

शैलेन्द्र द. जल्लावार

बी.कॉम., एलएल.बी.

अॅडवोकेट हायकोर्ट

१०५, विकास हाईट्स, संतोषीमाता रोड, कल्याण (प).

फोन : २३२२५२६, २३२७४४७

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Date: 13.07.2016

To

M/s. Vaijanath Realtors LLP,

Survey No.13, Hissa No.9,

Barave Village,

Godrej Hill, Kalyan (W)

TITLE CERTIFICATE

Reg : All those pieces and parcels of land lying, being and situate at village Barave, Taluka Kalyan, District Thane within the limits of Kalyan Dombivli Municipal Corporation bearing:

Survey No.	Hissa No.	Sq.Mtrs	Owners Name
9	2	960	Yamunabai A. Dhone & others
9	3	1740	Yamunabai A. Dhone & others
9	4	860	M/s K. Bhatia Developers
25	8	3600	Yamunabai A. Dhone & others
26	11	280	Yamunabai A. Dhone & others

within the limits of Kalyan Dombivli Municipal Corporation.

Read:

1. Extracts of 7/12.
2. Relevant Mutation Entries.
3. Development Agreement dated 22.03.1995 registered at the office of Sub Registrar of Assurances at Kalyan under serial No. 1910/1997 dated 19.05.1997 made and executed between Smt. Changunabai Balaram Dhone and others as the owners and M/s. Vertex Builders and Developers Private Limited as the Developers.
4. Development agreement dated 23.11.2004 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No.7195/2004 on 23.11.2004 made and executed between Smt. Changunabai Balaram Dhone and others referred to as the owners, M/s. Vertex Builders and Developers Private Limited as the confirming party and M/s. K. Bhatia Developers as Developer.
5. Deed of Correction dated 16.06.2005 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No.4274/2005 on 16.06.2005.
6. Development Agreement dated 14.06.2007 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.4560/2007 made and executed between Smt. Jayshree Gurunath Mirkute and others referred to as the owners, M/s. Bhavik Enterprises as the Developer.
7. Development Agreement dated 29.10.2007 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.7685/2007 on 29.10.2007 made and executed between Smt. Jayshree Gurunath Mirkute and others referred to as the owners, M/s. Bhavik Enterprises as the confirming party and M/s. K. Bhatia Developers as the Developer.
8. Agreement for Sale dated 02.12.2010 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.11453/2010 on 02.12.2010 made and executed between Smt.

Jayshree Gurunath Mirkute and others referred to as the owners and M/s. K. Bhatia Developers as the Purchaser.

9. Deed of Confirmation dated 08.12.2010 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.11695/2010 on 08.12.2010 made and executed between by Smt. Shalubai Ankush Mirkute and in favour of M/s. K. Bhatia Developers.
10. Deed of Confirmation dated 28.02.2011 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.2150/2011 on 28.02.2011 made and executed between by Smt. Kalavati Manik Mirkute and in favour of M/s. K. Bhatia Developers.
11. Permission under section 43(i) of the Bombay Tenancy and Agricultural Lands Act, 1948 from the Sub-Divisional Officer, Thane bearing Nos.TD/T-6/KV/VP/SR-72 dated 08.05.2007 in respect of Survey No.9/4.
12. Building Permission granted by the Kalyan Dombivli Municipal Corporation under Building Commencement No.KDMP/NRV/BP/KV / 472-200 dated 13.02.2012.
13. Non-Agricultural Permission granted by the Collector Thane bearing No.Mahasul/K-1/T-7/NAP/Barave-Kalyan/SR-163/2011 dated 22.12.2011.
14. Deed of Confirmation dated 30.07.2012 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.6628/2012 on 30.07.2012 made and executed by Smt. Kamla Ankush Mirkute in favour of M/s. K. Bhatia Developers.
15. Deed of Confirmation dated 13.06.2012 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.7645/2012 on 13.06.2012 made and executed by Shri Ram Maruti Madhvi, Smt. Reena Ram Madhvi and in favour of M/s. K. Bhatia Developers.
16. Agreement for acquisition of Transferable Development Rights dated 12.10.2010 executed by Shri Rajesh Omprakash Gupta in favour of M/s. Mahima Infra Estates
17. Supplementary Deed of Partnership dated 10.02.2012 read with Agreement of Limited Liability Partnership dated 15.11.2012 and also further read with Agreement for Reconstitution of LLP dated 22.03.2013 and Supplementary Deed of Partnership / Joint Venture dated 31.03.2013 and further Agreement for the Reconstitution of Limited Liability Partnership dated 19.12.2015
18. Revised Building Permission granted by the Kalyan Dombivli Municipal Corporation under No.KDMP/NRV/BP/KV/2013-14/45 dated 06.06.2013.
19. Deed of Conveyance dated 29.07.2013 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 5721/2013 read together with the Deed of Correction dated 30.10.2013 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 7935/2013 made and executed by Jayashree Gurunath Mirkute and others in favour of M/s K. Bhatia Developers in respect of Survey No. 9/4.

