SUNNY L. JAIN

B.Com., LL.B.

Advocate High Court

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Ref. No. :

Date : 02-04-2024

FORMAT – A

(Circular No.:- 28/2021)

To

Maha RERA

6th and 7th Floor, Housefin Bhavan,
Plot No. C-21, E Block,
Bandra Kurla Complex,
Bandra (E), Mumbai - 400 051

TITLE CERTIFICATE

Sub: Title clearance certificate with respect to all that piece and parcel of land bearing Survey no. 31, Hissa No. 5, Area adm. 1800 Sq. mtrs, lying being and situate at Village Tisgaon, Tal- Kalyan, Dist- Thane within the limit of Kalyan Dombivili Municipal Corporation.

I have investigated the title of the said property on the request of M/s Shiv Shakti Developers and following documents:

The Summary of the investigation of Title undertaken by me is as follows: -

1. Description Of The Property

All that piece and parcel of land bearing Survey no. 31, Hissa No. 5, Area adm. 1800 Sq. mtrs, lying being and situate at Village Tisgaon, Tal- Kalyan, Dist- Thane within the limit of Kalyan Dombivili Municipal Corporation.

2. **Documents of Allotment of Plot:-**

1. Copy of the Agreement for Sale dated 22/03/2012, made and entered between Shri Harishchadra Gopal Gaikwas and ors as owners in M/s

ShivShakti Developers registered in the office of Sub-Registrar of Assurances, Kalyan -2 at serial no. 2588.

2. Copy of Power of Attorney dated 22/03/2012, made and entered between Shri Harishchadra Gopal Gaikwas and ors as owners in M/s ShivShakti Developers registered in the office of Sub-Registrar of Assurances, Kalyan -2 at serial no. 2589.

3. Copy of Confirmation Deed dated 18/11/2020 made and entered between Smt. Bhavna Rajesh Mhatre @ Bhavna Suresh Gaikwad and Smt. Aparna Devanand Bhoir @ Aparna Suresh Gaikwad and M/s Shivshakti Developers, registered in the office of Sub Registrar of Assurances Kalyan – 2 at serial no. 11931.

4. Copy of Power of Attorney dated 18/11/2020 made and entered between Smt. Bhavna Rajesh Mhatre @ Bhavna Suresh Gaikwad and Smt. Aparna Devanand Bhoir @ Aparna Suresh Gaikwad and M/s Shivshakti Developers, registered in the office of Sub Registrar of Assurances Kalyan – 2 at serial no. 11932.

5. Copy of Sale Deed dated 01/06/2023, made and entered between Shri Harishchandra Gopal Gaikwad and 7 ors as Vendor and M/s Shiv Shakti Developers as Purchasers, registered in the office Sub Registrar of Assurances Kalyan – 4 at serial no. 7702.

6. Copy of Deed of Admission of New Partner in Partnership Firm dated 12/09/2017, Shri Umesh D. Tanna added as New partner in M/s Shiv Shakti Developers

7. Copy of the Building permission and Commencement Certificate dated 27/05/2022, issued by Kalyan Dombivli Municipal Corporation.

8. Copy of Conversion Tax order under Maharashtra Land Revenue Code 1966, issued by Tahsildar Kalyan dated 05/12/2017.

3. 7x12 Extract/Property Card:

1. Copy of 7 x 12 extracts.
2. Copy of Mutation Entries.

4. Search Reports in Offices of Sub-registrar:

1. Search Report Issued by G. H. Jagtap dated 23/03/2024

On perusal of the above mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of M/s Shiv Shakti Developers is clear, marketable and without any encumbrances

Owners of the land

a. Survey no. 31, Hissa No. 5, Area adm. 1800 Sq. mtrs, lying being and situate at Village Tisgaon, Tal- Kalyan, Dist- Thane within the limit of Kalyan Dombivili Municipal Corporation, owned by M/s Shivshakti Developers.

The report reflecting the flow of the title of M/s Shivshakti Developers on the said land is enclosed herewith as annexure.

Encl:- Annexure.

Adv. Sunny L Jain
(Advocate High Court)

Adv. SUNNY L. JAIN
ADVOCATE
MAH/3645/2007

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ANNEXURE

INVESTIGATION OF TITLE

1. **Survey no. 31, Hissa No. 5, Area adm. 1800 Sq. mtrs, lying being and situate at Village Tisgaon, Tal- Kalyan, Dist- Thane**

   Ongoing through and investigating the above mentioned documents and records it appears that M/s Shivshakti Developers are owner of land bearing Survey no. 31, Hissa No. 5, Area adm. 1800 Sq. mtrs, lying being and situate at Village Tisgaon, Tal- Kalyan, Dist- Thane within the limit of Kalyan Dombivili Municipal Corporation.

2. It appears that originally Shri Gopal Mahadu Gaikwad was the owner of all that piece and parcel of land bearing Survey no. 31, Hissa No. 5, Area adm. 1800 Sq. mtrs, lying being and situate at Village Tisgaon, Tal- Kalyan, Dist- Thane within the limit of Kalyan Dombivili Municipal Corporation hereinafter for the sake of brevity called and referred as "Said Property".

