

Sharad L. Londhe

B.Sc.LL.B., LL.M.

ADVOCATE HIGH COURT (Mum.)**Off at :- Flat No. 504, A Wing, Mohan Palm, Shirgaon Badlapur (E) Dist-Thane**

Ref.

Date :- 29/12/2016

TITLE CERTIFICATE

To,

SHREE DEVELOPERS

Through Its Partner

1) **MR. JIGNESH DHIRAJ MAKANI**2) **MR. DAMJI KANJI RAVRIYA**3) **MR. NARSINH ARJAN PATEL**Having Office address at:- Harsh Avenue,
Survey No.56/6, Hendrepada, Kulgaon
Badlapur, Tal.-Ambernath, Dist.-Thane.**:- SCHEDULE OF PROPERTY:-**

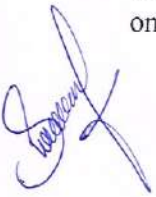
Land Bearing Survey No.56, Hissa No.6, Admeasuring Area 0H-12R-6P, Asst. 2Rs.-50Paise, Situated at Village KULGAON, Tal.-Ambernath, Dist.-Thane within local limit of Talathi Saja Kulgaon and Kulgaon Badlapur Municipal Council and Sub-Registrar Ulhasnagar-2 at Badlapur.

TRACING OF TITLE:-**A DOCUMENTS PERSUED:-**

- 1) Read 7/12 extract of Survey No.56, Hissa No.6, Admeasuring Area 0H-12R-6P, Asst. 2Rs.-50Paise, Situated at Village KULGAON, Tal.-Ambernath, Dist.-Thane, in favour of (1) **Mr. Shailendra Nimbagiri Gosavi**, (2) **Mr. Mukesh Kisan Kadu**, (3) **Mr. Ganesh Malhari Ghorpade**.
- 2) Read **Mutation Entry No. 219** certified by Circle Officer Ambernath, the land of Mr. Yashwant Vishnu Joshi & Others 3, cultivated by Mr. Potya Posu Jadhav, hence the name of Mr. Potya Posu Jadhav mutated on the said land as protected tenant.
- 3) Read **Mutation Entry No. 354** certified by Talathi Saja Kulgaon, The Government of Mumbai-11 on dated 17/05/1950 implemented the standard area for the said land.



- 4) Read **Mutation Entry No. 1250** certified by Talathi Saja Kulgaon on dated 13/02/1969, the previous land owner Potya Poshya Jadhav have expired on dated 01/05/1968 & he leaving behind his following legal heirs :
- (1) Ganpat Potya Jadhav - Son
 - (2) Mahadu Potya Jadhav - Son
 - (3) Shravan Potya Jadhav - Son
 - (4) Smt. Jankibai Potya Jadhav - Wife
- 5) Read **Mutation Entry No. 1251** certified by Talathi Saja Kulgaon on dated 13/02/1969, the land owners i.e. Ganpat Potya Jadhav, Shravan Potya Jadhav, Smt. Jankibai Potya Jadhav had given the statement before Talathi for deleting their name and the name of Mahadu Potya Jadhav was mutated the only owner of the said land.
- 6) Read **Mutation Entry No. 1592** certified by Talathi Saja Kulgaon on dated 13/02/1969, Mr. Potya Posu Jadhav have purchased the said land from Mr. Yashwant Vishnu Joshi for amount of Rs.187/- on dated 13/12/1960 according to the Sec.32 G of Bombay Tenancy and Agriculture Land Act. And hence, the charge of the said amount of Rs.187/- was kept in the other rights column of the 7/12 extract of the said land.
- 7) Read **Mutation Entry No. 4113** certified by Circle Officer Ambarnath on dated 05/04/1988, the land owner Mr. Potya Posu Jadhav paid the agricultural land amount of Rs.187/- of the previous land owner Mr. Yashwant Vishnu Joshi, and hence according to 32 M certificate dated 24/02/1988 bearing No.2491, the charge of the said land which was in the other rights column was deleted.
- 8) Read **Mutation Entry No. 5524** certified by Circle Officer Ambarnath on dated 24/06/2008, the land owner Mahadu Potya Jadhav have expired on dated 30/06/2006 & he leaving his only legal heir his wife Smt. Yamunabai Mahadu Jadhav, the name of the said legal heir was mutated on the 7/12 extract of the said land as owner.
- 9) Read **Mutation Entry No. 5672** certified by Circle Officer Ambarnath on dated 04/09/2009, the land owner Smt. Yamunabai Mahadu Jadhav have sold the said land to Bhalchandra Chandar Kambari by Sale Deed on dated 19/03/2009, the said Sale Deed duly registered at the Office of Sub-Registrar, Ulhasnagar-2 under serial No.1614/2009 and hence, according to the said Sale Deed the name of Bhalchandra Chandar Kambari was mutated on the 7/12 extract of the said land as owner.
- 10) Read **Mutation Entry No. 6028** certified by Circle Officer Ambarnath on dated 27/09/2011, the land owner Bhalchandra Chandar Kambari with



