V. B. Ghodvaidya

B.SC.(Hons.), D.A.M., L.L.M.
Advocate High Court

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Format A
(Circular No. 28/2021)

Date : 24.04.2023

To
Maharashtra Real Estate Regulatory Authority
Housefin Bhavan, Plot No. C-21
E Block, Bandra Kurla Complex,
Bandra East, Mumbai 400 051

LEGAL TITLE REPORT

Sub : All that Building Type A on the land admeasuring **2655 sq. metres** comprised in Survey No. 36/7/A and 36/7/B (which will be numbered as Building No.1 in the process of revision) comprising of stilt + first floor (podium) + second floor (podium) + third floor (amenity floor) + fourth floor to twentieth floors residential out of which six floor to eighth floor comprises of flats to be provided to MHADA allottees to the extent of 1673.55 sq. meters under building commencement certificate bearing No.KDMP/NRV/BP/27 villages/ 2020-21/03 dated 10.09.2020 comprised of all that land admeasuring **44040.00 sq. meters** lying and being at Village Dwarli, Taluka Ambernath, Dist. Thane, within the limits of the Kalyan Dombivali Municipal Corporation comprising of all those pieces and parcels of land bearing

Survey Nos.	Sq. Mts	Name of the Owner
35/3	7330	Anjaneya Land & Property Developers
36/5/A	750	Anjaneya Land & Property Developers
36/5/B	750	Anjaneya Land & Property Developers
36/5/C	2900	Anjaneya Land & Property Developers
36/5/D	3050	Anjaneya Land & Property Developers
36/5/E	380	Anjaneya Land & Property Developers
36/5/F	750	Anjaneya Land & Property Developers
36/5/H	750	Anjaneya Land & Property Developers
36/5/I	380	Anjaneya Land & Property Developers
36/7/A	12000	Anjaneya Land & Property Developers
36/7/B	15000	Anjaneya Land & Property Developers
Total →	**44040**	

deducting therefrom an area admeasuring 702.75 sq. meters being encroached, 259.95 sq. meters stood deducted as land affected by existing road and therefore after deducting the total area of 962.25 sq. meters.

On instruction of my client M/s. Oyster Saket Infrastructure, a Joint Venture I have investigated the title of the above subject property owned by Anjaneya Land & Property Developers, based on the documents referred herein:

1) Description of the property

All that land admeasuring **2655** sq. metres comprised in Survey No. 36/7/A and 36/7/B forming an integral part of land admeasuring **44040.00 sq. meters** lying and being at Village Dwarli, Taluka

Ambernath, Dist. Thane, within the limits of the Kalyan Dombivali Municipal Corporation comprising of all those pieces and parcels of land bearing

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36/5/C	2900	Anjaneya Land & Property Developers
36/5/D	3050	Anjaneya Land & Property Developers
36/5/E	380	Anjaneya Land & Property Developers
36/5/F	750	Anjaneya Land & Property Developers
36/5/H	750	Anjaneya Land & Property Developers
36/5/I	380	Anjaneya Land & Property Developers
36/7/A	12000	Anjaneya Land & Property Developers
36/7/B	15000	Anjaneya Land & Property Developers
Total →	**44040**	

owned by Anjaneya Land & Property Developers.

2) Documents of allotment of property

i. Deed of Conveyance dated 15.04.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 646/2011 on 03.11.2011 in respect of property bearing Survey No. 35/3 and Survey No. 36/7(pt) executed between Vasudev Gangaram Chinkankar and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

ii. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1048/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Laxman Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

iii. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1050/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Vithal Janu Rane as the owner and M/s. Anjaneya Land & Property Developers as the Purchasers.

iv. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1051/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Narayan Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers.

v. Deed of Conveyance dated 18.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 485/94/2008 on 29.08.2008 in

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respect of property bearing survey No. 36/5(pt) executed between Ramchandra Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

vi. Deed of Conveyance dated 18.03.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 481/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Smt. Nandabai M Rane and Shri Subhash Mahadu Rane as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

vii. Deed of Conveyance dated 18.03.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 484/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Haribhau Sitaram Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

viii. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1047/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Gopal Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers.

