

# KIRAN WAGAJ

Advocate

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Pune- 411 005. Phone: (020) 25510359,

Ref :

Date : 07/05/2013

## "SUPPLEMENTARY TITLE REPORT"

At the instance of Mr. Shrikant Anant Nagarkar, partner of M/s. Om Developers – Project Green, having its office at Plot No.35, Laxmi Park Colony, Sadashiv Peth, Pune 411 030; I have issued Search/Title Report on 5.5.2008 in respect of the property situated at S.NO.169 Hissa No. 3 to 7 situated at Mauje Wakad, situated within the limits of Pimpri Chinchawad Municipal Corporation, Tal Mulshi Dist Pune. In addition to the said Title Reports dated 5.5.2008 I have also issued Supplementary Title Reports on 7.7.2008, 21.9.2009, 15.4.2010 and 29.8.2011 thereby recording the current developments as regards title to the said property (which properties are more particularly described in schedule written hereunder and for the sake of brevity hereinafter collectively referred to as the said property) Now Mr. Shrikant Anant Nagarkar has instructed me to issue an up-to-date Search/Title report of the said property and, therefore, I am issuing these presents.

- 1] I had instructed my colleague lawyer Mr. Hemant Sonawane, Advocate to take search of the Index II registers maintained by the Sub Registrar Haveli No. 1 to 22. Said Mr. Hemant Sonawane, Advocate, paid the necessary search fees with the office Sub Registrar Haveli No.1 vide receipt No. 1737/2013 date 2.5.2013 and he has submitted a search note for my perusal and information.
- 2] As per the search note various documents as regards the said property are executed and registered with the various registrars, the details whereof are traced by me hereunder. Besides the said documents, said M/s. Om Developers Project Green have also executed Agreement/s to Sell pertaining to the tenements/flats which they are constructing at the said site and list of all such flat purchasers and details about registration of such agreement/s to sell is given in Annexure I, annexed hereto.
- 3] As per the documents submitted to me by Mr. Shrikant Nagarkar, it appears that certain confirmation deeds are executed by certain persons



who were claiming some kind of right, title, claim or interest in the said property or part thereof.

The details of such deed/s of confirmation are as under:-

- i) Deed of Confirmation dated 22.11.2011 registered with Sub Registrar Haveli NO.19 at Sr.NO.11167/2011 on 22.11.2011.

By this document Mr. Sanjay Jagannath Ovhal and 3 others have declared and confirmed that the Sale Deed executed by Mr. Dagadu Sopan Ovhal and others on 20.2.2005 in respect of S.NO. 169 Hissa No. 5, totally admeasuring 0 Hect.53 R, and some other properties, infavour of M/s.Devi Sneh Park Co-op. Housing Society Ltd. was binding on them and they were paid an amount of Rs.3,50,000/- (Rs. Three Lac Fifty thousand only) for the same and on that very date 22.11.2011 said Mr. Sopan Dagadu Ovhal and 3 others have also executed a power of attorney in respect of said S.NO.169 Hissa No.5 and some other properties infavour of M/s. Om Developers – Project Green and Om Island Co-op. Housing Society Ltd. thereby empowering and authorising office bearers of said society and/or partners of said M/s. Om Developers-Project Green to do, execute or perform various acts, deeds and things which are elaborated in the said power of attorney dated 22.11.2011 which is registered with Sub Registrar Haveli NO.19 at Sr.NO.11168/2011 on 22.11.2011.

- ii) Smt. Anusayabai Ovhal and 6 others have executed a Deed of Confirmation whereby they have confirmed all the documents pertaining to S.NO.169 H.No. 5 totally admeasuring 0 Hect.53 R by which title of the said property was first transferred to Devi Sneh Park and on dissolution of the said Devi Sneh Park Co-op.Housing Society Ltd. the assets of the said society were distributed amongst 4 different societies out of which S.NO.169 Hiss No.5 has come to the share of Om Island Co-op.Housing Society Ltd. said Smt. Anusaya D. Ovhal and 6 others are paid valuable consideration amount, as mentioned in the said Deed of Confirmation dated 22.11.2011, for giving such confirmation to the earlier document.