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confirming party Smt. Yamunabai Mahadu Jadhav have sold the said land to M/s. Omkar Builders & Developers through partners (1) Vikas Mukappa Kanade, (2) Atul Gunvantrai Mehta by Sale Deed on dated 06/01/2010, the said Sale Deed duly registered at the Office of Sub-Registrar, Ulhasnagar-2 under serial No.179/2011 and hence, according to the said Sale Deed the name of M/s. Omkar Builders & Developers through partners (1) Vikas Mukappa Kanade, (2) Atul Gunvantrai Mehta was mutated on the 7/12 extract of the said land as owner.

11) Read **Mutation Entry No. 6352** certified by Circle Officer Ambarnath on dated 27/09/2011, The order granted by Civil Court, Ulhasnagar bearing civil suit No.305/2011 on dated 17/12/2012 for cancellation of two sale deeds i.e. first is dated 19/03/2009, registered under serial No.1614/2009 and this effected on the said land by mutation entry No.5672 & second is dated 06/01/2010, registered under serial No.179/2010 and this effected on the said land by mutation entry No.6028 and [the sale deed dated 04/08/1993 between Gajanan Ganpat Mhatre, Kashinath Namdev Solanke & Mahadu Potya Jadhav, Yamunabai Mahadev Jadhav was declared as valid and legal. And hence] the names of Gajanan Ganpat Mhatre, Kashinath Namdev Solanke were mutated on the 7/12 extract of the said land as owner.

12) Read **Mutation Entry No. 6360** certified by Circle Officer Ambarnath on dated 23/10/2013, the land co-owners Kashinath Namdev Solanke through power of attorney holder Pundlik Laxman Pavshe have sold their 1/2 share i.e. 630 Sq. Mtrs. to (1) Mr. Shailendra Nimbagiri Gosavi, (2) Mr. Mukesh Kisan Kadu, (3) Mr. Ganesh Malhari Ghorpade by Sale Deed on dated 19/10/2013, duly registered at the Office of Sub-Registrar Ulhasnagar-2 under Serial No.11837/2013, and hence according to the said sale deed the names of (1) Mr. Shailendra Nimbagiri Gosavi, (2) Mr. Mukesh Kisan Kadu, (3) Mr. Ganesh Malhari Ghorpade were mutated on the 7/12 extract as owners.

13) Read **Mutation Entry No. 6439** certified by Circle Officer Ambarnath on dated 14/08/2014, the land co-owner Gajanan Ganpat Mhatre have expired on dated 15/09/2012 & he leaving behind his following legal heirs :

- 1) Smt. Dropadibai Gajanan Mhatre – Wife
- 2) Jaywant Gajanan Mhatre – Son (expired on dated 13/04/2005) & his leaving behind his following legal heirs :



- 3) Monabai Jaywant Mhatre – Daughter in Law
- 4) Swakin Jaywant Mhatre – Grand Son
- 5) Shivangi Jaywant Mhatre – Grand Daughter
- 6) Bebybai Vikas Patil – Daughter
- 7) Shaila Pundlik Pavshe – Daughter
- 8) Bharti Sanjay Patil – Daughter

14) Read **Mutation Entry No. 6561** certified by Circle Officer Ambarnath on dated 10/09/2015, the land owners Smt. Dropadibai Gajanan Mhatre, Monabai Jaywant Mhatre, Swakin Jaywant Mhatre, Shivangi Jaywant Mhatre, Bebybai Alias Vidya Vikas Patil, Shaila Pundlik Pavshe, Bharti Sanjay Patil have sold their share i.e. 630 Sq. Mtrs. to (1) Mr. Shailendra Nimbagiri Gosavi, (2) Mr. Mukesh Kisan Kadu, (3) Mr. Ganesh Malhari Ghorpade by Sale Deed on dated 11/08/2015, duly registered at the Office of Sub-Registrar Ulhasnagar-2 under Serial No.7236/2015, and hence according to the said sale deed the names of (1) Mr. Shailendra Nimbagiri Gosavi, (2) Mr. Mukesh Kisan Kadu, (3) Mr. Ganesh Malhari Ghorpade were mutated on the 7/12 extract as owners.

