond 1/11/05 is yet to be made available. In the available registers no encumbrance was found recorded.

(B) There has been an entry of simple mortgage vide M. E. No. 349 dated 18/9/1975 by S/Shri Rangrao Patil etc in favour of Bank of Maharashtra to the tune of Rs. 30,000=00 on 22/5/1975, however, there is nothing about its repayment etc. The same may please be clarified and if already repaid the remark on the 7 x 12 extract be got deleted by proper mutation entry.

V. CONCLUSION/CERTIFICATE

From the fore-goings I am of the opinion that based on the copies of the documents produced and subject to the remark stated in Item No. III above, the said land-owner-Firm is the lawful owner of the subject property. The said land-owner-Firm has formed a Joint Venture in the name and style 'Gagan Horizon Ventures' and in view of the registered Joint Venture agreement and GPA the said Joint Venture 'M/s Gagan Horizon Ventures' holds comprehensive development rights of the subject property. Further, subject to the availability of the Index II registers, there is no encumbrance found recorded. And accordingly, this Report is issued.


(V.D.ABHYANKAR)
Advocate

No. CMP/22/11

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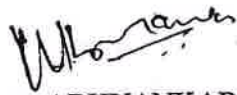
Amit Tower, Flat No. 18
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No. CMP/16/2015

Date : 24th April 2015

ADDITIONAL SEARCH REPORT

1. Description of property : All that piece and parcel of the land bearing Gat No. 524 area 8 H 89 Ars (inclusive of pot-kharaba of 64 Ars) assessed for land revenue at Rs. 2=81 paise situate at Village Koregaon Mul, within grampanchyat limits and limits of Panchyat Samiti, District : Pune out of it an area of 7 H 05 Ars owner as per sale deed + 7 x 12 extract is M/s Pune Urban Projects through its Partner Shri Vijay Devichand Nibjiya.
2. A total 30 year's Search of this property comprising for the period 1982 to 1991 (Part) was carried at the Offices of the Joint Sub Registrars, Haveli No. 1 and No. 2; for the period 1991 (Bal) to 2011 at Haveli No. 6. And after perusal of few documents connected with the said property, a Search and Title Report No. CMP/22/2011 dated 08/6/2011 was issued.
3. Now, this Additional Search Report is being issued to record compliance of some of the requisitions contained in Item No. III of the said Report No. CMP/22/2011 and after conducting further search of available records for the period 2011 (Bal) to 2015 (Part).
4. The owners have produced a copy of 7 x 12 extract dated 15/4/2015 for the year 2014-2015 which shows that the loan entry by S/Shri Rangrao Patil etc in favour of Bank of Maharashtra has now been deleted via M. E. No. 5464.
5. For the period 2011 (Bal) to 2015 (Part), the on-line computer service at *igr.maharashtra.gov* is available at the office of the Joint District Registrar, Pune. In the available entries under the said service, no encumbrance adversely affecting the title of the present owners and the present Developer of the said property was found recorded.


(V.D. ABHYANKAR)
Advocate

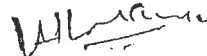
No. CMP/16/2015

No. CMP/20/2017

Date : 10th Jul 2017

ADDITIONAL SEARCH REPORT

1. Description of property : All that piece and parcel of the land bearing Gat No. 524 area 8 H 89 Ars (inclusive of pot-kharaba of 64 Ars) assessed for land revenue at Rs. 2=81 paise situate at Village Koregaon Mul, within grampanchyat limits and limits of Panchyat Samiti, District : Pune out of it an area of 7 H 69 Ars owner as per sale deed + 7 x 12 extract is M/s Pune Urban Projects through its Partner Shri Vijay Devichand Nibjiya and comprehensive development rights are held by Joint Venture 'M/s Gagan Horizon Ventures'.
2. A total 30 year's Search of this property comprising for the period 1982 to 1991 (Part) was carried at the Offices of the Joint Sub Registrars, Haveli No. 1 and No. 2; for the period 1991 (Bal) to 2011 at Haveli No. 6. And after perusal of few documents connected with the said property, a Search and Title Report No. CMP/22/2011 dated 08/6/2011 was issued.
3. Now, this Additional Search Report is being issued to record compliance of some of the requisitions contained in Item No. III of the said Report No. CMP/22/2011 and after conducting further search of available records for the period 2011 (Bal) to 2017 (Part).
5. For the period 2011 (Bal) to 2017 (Part), the on-line computer service at igr.maharashtra.gov is available. In the available entries under the said service, an entry of acquisition 32 Ars area by Joint Venture 'M/s Gagan Horizon Ventures' for access to the said property (and few others) vide Sale Deed dated 03/5/2014 Regn No. 3624/2014 at Sub Registrar, Haveli No. 23 has been found. The loan entry of erstwhile owners Shri Patil in favour of Bank of Maharashtra has been deleted via M. E. No. 5464 dated 16/6/2012.
6. From the available entries under the said on-line search, it is made clear that the said Joint Venture 'M/s Gagan Horizon Ventures' has entered into various agreements with respective intending-purchasers pertaining to distinct flats being constructed on the said landed property. However, no encumbrance adversely affecting the title of the land-owner and of the Joint Venture 'M/s Gagan Horizon Ventures' was found recorded. Accordingly, this Additional Search Report is issued.


(V.D. ABHYANKAR)
Advocate

No. CMP/20/2017