

Ref NO.

Date :

TITLE OPINION

TITLE OPINION in relation to an area of H. 00 Aars 16 out of S No. 393 of Village Koregaon Mul, Taluka Haveli, Dist. Pune at the instance of my clients M/s. Amit Developers, A Proprietary Concern having it's office at 65/512, Maharshi Nagar, Pune 411 037.

1. I have investigated the title of the captioned property at the instance of my clients M/s. Amit Developers. In due course of investigation a search of Index No II registers for the last 30 years is cause to be taken from the concerned sub-registry offices for relevant period in respect of the captioned property. In said search it is found that some registers are torn, while some registers are not prepared and/or sent for binding. Hence, the search of the available record is taken and during such search no entries, except the entry of the Development Agreement and Power of Attorney dated 17/10/2008, which are reflected hereunder are found and/or revealed.

2. In addition to the search as aforesaid I have also perused and scrutinised the copies of the following documents in relation to the captioned property.

(i) Certified true copies of the 7/12 extracts from 1973/1974 to 2008/2009 along with all the mutation entries thereon



(ii) Copy of the Sale Deed dated 13.05.2008 duly registered at the office of The Joint S.R. Haveli No. 06 at Sr.No. 4143 on the same day.

(iii) Copy of the plan in respect of the measurements of the captioned property, carried out by The Taluka Inspector of Land Records, Haveli on 07.10.2008

(iv) Original Development Agreement dated 17.10.2008 executed by Shri. Chandrabhan Bhimsing Thakur and Mrs. Nanda Chandrabhan Thakur in favour of M/s. Amit Developers and registered at the office of The S.R. Haveli No. 10 at Sr.No. 8739 on the same day.

(v) Original Power of attorney dated 17.10.2008 executed by Shri. Chandrabhan Bhimsing Thakur and Mrs. Nanda Chandrabhan Thakur in favour of Shri. Amit Chandrabhan Thakur the Proprietor of M/s. Amit Developers and duly registered at the office of The S.R. Haveli No. 10 at Sr.No. 8740 on the same day

(vi) No dues certificate dated 07/02/2009 issued by State Bank Of India, Urali Kanchan Branch, Pune

3) From the perusal and scrutiny of the above documents I found that:

Office : "Usha-Vithai" 32, Rasta Peth, Pune 411011.

Ref.NO.

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A. The captioned property is part and parcel of Gat No. 393. The said Gat No. 393 was owned by Smt. Babaibai Vithoba Shitole. The said Babaibai Vithoba Shitole expired on 18.12.1972 and after her death the names of her daughters namely Yeshobai Ramchandra Bhosale and Krishnabai Dinkarrao Jadhav were recorded in the record of right of said Gat No. 393 as holders/owners thereof in equal share. Thereafter in the year 1975, as per the application of Krishnabai Dinkarrao Jadhav, her name was deleted from the record of right of the said Gat No. 393 and in her place the names of her daughters namely Mrs. Anandibai Vithalrao Shitole and Mrs. Leelabai Balasaheb Gaikwad were recorded in the record of right of said Gat No. 393 as holders/owners in respect of the share of said Krishnabai Dinkarrao Jadhav. Similarly in the year 1983 as per the application of Yeshodabai Ramchandra Bhosale, her name was deleted from the record of right of the said Gat No. 393 and in her place the names of her sons namely Shivajirao Ramchandra Bhosale and Sambhajirao Ramchandra Bhosale were recorded in the record of right of said Gat No. 393 as holders/owners in respect of the share of said Yeshodabai Ramchandra Bhosale.

B. From the perusal of mutation entry No. 3010 it is found that by a registered Deed of Partition, a partition took place between Mrs. Anandibai Vithalrao Shitole,

Mrs. Leelabai Balasaheb Gaikwad and Shri Prataprao Dinkarrao Jadhav and as per the said partition the 18 Aar out of Gat No. 393 is allotted to the share of the said Mrs. Anandibai Vithalrao Shitole, Mrs. Leelabai Balasaheb Gaikwad.

