Mrs.PoonamPhalke- Jadhav B.A.LL.B
Resi. B/105, Gangeshwar Valley,First Floor, Near Swami Samarth Math, Nandivali, Dombivali (East)
Mob: 8108200056

FORMAT - A
(Circular No.:- 28/2021)

To
MAHA RERA
MUMBAI OFFICE
MUMBAI

LEGAL TITLE REPORT

Subject:- Title Clearance Certificate with respect of Property being and bearing City Survey No. 759 admeasuring 840.06 sq..mtrs, situated at Village Barave, TalukaKalyan, Dist Thane, and within the limits of Sub Registrar District Thane & within the jurisdiction of Registration district Thane.(hereinafterreferred as the said Plot)

I have investigated the title of the said property on the request of the **Swami Narayan Enterprises**and following documentsi.e. :-

1) **DESCRIPTION OF THE PROPERTY**

All the piece and parcel of the land bearing City Survey No. 759 admeasuring 840.06 sq..mtrs, situated at Village Barave, Taluka Kalyan, Dist Thane, and within the limits of Sub Registrar District Thane & within the jurisdiction of Registration district Thane.

2) **THE DOCUMENTS OF ALLOTMENT OF PLOT**

i. Handwritten property cards extracts of the land bearing City Survey No. 759 admeasuring 840.06 sq.mtrs, situated at Village Barave, Taluka Kalyan, Dist Thane

ii. Copy of Development Agreement dated 25/11/2022, which is executed between Pandurang Yashwant Dhone and Swami Narayan Enterprises which is registered with Sub-Registrar Kalyan -2 vide Serial No. 26804/2022 dated 01/12/2022.

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iii. Copy of Development Agreement dated 09/12/2022, which is executed between Pandurang Yashwant Dhone and Swami Narayan Enterprises which is registered with Sub-Registrar Kalyan -2 vide Serial No. 27879/2022 dated 09/12/2022.

iv. Photocopy of partnership deed dated 12/10/2022.

v. Photocopy of Search Report for 30 years (i.e., from year 1994 to year 2023) dated 21/05/2023 given by Mayur Surte.

3) On perusal of the above mentions documents and all other relevant documents relating to title of the said Property, I am of the Opinion that Pandurang Yashwant Dhone is the owner of the said land and they have given development rights of the said property to Swami Narayan Enterprises as per Development Agreement dated 25/11/2022 & 09/12/2022, is clear, marketable and free from encumbrances.

4) OWNERS OF THE ABOVEMENTIONED LAND

Owner of the said property is Pandurang Yashwant Dhone.

5) QUALIFYING COMMENTS/REMARK

This report is given subject to the following qualifications:

a) The present Title Opinion Certificate is issued solely on the basis of the photocopies of the documents provided by my client and Search taken at respective Registration Offices. I was not provided with any original copies of the documents and therefore I presume that the photocopies are accurate photocopies of the originals. But I do not certify about the geniuses about the signatures / thumb impressions etc appearing in various documents,

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b) I do not endorse any legality of the contents of the various documents provided to me including various orders issued by Judicial / Quasi Judicial / Tribunals etc, if any.

c) For the purpose though I assume that various documents have been duly stamped by paying proper Stamp Duty and Registration Fees but I am not authorized to certify about its geniuses, its correctness, its adequacy etc.

d) I have not personally verified the boundaries of the Said Land / Property / Plot and my information is solely based upon the information provided by my client.

e) I have not independently verified the area of the Said Land / Property / Plot. The information is based upon the various documents provided and perused and therefore I do not endorse about its correctness.

f) I have not personally visited the Land / Property / Plot nor verified possession of my client over the Said Land / Property / Plot nor am I legally authorized to do so.

g) The present Search Report and Title Opinion Certificate do not cover Court and Revenue Offices Search

h) The said Search Report and Title Opinion Certificate is restricted to the verifying the marketability of the Said Land / Property / Plot and shall not treated as Legal Opinion on any Indian Laws applicable in any manner whatsoever.

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i) The said Title Opinion Certificate is exclusively issued to my client at their request and therefore shall be binding upon my client only and he/she/they shall use it for their own purpose and shall not assign to any third party without my written consent. If found to be used by any third pa(y without my written consent then the present Title Opinion Certificate shall be deemed to be withdrawn with immediate effect and shall not be binding upon me.

6) The report reflecting the Flow of the title of the owner Shree Swami Samarth Builders & Developers on the said Land is enclosed herewith as annexure.

Phalke

Date: May 22, 2023

Adv..Poonam Phalke - Jadhav
B.A.LL.B.
Mah / 1378 / 2008

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FORMAT – A

(Circular No.:- 28/2021)

FLOW OF THE TITLE OF THE SAID LAND

Sr.No.

1) **Description of Property :-**

All that piece and parcel of the City Survey No. 759 admeasuring 840.06 sq.mtrs, situated at Village Barave, Taluka Kalyan, Dist Thane.