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20. Deed of Confirmation dated 28.02.2014 executed by Sau. Meena Haresh Dhone for self and natural guardian of minor Aparna, Vivek and Hemant in favour of M/s K. Bhatia Developers registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 1533/2014.
21. Part Building Completion Certificate issued by the Kalyan Dombivli Municipal Corporation for building No. B & B1 under No. KDMP/NRV/CC/KV/332 dated 12.02.2014.
22. Deed for acquisition of transferable development rights dated 10.09.2015 registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No. 7781/2015 executed by Narayan Kanha Mhatre in favour of M/s. Mahima Infra Estates
23. Revised Building Permission granted by the Kalyan Dombivli Municipal Corporation under No. KDMP/ NRV/ BP/ KV/ 2013-14/45/69 dated 20.05.2016.
24. Search reports.

I have investigated the title of the owners to the above said property and I am of the opinion that and I certify that the title of the owners to their respective properties is clear, marketable and free from reasonable doubts and encumbrances

It appears that by and under a Development Agreement dated 22.03.1995 registered at the office of Sub Registrar of Assurances at Kalyan under serial No. 1910/1997 dated 19.05.1997 made and executed between Smt. Changunabai Balaram Dhone and others as the owners and M/s. Vertex Builders and Developers Private Limited as the Developers, the said owners granted the development rights in respect of Survey No. 9/2, 9/3, 25/8 and 26/11 along with the other properties to M/s. Vertex Builders and Developers Private Limited at and for the price/consideration and on the terms and conditions therein mentioned.

It further appears that said M/s. Vertex Builders and Developers Private Limited by and under a Development agreement dated 23.11.2004 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No.7195/2004 on 23.11.2004 made and executed between Smt. Changunabai Balaram Dhone and others referred to as the owners, M/s. Vertex Builders and Developers Private Limited as the confirming party and M/s. K. Bhatia Developers as the Developer viz. the Promoter herein as the Developers read with Deed of Correction dated 16.06.2005 transferred and assigned the development rights in respect of the aforesaid property along with the other properties to Promoter herein at and for the price/consideration and on the terms and conditions therein mentioned.

It also appears that by and under a Development agreement dated 14.06.2007 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.4560 /2007 made and executed between Smt. Jayshree Gurunath Mirkute and others referred to as the owners, M/s. Bhavik Enterprises as the Developer the aforesaid Owners granted the development right in respect of Survey No.9/4 to the said M/s, Bhavik Enterprises at and for the price/consideration and on the terms and conditions therein mentioned.