C. From the perusal of mutation entry No. 3081 it is found that by a registered Deed of Partition, a partition took place between Mrs. Anandibai Vithalrao Shitole, Mrs. Leelabai Balasaheb Gaikwad, Shivajirao Ramchandra Bhosale and Sambhajirao Ramchandra Bhosale and as per the said partition the entire Gat No. 393 is allotted to the share of the said Mrs. Anandibai Vithalrao Shitole, Mrs. Leelabai Balasaheb Gaikwad.

D. From the perusal of mutation entry No. 4213 it is found that by a registered Deed of Partition, again a partition took place between Vitthal Kondiba Shitole, Mrs. Anandibai Vithalrao Shitole, Dashrath Vitthal Shitole and Neelema Dashrath Shitole and as per the said partition the area of H. 00 Aars 19 out of Gat No. 393 i.e. the part owned and held by Mrs. Anandibai Vithalrao Shitole is allotted to the exclusive share of Dashrath Vitthal Shitole and accordingly his name was recorded in the record of right of the said property as holder/owner thereof.

E. From the perusal of mutation entry No. 4346 it is found that the aforesaid Mrs. Leelabai Balasaheb

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Gaikwad, with the consent of Savita Pravin Kagde and Anil Yeshwant Jagtap sold and conveyed her share i.e. an area of H. 00 Aars 19 out of Gat No. 393 to Ravindra Bhaskar Kolekar and accordingly his name was recorded in the record of right of the said portion as holder/owner thereof.

F From the perusal of mutation entry No. 4362 it is found that the aforesaid Ravindra Bhaskar Kolekar sold and conveyed the aforesaid area of H. 00 Aars 19 out of Gat No. 393, which is purchased by him as stated hereinabove to Dashtrath Vitthalrao Shitole and Mahendra Wamanrao Kanchan. From the perusal of the said entry it is also found that out of the said area of H 00 Aars 19, the aforesaid Dashtrath Vitthalrao Shitole purchased an area of H. 00 Aars 10 and Shri. Mahendra Wamanrao Kanchan purchased the remaining area H. 00 Aars 09. After the said sell the name of the said Dashtrath Vitthalrao Shitole is recorded as holder/owner of an area of H. 00 Aars 29 and the name of Mahendra Wamanrao Kanchan is recorded as holder/owner of an area of H. 00 Aars 09.

G. From the perusal of mutation entry No. 4381 and the document mentioned at Sr.No. 2(ii) it is found that the aforesaid Dashtrath Vitthalrao Shitole sold and conveyed an area of H. 00 Aars 07 out of his holding to Shri. Chandrabhan Bhimsing Thakur and Mrs. Nanda

Chandrabhan Thakur while the aforesaid Mahendra Wamanrao Kanchan sold and conveyed is entire holding of H. 00 Aars 09 out of the said Gat No. 393 to the said Shri. Chandrabhan Bhimsing Thakur and Mrs Nanda Chandrabhan Thakur and accordingly the names of said Shri. Chandrabhan Bhimsing Thakur and Mrs Nanda Chandrabhan Thakur are recorded in the record of right of the said Gat No. 393 as holders/owners thereof.

H. From the perusal of the other mutation entries appearing on the 7/12 extract of Gat No 393 it is found that the said entries are in respect of the crop loans taken by the previous owners from State Bank Of India, Urali Kanchan Branch, Pune. However from the perusal of the documents mention at Sr. No. 2 (vi) it is found that the previous owners had repaid the said loan and the said bank do not have any charge over in the caption property

I. From the perusal of the document mentioned at Sr No 2(iii) it is found that the present owners are in possession, occupation and enjoyment of the captioned property and the captioned property is separately demarcated and fenced property.