ix. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1049/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Vasudev Ganpat Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers.

x. Deed of Conveyance dated 06.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1005/2009 on 02.02.2009 in respect of property bearing survey No. 36/7(pt) executed between Tulsabai Sitaram Chikankar and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

xi. Development Agreement dated 20.12.2007 made and executed between the Anjaneya Land & Property Developers and K.S. City Private Limited and K.B.S Builders Private Limited and registered in the office or Sub-Registrar of Assurances at Ulhasnagar, under serial number 4800/2007, dated 20.12.2007

xii. Agreement dated 31.12.2010 registered in the office or Sub-Registrar of Assurances at Ulhasnagar, under serial number 242/2011 dated 18.01.2011 made and executed between K.S. City Private Limited and K.B.S. Builders Private Limited as the Assignor, M/s Anjaneya Land and Property Developers as the Owners Confirming Party and Oyster Saket Infrastructure as the Developer.

3) 7/12 extract or property card

i) Extract of 7/12 in respect of all those pieces and parcels of land lying, being and situate at village Dwarli, Taluka Ambarnath, District Thane bearing Survey No. 35/3, 36/5/A, 36/5/B, 36/5/C, 36/5/D, 36/5/E, 36/5/F, 36/5/H, 36/5/I, 36/7/A and 36/7/B issued by Talathi Saja Dwarli on 20.04.2023 owned by Anjaneya Land & Property Developers.

ii) Mutation Entry No. 560, 552, 561, 562, 556, 557, 551, 549, 580, 644

4) Plans and Permission
Building Commencement Certificate granted by the Kalyan Dombivali Municipal Corporation under No. No.KDMP/NRV/BP/27 villages/ 2020-21/ 03 dated 10.09.2020.

5) Search Reports
Search Reports dated 04.03.2023 for a period 1976 to 2023.

2/- On perusal of the abovementioned documents and all other relevant documents relating to title of the said property, I am of the opinion that the title of the owner Anjaneya Land & Property Developers to the said property is clear, marketable and without any encumbrances and in terms of Agreement dated 31.12.2010 registered in the office or Sub-Registrar of Assurances at Ulhasnagar, under serial number 242/2011 dated 18.01.2011 Oyster Saket Infrastructure is well and sufficiently entitled to develop the aforesaid property.

(1) Owners of the land
All those pieces and parcels of land lying, being and situated at village Dwarli, Taluka Ambarnath, District Thane bearing Survey No. 35/3, 36/5/A, 36/5/B, 36/5/C, 36/5/D, 36/5/E, 36/5/F, 36/5/H, 36/5/I, 36/7/A and 36/7/B owned by Anjaneya Land & Property Developers

(2) Qualifying comments
The area of the Survey No. 35/3 in the above referred Deed of Conveyance at Serial No. 2(i) due to oversight stood mentioned as 7303 sq. metres in place and stead of 7330 sq. metres however the transfer and mutation of the said property stood at 7330 sq. metres under mutation entry No. 644

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The Survey Nos. 36/5(pt) as mentioned in the above referred conveyances at 2(ii) to 2(ix) were subsequently denoted by Survey No. 36/5/A, 36/5/B, 36/5/C, 36/5/D, 36/5/E, 36/5/F, 36/5/H, 36/5/I.

The area of Survey No. 36/5/D due to oversight stood mentioned at 3007 sq. metres in place and stead of 3050 sq. metres, however, the transfer and mutation of the said property stood at 3050 sq. metres under mutation entry No. 562.

The area of Survey No. 36/5/E due to oversight stood mentioned at 354 sq. metres in place and stead of 380 sq. metres, however, the transfer and mutation of the said property stood at 380 sq. metres under mutation entry No. 556.

The area of Survey No. 36/5/F due to oversight stood mentioned at 707 sq. metres in place and stead of 750 sq. metres, however, the transfer and mutation of the said property stood at 750 sq. metres under mutation entry No. 557.