2) **List of documents**

i. Handwritten property cards extracts of the land bearing City Survey No. 759 admeasuring 840.06 sq.mtrs, situated at Village Barave, Taluka Kalyan, Dist Thane

ii. Copy of Development Agreement dated 25/11/2022, which is executed between Pandurang Yashwant Dhone and Swami Narayan Enterprises which is registered with Sub-Registrar Kalyan -2 vide Serial No. 26804/2022 dated 01/12/2022.

iii. Copy of Development Agreement dated 09/12/2022, which is executed between Pandurang Yashwant Dhone and Swami Narayan Enterprises which is registered with Sub-Registrar Kalyan -2 vide Serial No. 27879/2022 dated 09/12/2022.

iv. Photocopy of partnership deed dated 12/10/2022.

v. Photocopy of Search Report for 30 years (i.e., from year 1994 to year 2023) dated 21/05/2023 given by Mayur Surte.

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After perusing the documents as aforesaid I give the brief history of City survey no. 5382 as under:

(1) Whereas the captioned property was originally owned by Yashwant Ganpat Dhone. On the death of said Yashwant Ganpat Dhone, names of his surviving legal heirs who had inherited the said Property were brought on record i.e. 1) Sangita Ramesh Patil (Sangita Yashwant Dhone), 2) Baby Jayram Tare (Baby Yashwant Dhone), 3) Datta Yashwant Dhone, 4) Rajesh Yashwant Dhone, 5) Santosh Yashwant Dhone, 6) Naresh Yashwant Dhone, 7) Pramod Yashwant Dhone & 8) Pandurang Yashwant Dhone in respect of the said Property.

(2) By Release Deed dated 04/11/2022 executed and registered under Serial No. KLN-2-25129/2022 with the office of the Sub-Registrar of Assurance at Kalyan by 1) Sangita Ramesh Patil (Sangita Yashwant Dhone), 2) Baby Jayram Tare (Baby Yashwant Dhone), 3) Datta Yashwant Dhone, 4) Rajesh Yashwant Dhone, 5) Santosh Yashwant Dhone, 6) Naresh Yashwant Dhone, 7) Pramod Yashwant Dhone release their rights from the said property in favour of Pandurang Yashwant Dhone.

(3) Whereas it is also seen that Application No. 4770006941022, Receipt No. MB000118844 dated 21/03/2023 issued by Assistant Registrar of Firms Mumbai, to M/s. Swami Narayan Enterprises.

(4) By Development Agreement dated 25/11/2022 executed and registered under Serial No. KLN-2-26804/2022 with the office of the Sub-Registrar of Assurance at Kalyan by Pandurang Yashwant Dhone, (therein referred to as 'Vendor') granted Development rights unto in favour of Swami Narayan Enterprises, Ekal Swamitva Sanstha in respect of property bearing Chalta No. 191, City Survey No. 759, admeasuring 400 sq.mtrs. of total land admeasuring 840.06 sq.mtrs., situated at Village Barave; other properties for valuable consideration and

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on such terms and conditions stated therein. Whereas in the said registered Development Agreement name of the builder was wrongly mentioned as Swami Narayan Enterprises, Ekal Swamitva Sanstha instead of Swami Narayan Enterprises therefore both the parties had execute correction Deed with view to rectify the above mentioned mistake which is registered in the Sub registrar Kalyan -2 vide document no. 10554/2023 dated 27/04/2023.

(5) By Development Agreement dated 09/12/2022 executed and registered under Serial No. KLN-2-27879/2022 with the office of the Sub-Registrar of Assurance at Kalyan by Pandurang Yashwant Dhone, (therein referred to as 'Vendor') granted Development rights unto in favour of Swami Narayan Enterprises, Ekal Swamitva Sanstha in respect of property bearing Chalta No. 191, City Survey No. 759, admeasuring 440.06 sq.mtrs. of total land admeasuring 840.06 sq.mtrs., situated at Village Barave; other properties for valuable consideration and on such terms and conditions stated therein. Whereas in the said registered Development Agreement name of the builder was wrongly mentioned as Swami Narayan Enterprises, Ekal Swamitva Sanstha instead of Swami Narayan Enterprises therefore both the parties had execute correction Deed with view to rectify the above mentioned mistake which is registered in the Sub registrar Kalyan -2 vide document no. 10553/2023 dated 27/04/2023.

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3) Litigations if any.

No litigation about the said property is pending as per the information submitted by the owner in respect of the said property between the land owners and others in the local jurisdiction court at Kalyan, Dist Thane.

4) Search report:-

I have seen Search Report caused by Mayur Surte against the said property from the year 1994-2023 vide receipt no **7257 dated 27/04/2023**. The search was caused in the office of the Sub Registrar Kalyan1-5. In addition to the documents provided and the available entries in search report no entry is found encumbering the said property.

Date: May 22, 2023

Adv. Poonam Phalke - Jadhav
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