J. From the perusal of the Development Agreement as mentioned in para 2 (iv) hereinabove it is found that by the said Agreement the owners of the captioned property have authorised and permitted M/s. Amit Developers to

Ref.NO

Date :

develop the captioned property and to construct a building in and upon the same and to sell /convey /transfer the flats, tenaments etc from the said building to any prospective purchasers thereof. From the perusal of the documents at S No 2(v) hereinabove it is found that the above said owners have also appointed the proprietor of M/s. Amit Developers as their duly constituted attorney there by authorising him to do, perform and execute all the acts, deeds and things, as mentioned therein on their behalf.

4. In addition to the above, after the agreement dated 17/10/2008, I have published a Public Notice in daily Prabhat dated 13/11/2008 thereby inviting (i) any demands, claims, if any, from and by any third party/ies in terms of charges, agreements, mortgage etc upon and against the captioned property and (ii) any objection by any third party to the transaction between the owners of the captioned property and my client however till today I have not received any communication of whatsoever nature from any third party in response to the said public notice.

In view of the above I am of the opinion that, the title of Shri Chandrabhan Bhimsing Thakur and Mrs. Nanda Chandrabhan Thakur, the present owners/holders of the captioned property appears to be free, clear and marketable and M/s. Amit Developers have valid and

subsisting rights to develop the said captioned property,
as per the plans approved by the concerned authority and
to sell/transfer/convey the flats from the proposed
building to be constructed in and upon the captioned
property to any third party.

Pune.

Dated. 16.02.2009



ADVOCATE

All the documents handed over to me for this Title Report
are returned to M/s. Amit Developers.



ADVOCATE

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SUPPLEMENTARY TITLE OPINION

SUPPLEMENTARY TITLE OPINION in relation to an area of H. 00 Aars 16 out of S.No. 393 of Village Koregaon Mul, Taluka Haveli, Dist. Pune at the instance of my clients M/s. Amit Developers, A Proprietary Concern having it's office at 65/512, Maharshi Nagar, Pune 411 037.

1. On 16.02.2009 I have given my Title Opinion in respect of the captioned property owned by Shri. Chandrabhan Bhimsing Thakur and Mrs. Nanda Chandrabhan Thakur, at the instance of my client M/s. Amit Developers.

2. The aforesaid title opinion dated 16.02.2009 was based upon the copies of the documents delivered by my client to me, as mentioned in para 2 of the said title opinion.

3. Thereafter on 12.07.2011 I have also issued a Supplementary Title Opinion to the aforesaid title opinion dated 16.02.2009 thereby rectifying the mistake occurred in the title opinion dated 16.02.2009.

4. Now my client has delivered me the copy of the order dated 06.07.2012 passed by The Collector Pune bearing No. PMH/NA/SR/798/11. following documents for my perusal. From the perusal of the said order I found that the plans for construction of building/s are approved by The Collector Pune and my client is permitted to carry out construction of a multistoried building in and upon an area of 1347.22 sq.mtrs. i.e. in the area excluding the area affected by road. By the said order the permission to use the said property for Non Agricultural purposes is also granted by The Collector Pune.

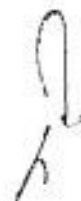
5. I have perused the copies of the aforesaid documents and in addition to it I have also caused the search of the available entries from the Index No. II registers from the concerned Sub-Registry offices for the last 4 years and during the search as aforesaid, except the entries mentioned in the Annexure annexed hereto no entry

repugnant to the title of the captioned property is found or revealed.

6. In view of the above and earlier Title Opinion dated 16.02.2009 and Supplementary title opinion dated 12.07.2012 I again Opine that subject to the rights of the two flat purchasers, as mentioned in the annexure annexed hereto, title of the owners to the captioned property appears to be free, clear and marketable and my clients M/s. Amit Developers have valid and subsisting rights to develop the said property as per the approved plan and to sell the remaining flats/premises from the proposed building to any intending purchasers thereof.

Pune.

Dated: 09.10.2012



ADVOCATE

All the documents handed over to me for this Supplementary Title Opinion are returned to M/s. Amit Developers..



ADVOCATE