I have investigated the title of the Owner to the above said properties and I am of the opinion and I hereby certify that the title of the Owner to the above referred properties is clear, marketable and free from reasonable encumbrances and doubts and the Oyster Saket Infrastructure as the Promoters in terms of the Agreement dated 31.12.2010 registered in the office or Sub-Registrar of Assurances at Ulhasnagar, under serial number 242/2011 dated 18.01.2011 and in accordance with the sanctioned plans and permissions bearing No. No.KDMP/NRV/BP/27 villages/ 2020-21/ 03 dated 10.09.2020 as well as clearances granted by the municipal and concerned authorities is well and sufficiently entitled to develop the said captioned property in accordance with the sanctioned plans and permissions granted by the Kalyan Dombivali Municipal Corporation.

This Report is based on the information provided, documents furnished and searches carried out in the Office of Sub-Registrar of Assurances at Ulhasnagar and in the event, there are any new or additional documents which are not furnished to me or the facts may be different as informed to me subsequently, it could have material impact on my observations and conclusions.

3/- The report reflecting the flow of the title of the owner on the said land is enclosed herewith as annexure.

(V. B. Ghodvaidya)
Advocate

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FLOW OF THE TITLE OF THE SAID LAND

1. Extract of 7/12 in respect of all that piece and parcel of land lying, being and situate at village Dwarli, Taluka Ambarnath, District Thane bearing Survey No. 35/3, 36/5/A, 36/5/B, 36/5/C, 36/5/D, 36/5/E, 36/5/F, 36/5/H, 36/5/I, 36/7/A and 36/7/B issued by Talathi Saja Dwarli on 20.04.2023 owned by Anjaneya Land & Property Developers.

2. Mutation Entry No. 560, 552, 561, 562, 556, 557, 551, 549, 580, 644

3. Non-Agricultural Order granted by the Collector, Thane under No. Mahasul/K-1/T-14/NAP/SR-18/04 dated 18.03.2006.

4. Deed of Conveyance dated 15.04.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 646/2011 on 03.11.2011 in respect of property bearing Survey No. 35/3 and Survey No. 36/7(pt)executed between Vasudev Gangaram Chinkankar and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

5. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1048/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Laxman Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

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7. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1051/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Narayan Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers.

8. Deed of Conveyance dated 18.03.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 485/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Ramchandra Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

9. Deed of Conveyance dated 18.03.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 481/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Smt. Nandabai M Rane and Shri Subhash Mahadu Rane as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

10. Deed of Conveyance dated 18.03.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 484/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Haribhau Sitaram Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

11. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1047/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Gopal Janu Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers.

12. Deed of Conveyance dated 13.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1049/2008 on 29.08.2008 in respect of property bearing survey No. 36/5(pt) executed between Vasudev Ganpat Rane and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers.

13. Deed of Conveyance dated 06.06.1994 ordered for registration at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under Serial No. 1005/2009 on 02.02.2009 in respect of property bearing survey No. 36/7(pt) executed between Tulsabai Sitaram Chikankar and others as the owners and M/s. Anjaneya Land & Property Developers as the Purchasers and Naresh Developers and Investment Company as the Confirming Party.

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14. Development Agreement dated 20.12.2007 made and executed between the Anjaneya Land & Property Developers and K.S. City Private Limited and K.B.S Builders Private Limited and registered in the office or Sub-Registrar of Assurances at Ulhasnagar, under serial number 4800/2007, dated 20.12.2007

15. Agreement dated 31.12.2010 registered in the office or Sub-Registrar of Assurances at Ulhasnagar, under serial number 242/2011 dated 18.01.2011 made and executed between K.S. City Private Limited and K.B.S. Builders Private Limited as the Assignor, M/s Anjaneya Land and Property Developers as the Owners Confirming Party and Oyster Saket Infrastructure as the Developer.

16. Power of Attorney dated 31.12.2010 registered at the office of Sub-Registrar of Assurances at Kalyan-3 under serial No. 257/2011 executed by M/s Anjaneya Land and Property Developers in favour of Oyster Saket Infrastructure

17. Building Commencement Certificate granted by the Kalyan Dombivali Municipal Corporation under No. No.KDMP/NRV/BP/27 villages/ 2020-21/ 03 dated 10.09.2020.

18. Search Reports dated 04.03.2023 for a period 1976 to 2023.

(V. B. Ghodvaidya)
Advocate