The said Deed of Confirmation dated 22.11.2011 and power of attorney given said Smt.Anusaya Dagdu Ovhal and 6 others are registered with Sub Registrar Haveli No.19 at Sr.No. 11179/2011 and 11181/2011 respectively on 22.11.2011.

- iii) Smt. Hirabia Nathu Ovhal and 7 others have also given their irrevocable and unequivocal consent to the Sale Deeds dated



24.3.2005, 13.12.2005 and 27.3.2006 executed by various person infavour of Devi Sneh Park Co-op.Hsg. Ltd and all other subsequent documents whereby the said property i.e. S.No.169 Hissa No. 6 became property of Om Island Co-op.Housing Society Ltd. and said Smt. Hirabai Nathu Ovhal and 7 others have also given a power of attorney to the members of Om Island Co-op. Housing Society Ltd. and partners of M/s. Om Developer – Project Green thereby empowering and authorising them to do, execute or perform various acts, deeds and things enumerated in the said power of attorney dated 29.12.2011. The said Deed of Confirmation and Power of Attorney are registered with Sub Registrar Haveli No.19 at Sr. No. 117/2012 and 118/2012 respectively on 4.1.2012.

iv) Deed of Confirmation executed by Legal heirs Smt.Sugrabai Pandharinath Kamble on 12.12.2011 whereby they have confirmed all the documents pertaining to the property bearing S.NO.169 Hissa No.7 whereby the owners of the said property had agreed to transfer the said property infavour of firstly M/s.Om Developer Project Green by way of executing of Development Agreement dated 28.3.2007, which is registered with Sub Registrar Haveli No. 4 at Sr.No.2580/2007 and also a Sale Deed executed by Mr. Ramchandra Vithal Waghmare and others on 14.3.2005 infavour of Devi Sneh Park Co-op. Housing Society Ltd. which is registered with Sub Registrar Haveli No. 17 at Sr.No. 1757/2005 on 14.3.2005 and also other documents whereby said Om Island Co-op. Housing Society Ltd. has become owner of the said property and M/s. Om Developer – Project Green are holding the development rights in respect of the same and the said Deed of Confirmation dated 12.12.2001 is registered with Sub Registrar Haveli No.8 at Sr.No. 12759/2011 on 13.12.2011.

v) Out of the said property Om Island Co-op.Housing Society Ltd. with consent of M/s. Raga Land Developers Pvt.Ltd. and M/s. Om Developers – Project Green have sold 4000 Sq.Ft. of land i.e. 371.74 Sq.Mtrs. of land unto one Mrs. Chabubai Madhukar Sonawane on 3.11.2010 and the said Sale Deed is registered with Sub Registrar Haveli No. 15 at Sr. No. 8183/2010 on 3.11.2010. In pursuance thereof the name of said Mrs. Chabubai Madhukar Sonawane is mutated in record of rights by M.E. NO. 12932 on 1.12.2010.

4] Said M/s. Om Developer Project Green have acquired TDR/FSI to the tune of 1893 Sq.Mtrs. out of Gat No.259 (Old S.No. 574) Chikhali, Pune from Mr. Sambhaji Rokade and 12 others and one Mr. Maruti G. Kamble

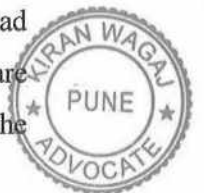


was a consenting party to the said Deed of Assignment of TDR, executed on 16.11.2011 and registered with Sub Registrar Haveli No.1 at SR.NO.10183/2011 date 16.11.2011.

- 5] The said M/s. Om Developer-Project Green are developing part of the said property by constructing thereon building/s consisting of tenements to be sold on ownership basis. Construction of some building out of the same is completed by M/s. Om Developer – Project Green and part completion certificate/s are issued by Pimpri Chinchwad Municipal Corporation unto said M/s.Om Developer Project Green. A part completion of construction in respect 223 tenements of **A, B, C, D, E** is given by the Pimpri Chinchwad Municipal Corporation vide C.C. No. 79/2012 on 30.3.2012 and by completion certificate No.112/2012 dt. 31.3.2012 completion certificate in respect of 95 Flats of **Bldg. F** is given by the Pimpri Chinchwad Municipal Corporation.