3. It appears that Shri Gopal Mahadu Gaikwad died on 13/09/1994 leaving behind his legal heirs as follows

   a. Smt. Kashibai Gopal Gaikwad
   b. Shri Harishchandra Gopal Gaikwad
   c. Shri Bhaskar Gopal Gaikwad
   d. Shrii Suresh Gopal Gaikwad
   e. Shri Rajaram Gopal Gaikwad
   f. Shri Pandhrinath Gopal Gaikwad.

4. It further appears that Smt Kashibai Gopal Gaikwad died on 20/07/2004, Shri Suresh Gopal Gaikwad died on 02/04/1996 and Shri Pandhrinath Gopal Gaikwad died on 16/08/2009.

5. It further appears that Smt Kashibai Gopal Gaikwad left behind her legal heirs as follows
    a. Shri Harishchandra Gopal Gaikwad
    b. Shri Bhaskar Gopal Gaikwad
    c. Shri Rajaram Gopal Gaikwad.

6. It further appears that Shri Suresh Gopal Gaikwad left behind him his legal heirs as follows
    a. Smt. Hirabai Suresh Gaikwad
    b. Shri Avinash Suresh Gaikwad.

7. It further appears that Shri Pandhrinath Gopal Gaikwad left behind him his legal heirs as follow
    a. Smt. Geeta Pandhrinath Gaikwad
    b. Shri Hitesh Pandhrinath Gaikwad.

8. It appears that by and under Agreement for sale dated 22/03/2012, registered in the office of Sub Registrar of Assurances Kalyan – 2 at serial no. 2588, Shir Harishchandra Gopal Gaikwad, Shri Bhaskar Gopal Gaikwad, Shri Rajaram Gopal Gaikwad, Smt. Hirabai Suresh Gaikwad, Shri Avinash Suresh Gaikwad, Smt. Geeta Pandhrinath Gaikwad and Shri Hitesh Pandhrinath Gaikwad has agreed to sell the said property unto M/s Shivshakti Developers upon the terms and conditions mentioned therein.

9. It further appears in pursuance of Agreement for Sale dated 22/03/2012 Shir Harishchandra Gopal Gaikwad, Shri Bhaskar Gopal Gaikwad, Shri Rajaram Gopal Gaikwad, Smt. Hirabai Suresh Gaikwad, Shri Avinash Suresh Gaikwad, Smt. Geeta Pandhrinath Gaikwad and Shri Hitesh Pandhrinath Gaikwad have executed Power of Attorney in favour of M/s

Shivshakti Developers to do all the acts, deeds and things set out therein, the said Power of Attorney is registered in the office of Sub Registrar of Assurances Kalyan – 2 at serial no.2589.

10. It appears that consent of Smt. Bhavna Rajesh Mhatre @ Bhavna Suresh Gaikwad and Smt. Aparna Devanand Bhoir @ Aparna Suresh Gaikwad was not taken at the time of Agreement for Sale dated 22/03/2012, hence by and under Confirmation Deed dated 18/11/2020, registered in the office of Sub Registrar of Assurances Kalyan – 2 at serial no. 11931, they have confirmed the aforesaid Agreement for Sale dated 22/03/2012.

11. It appears that in pursuance of Deed of Confirmation dated 18/11/2020, Smt. Bhavna Rajesh Mhatre @ Bhavna Suresh Gaikwad and Smt. Aparna Devanand Bhoir @ Aparna Suresh Gaikwad has executed Power of Attorney in favour of M/s Shivshakti Developers, to do all the acts, deeds and things set out therein the said power of attorney is registered in the office of Sub Registrar of Assurances Kalyan – 2 at serial no. 11932

12. It further appears that by and under Sale Deed dated 01/06/2023, registered in the office Sub Registrar of Assurances Kalyan – 4 at serial no. 7702, Shri Harishchandra Gopal Gaikwad, Shri Bhaskar Gopal Gaikwad, Shri Rajraram Gopal Gaikwad, Shri Avinash Suresh Gaikwad, Smt Geeta Pandhrinath Gaikwad, Shri Hitesh Pandhrinath Gaikwad through Power of Attorney M/s Shivshakti Developers through partner Shri Chandrakant Bhosle and Smt. Bhavna Rajesh Mhatre @ Bhavna Suresh Gaikwad and Smt. Aparna Devanand Bhoir through Power of Attorney M/s Shivshakti Developers through partner Umesh D. Tanna has sold the said property unto M/s Shivshakti Developers upon the terms and conditions mentioned therein.

13. It appears that Kalyan Dombivli Municipal Corporation has issued Building permission and Commencement Certificate dated 27/05/2022.

14. It appears that Tahsildar Kalyan was please to issue order of Conversion Tax under Maharashtra Land Revenue Code 1966 dated 05/12/2017.

15. On the perusal of the Search Report I have not come across any registered encumbrances on the captioned property.

16. It appears that by virtue of the aforesaid Agreement for Sale, M/s Shivshakti Developers, a partnership firm have acquired valid rights in respect of the said property and entitled to carryout construction as per the plans that may be approved and sanctioned by Kalyan Dombivli Municipal Corporation.

Sunny L. Jain
(Advocate High Court)

Adv. SUNNY L. JAIN
ADVOCATE
MAH/3645/2007