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It further appears that under various agreements and deeds viz:

- i) Development agreement dated 29.10.2007 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.7685/2007 on 29.10.2007.
- ii) Agreement for Sale dated 02.12.2010 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.11453/2010 on 02.12.2010.
- iii) Deed of Confirmation dated 08.12.2010 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.11695/2010 on 08.12.2010.
- iv) Deed of Confirmation dated 28.02.2011 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No.2150/2011 on 28.02.2011,

the said M/s, Bhavik Enterprises along with the aforesaid Owners assigned and transferred the said Survey No.9/4 to the M/s. K. Bhatia Developers at and for the price/consideration and on the terms and conditions therein mentioned. It further appears that under the Deed of Conveyance dated 29.07.2013 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 5721/2013 read together with the Deed of Correction dated 30.10.2013 registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 7935/2013 executed by Jayashree Gurunath Mirkute and others, the said property bearing Survey No. 9/4 stands conveyed in favour of M/s K. Bhatia Developers.

It appears that the M/s. K. Bhatia Developers on the strength of the powers and authorities vested in them amalgamated the abovesaid properties and got the plans sanctioned from the Kalyan Dombivli Municipal Corporation under Building Commencement No. KDMP / NRV / BP / KV / 472-200 dated 13.02.2012 and also obtained non-agricultural order from the Collector Thane under No. Mahasul / K-1 / T-7 / NAP / Barave-Kalyan /SR-163 / 2011 dated 22.12.2011.

It further appears that by and under a Supplementary Deed of Partnership dated 10.02.2012, M/s K. Bhatia Developers, a partnership firm changed its name to M/s. Vaijanath Realtors and further the partners of the said Vaijanath Realtors (formerly known as K. Bhatia Developers) under Agreement of Limited Liability Partnership dated 15.09.2012 formed a Limited Liability Partnership in the name and style as Vaijanath Realtors LLP whereunder the partners to the said agreement have declared that the business of M/s. Vaijanath Realtors (formerly known as M/s. K. Bhatia Developers) shall be deemed to have been taken over as a going concern and continued by mutual consent on or from the date of incorporation of the LLP i.e. on 15.09.2012 under rule 32 of the Limited Liability Partnership Rules, 2008 and that all the interest, right, privileges, liabilities, obligations of all the tangible (movable and immovable) and intangible properties, vested in the firm M/s. Vaijanath Realtors stood converted and deemed to be have taken over by M/s. Vaijanath Realtors LLP as interalia provided in the said agreement.

It further appears that an Agreement for Reconstitution of Limited Liability Partnership was executed on 22.03.2013 wherein Mahima Infra Estates LLP was inducted as a New Partner and further

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Supplementary Deed / Agreement of Joint Venture dated 31.03.2013 stood executed between the partners of the Limited Liability Partnership viz. the Promoter herein and accordingly the transferable development rights as acquired under the agreement dated 12.10.2010 by M/s. Mahima Infra Estates being incoming partner of the Promoter firm stood vested in the firm and accordingly the sanctioned plans were revised for procuring, availing and utilizing the said transferable development rights on the said properties and accordingly the revised building permission was granted by the Kalyan Dombivli Municipal Corporation under No. KDMP / NRV / BP / KV / 2013-14/45 dated 06.06.2013.

It further appears that the construction work of building No. B & B1 is duly completed and the Kalyan Dombivli Municipal Corporation have issued the part building completion certificate under No. KDMP/NRV/CC/KV/332 dated 12.02.2014.

It further appears that by and under Agreement for the Reconstitution of Limited Liability Partnership dated 19.12.2015 the transferable development rights as acquired under the agreement dated 10.09.2015 by M/s. Mahima Infra Estates stood vested in the firm and accordingly the sanctioned plans were revised for procuring, availing and utilizing the said transferable development rights on the said properties and accordingly the Kalyan Dombivli Municipal Corporation has granted revised building permission under No. KDMP/ NRV/ BP/ KV/ 2013-14/45/69 dated 20.05.2016.

It thus appears that the Promoter viz. M/s. Vaijanath Realtors LLP in pursuance to the terms and conditions of the orders, permissions and sanctions and as recited hereinabove is entitled to develop the said property.

I have gone through the search report taken at the office of Sub-Registrar of Assurances at Kalyan in respect of the said property and the search report does not reveal any entry, which may fall in the category of encumbrances over the said property.



S. D. Jallawar

Advocate