Some portion of the said property was acquired by the Pimpri Chinchwad Municipal Corporation for the purpose of road widening.

- 6] Accordingly a document styled as possession note was executed on 29.3.2012 between Pimpri Chinchwad Municipal Corporation and said M/s. Om Developer Project Green. The said possession note is registered with Sub-Registrar Haveli No.5 at Sr.No. 3386/2012 on 29.3.2012 . The name of Pimpri Chinchwad Municipal Corporation is entered into the Revenue record of the above referred Hissa Nos by way of M.E. No. 13775 dated 29.3.2012.
- 7] One Smt. Tulsabai Waghmare and others had filed a suit bearing R.C.S.No. **295/2000** against certain persons pertaining to properties situated at S.NO.169 and 170 for declaration and injunction and the said suit was decreed exparte by the Hon'ble 5<sup>th</sup> Addl. Civil Judge Jr. Divn., Pune at Pune on 3.3.2003 whereby Mr. Dagdu Sopan Ovhal and his heirs and everybody claiming through or under him were restrained from disturbing their possession of the suit property of said Smt. Tulsabai Waghmare and others.
- 8] Being aggrieved by the said judgement and decree dated 3.3.2003 in RC.S. No. **295/2000**, said Devi Sneh Park Co-op.Housing Society Ltd. had filed a Sp.C.S.bearing No. 829/2007 against said Smt. Tulsabai Waghmare and 9 others for declaration and injunction and also for setting aside the exparte decree dated 3.3.2003 passed in R.C.S.No. 295/2000.



- 9] Subsequent thereto certain other persons including the said Om Island Co-op.Housing Society Ltd. and M/s. Om Developer – Project Green were impleaded in the said suit as Plaintiffs No.1D and 1E . The said Sp.C.S.No. 829/2007 was compromised between the parties and as per the compromise decree passed by the Hon'ble Court on 5.2.2013 the judgement and decree dated 3.3.2003 in R.C.S.No. 295/2000 was set aside.
- 10] Said Smt. Tulsabai Waghmare and 11 others have executed a Deed of Confirmation/Ratification dated 31.1.2013, which is registered with Sub Registrar Haveli NO. 10 at SR.No.1451/2013 dated 21.2.2013. Said Smt.Tulsabai Waghmare and others have ratified and confirmed all the documents and especially the Sale Deed executed in respect of properties bearing S.No.169/4 and 169/5 infavour of Devi Sneh Park Co-op.Housing Society Ltd. on 31.12.2004, Said persons have also confirmed the title of Om Island Co-op.Housing Society Ltd. and the development rights in respect of the same being held by said M/s. Om Developer Project Green as per the Agreement dated 31.12.2004. Thus said Smt. Tulasabai Waghmare and others, who were decree holders in R.C.S. No. 295/2000, on setting aside of the said decree on compromise in Sp.C.S.No. 829/2007 have confirmed the title of Om Island Co-op.Housing Society Ltd. and development right in the said property being held by M/s. Om Developer – Project Green.
- 11] The said Smt. Tulasabai Waghmare and others have executed a power of Attorney infavour of Om Island Co-op.Housing Society Ltd. and M/s. Om Developer Project Green on 6.2.2013, which is registered with Sub Registrar Haveli NO.10 at Sr.No. 1452/2013 thereby empowering said society and partners of M/s. Om Developer Project Green to do execute and perform various acts, deeds and things as elaborated in the said power of attorney.
- 12] Prior to that said Om Island Co-op.Housing Society Ltd. and M/s.Om Developer Project Green have executed a Deed of Gift on 3.1.2013 infavour of Mr. Shankar Bhau Waghmare, Mrs. Makhmalbai Baban Waghmare and Smt.Aruna S. Sonavane whereby said Om Island Co-op.Housing Society Ltd. and M/s. Om Developer Project Green have gifted an area admeasuring 16000 Sq.Ft. to Mr. Shankar Bhau Waghmare, 3000 Sq.Ft. to Smt. Makhmalbai Waghmare and 2000 Sq.Ft. unto Smt. Aruna S. Sonavane out of S.No. 169 Hissa No. 5.