15) Read Development Agreement dated 24/06/2016, duly registered at the Office of Sub-Registrar, Ulhasnagar-2 under Serial No. 6386/2016 between (1) Mr. Shailendra Nimbagiri Gosavi, (2) Mr. Mukesh Kisan Kadu, (3) Mr. Ganesh Malhari Ghorpade (As Owners) & Shree Developers Through Its Partner (1) Mr. Jignesh Dhiraj Makani, (2) Mr. Damji Kanji Ravriya, (3) Mr. Narsinh Arjan Patel (As Developers) for the land bearing Survey No.56, Hissa No.6, Admeasuring Area 0H-12R-6P, Asst. 2Rs.-50Paise, Situated at Village KULGAON, Tal.- Ambarnath, Dist.-Thane. According to the said Development Agreement the land owners have granted Development rights in favour of Developers regarding said land for Kind Consideration of 40% constructed area Free of Cost and Cash consideration of Rs.20,00,000/- (Rupees Twenty Lakhs only) and also refundable security deposit of amount Rs.40,00,000/- (Rupees Forty Lakhs only) & Simultaneously, Irrevocable Power of Attorney was also granted by land owners mentioned above in favour of Shree Developers Through Its Partner (1) Mr. Jignesh Dhiraj Makani, (2) Mr. Damji Kanji Ravriya, (3) Mr. Narsinh Arjan Patel on dated 24/06/2016, duly registered at the Office of Sub-Registrar Ulhasnagar-2 under Serial No. 6387/2016 for enabling the developers for development of said land and have also granted all rights and power regarding said land.

16) Read Letter issued by Tahsildar and Executive Magistrate Office, Ambarnath on dated 31/05/2016 under order bearing No. Mah/K-1/T-3/Jaminbab/SR-53/2016, the said land is acquired under the Class-I, It also reveals that, the said land is free of any charges and the said land is not belongs to any schedule tribes or caste.



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17) Read Building Construction Permission issued by Kulgaon Badlapur Municipal Council on dated 17/12/2016, Unique No. 121 order bearing No. Javak K. KBNP/NRV/BP/9030-121, construction permission is granted for the said land bearing **Survey No.56, Hissa No.6, Admeasuring Area 0H-12R-6P** and said construction granted for WING A, B - Ground + Four floors for Residential use.

18) Read Notice of Lis-Pendence dtd. 03/03/2015, duly registered at the Office of Sub-Registrar Ulhasnagar-2 under Serial No. 2117/2015, M/s. Omkar Builders & Developers through partners Mr. Vikas Mukappa Kanade have challenged the order passed by Hon'ble 3rd CJJD Ulhasnagar in RCS No. 305/2011 and filed application under sec. 5 of Limitation Act, 1963 for condonation of delay by M.A. No. 101/2013 and the said M/s. Omkar Builders & Developers through partners Mr. Vikas Mukappa Kanade was registered notice of Lis-Pendence in Sub-Registrar Ulhasnagar-2 under Serial No. 2117/2015.

19) Read Search Report dated 19/12/2016 issued by Searcher Mr. Satish Anand Farad regarding land bearing **Survey No.56, Hissa No.6, Admeasuring Area 0H-12R-6P, Asst. 2Rs.-50Paise**, Situated at Village **KULGAON**, Tal.-Ambernath, Dist.-Thane for the period of 30 years i.e. 1987 to 2016 (upto 19/12/2016) & There is no adverse entry on the Index-II of said land except stated above.

In the aforementioned circumstance I am of the opinion that, Property bearing **Survey No.56, Hissa No.6, Admeasuring Area 0H-12R-6P, Asst. 2Rs.-50Paise**, Situated at Village **KULGAON**, Tal.-Ambernath, Dist.-Thane has good marketable title and free from all encumbrance and Subject to final order in M.A. No. 101/2013 pending before Hon'ble Addl. District Judge at Kalyan.

Signed, under my hands and seal on this, 29th December, 2016.

Sign,

Mr. Sharad L. Londhe
(Advocate High Court)