- 13] Thus an area totally admeasuring 21000 Sq.Ft. out of S.NO. 169 H.No. 5 is gifted by Om Island Co-op. Housing Society Ltd. unto above referred 3 persons. Said Gift Deed dated 30.1.2013 is registered with Sub Registrar Haveli No.10 at Sr.No.2008/2013 on 20.2.2013.
- 14] A power of attorney in respect of the same is also given to said Om Island Co-op. Housing Society Ltd. by aforesaid 3 persons thereby empowering them to do, execute or perform various acts, deeds and things pertaining to such 21000 Sq.Ft of land. The said Power of Attorney is executed on 20.2.2013 and the same is registered with Sub Registrar Haveli No.10 at Sr.No. 2009/2013 on 20.2.2013.
- 15] As per M.E. No. 13620 dated 13.2.2011, the factum of death of Smt. Sugrabai Pandharinath Kambale on 19.10.2001 was informed to Revenue Authorities and, therefore, the names of her heirs i.e. Mrs. Bharati K .Shinde and others in respect of property bearing S.NO.169/7 were mutated in record of rights.
- 16] As per M.E. No. 13621 dated 13.12.2011 the factum of execution and registration of Deed of Confirmation executed by legal heirs of Smt. Sugrabai Kamble and others, which is registered Sub Registrar at S.NO.12759/2011 was mutated in record of rights.
- 17] No other transaction was traced and from the available record I am of the opinion that the title of Om Island Co-op.Housing Society Ltd. to the said property bearing S.NO.169 Hissa No. 3 to 7 is clean, clear and marketable and said M/s. Om Developer Project Green are holding the development rights in respect of the same. This Supplementary Title /Search Report is issued in continuation of my earlier search /title reports and, therefore, this Search/Title should be treated as part and parcel of the earlier title reports issued by me on 5.5.2008, 7.7.2008,. 21.9.2009, 15.4.2010 and 29.8.2011 and should be read as such.

#### **SCHEDULE OF THE PROPERTY**



All those pieces and parcels of lands situated at village Wakad which are within the Regn.Divn. Pune Sub Registrar, Tal Mulshi, (Paud) and which is within the Limits of P.C.M.C. and details of the same are as under:

#### **S.No.169/3 admeasuring 4449 Sq. Mtrs. bounded as under,**

On or towards the East	:	Wakad – Thergaon Rd.
On or towards the West	:	Part of S.No. 170/3
On or towards the North	:	Part of S.No. 169/2 & part 18 Mtrs.

ON or toward the South : Road  
Part of S.No.169/4

**S. No.169/4 admeasuring 14035 Sq. Mtrs. bounded as under**

On or towards the East : Wakad Thergaon Road  
ON or towards the West : Part of S.No. 170/4  
On or towards the North : Part of S.No. 169/3  
ON or toward the South : Part of S.No.169/5

**S. No.169/5 admeasuring 3285 Sq. Mtrs. bounded as under**

On or towards the East : Part of property 169/5 (Shankar B. Waghmare)  
ON or towards the West : Part of S.No. 170/5  
On or towards the North : Part of S.No. 169/4  
ON or toward the South : Part of S.No.169/6

**S. No.169/6 admeasuring 9589.28 Sq. Mtrs. bounded as under**

On or towards the East : Part of Property 169/6  
ON or towards the West : Part of S.No. 170/6  
On or towards the North : Part of S.No. 169/5  
ON or toward the South : Part of S.No.169/7

**S. No.169/7 admeasuring 4092.50 Sq. Mtrs. bounded as under"**

On or towards the East : Part of property 169/7 retained by  
Ramchandra V. Waghmare  
On or towards the West : Part of S.No. 170/7  
On or towards the North : Part of S.No. 169/6  
On or toward the South : Part of S.No.169/8

PUNE

DATED

*19/10/2018*  
**KIRAN WAGAJ**  
**ADVOCATE**  
