NILESH S. PATIL

B.Com., D.T.M., LL.M.,
ADVOCATE HIGH COURT

Office : I-07, First Floor, Siddhivinayak Sankul, Oak Baug, Shivaji Path, Kalyan (West) - 421 301

Mob. No.:- 98 20 61 48 66 Email ID-adv.patilnilesh@yahoo.com

FORMAT-A

(CIRCULAR NO:- 28/2021 Dated 08/03/2021)

To,

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,

Address : Housefin Bhavan, Plot No. C-21,

E-Block, Bandra Kurla Complex,

Bandra (East), Mumbai – 400 051.

LEGAL TITLE REPORT

Sub: Title Clearance Certificate with respect to all that area of land admeasuring 1225 sq. meters forming the part of all that piece and parcel of land being and situate at **Village Kanchangaon,** Taluka Kalyan, District Thane bearing :

Old Survey No./ Hissa No.	Survey No.	Hissa No.	Total Area on 7/12 extract (in Sq. meters)
91/3 (Part) **25/3/(Part)**	**25**	**3/1**	**7310 Sq. meters**

and within the limits of Kalyan Dombivali Municipal Corporation and within the Jurisdiction of Registration District Thane and Sub Registration District Kalyan, hereinafter called and referred to as **"Said Entire Property"** and **as per sanctioned plan the area of land admeasuring 1225.00 sq. meters recognized as Plot "B"** in sanctioned plan forming the part of said entire property is herein after called and referred to as **"Said Property".**

NILESH S. PATIL ADVOCATE

I have investigated the title of the said property on the request of **M/s. AMBER ENTERPRISES,** a registered Partnership Firm, registered under the provisions of Indian Partnership Act, 1932 and having its registered office at : 413, Zest Business Spaces, M. G. Road, Ghatkopar (East), Mumbai - 400 077 and have perused the following documents :

1) Description of the property.

All that area of land admeasuring 1225 sq. meters forming the part of all that piece and parcel of land being and situate at **Village Kanchangaon,** Taluka Kalyan, District Thane bearing :

Old Survey No./ Hissa No.	Survey No.	Hissa No.	Total Area on 7/12 extract (in Sq. meters)
91/3 (Part) 25/3/(Part)	25	3/1	7310 Sq. meters

and within the limits of Kalyan Dombivali Municipal Corporation and within the Jurisdiction of Registration District Thane and Sub Registration District Kalyan, hereinafter called and referred to as **"Said Entire Property"** and **as per sanctioned plan the area of land admeasuring 1225.00 sq. meters** recognized as Plot "B" in sanctioned plan forming the part of said entire property is herein after called and referred to as **"Said Property".**

2) The documents of allotment of plot.

i. 7/12 extract issued by Talathi Office, Kalyan.

ii. Mutation Entry Nos. 176, 361, 457, 511, 761, 790, 833, 949, 983, 1003, 1017, 1038, 1065, 1085, 1086, 1079, 1093, 1109, 1158, 1203, 1716, 1792, 1875.



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iii. Development Agreement dated 03/03/2008 registered at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 1333/2008 dated 03/03/2008 made and executed between Smt. Anubai Rajaram Farde and Others as the Owners and M/s. Amber Enterprises, a Partnership Firm as the Developers and Smt. Anubai Rajaram Farde and Others have granted the development rights in respect of said property in favour of M/s. Amber Enterprises, a Partnership Firm as the Developers;

iv. Public Notice dated 08/05/2017 issued in Marathi daily News Paper **"Navshakti"** and dated 08/05/2017 issued in English daily News Paper **"The Free Press Journal".**

v. The Kalyan Dombivali Municipal Corporation approved the said plans and granted Building Commencement Certificate bearing No. KDMP/NRV/BP/ DOM/CC/0024/19 dated 18/03/2019;

vi. Deed of Transfer dated 24/09/2019 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 10576/2019 dated 24/09/2019 made and executed between M/s. Amber Enterprises through its Partners Mr. Ishwar Patel and Mr. Pritesh Patel for self and constituted attorney of said Owners Viz. Smt. Anubai Rajaram Farde and Others, as the Transferor and Kalyan Dombivali Municipal Corporation as the Transferee, said M/s. Amber Enterprises through its Partners Mr. Ishwar Patel have handed over the area of land admeasuring 1420 sq. meters which is affected by the reservation of 18 Meter D.P Road and 24 Meter D.P Road to Kalyan Dombivali Municipal Corporation;

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vii. Deed of Confirmation dated 12/02/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–4 under Sr. No. 2199/2020 dated 12/02/2020 made and executed between M/s. Amber Enterprises, a Partnership Firm, as the Developers and Smt. Meena G. Shelar and 2 others as the Owners, said Owners Viz. Smt. Meena G. Shelar and 2 others have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm and in pursuant to said Deed of Confirmation dated 12/02/2020 the said Smt. Meena G. Shelar and 2 others have executed Power of Attorney dated 12/02/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan-4 under Sr. No. 2200/2020 in favour of M/s. Amber Enterprises, a Partnership Firm.

viii. Deed of Confirmation dated 01/12/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–4 under Sr. No. 10021/2020 dated 01/12/2020 made and executed between the M/s. Amber Enterprises through its Partners Mr. Ishwar Patel and Mr. Pritesh Patel as the Developers and Smt. Nanda Naresh Shelar and 3 others as the Owners, said Owners Viz. Nanda Naresh Shelar and 3 others have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm, herein and in pursuant to said Deed of Confirmation dated 01/12/2020 the said Smt. Nanda Naresh Shelar and 3 others have executed Power of Attorney dated 01/12/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan-4 under Sr. No.10022/2020 in favour of M/s. Amber Enterprises, a Partnership Firm.

ix. The collector office Thane by and under his sanad order bearing No. MAHSUL/ K-1/ T-7/ SANAD/ SR-03/ 2020 dated 02/12/2020;



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x. Release deed dated 10/11/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 3749/2021 dated 24/03/2021 executed by Mrs. Tai Pandurang Kathe and Mrs.Vaishali Gurunath Enkar as the Releasors have released, relinquish and surrendered all their right, title and interest in said entire property absolutely and forever in favour of Mrs. Meena Ganesh Shelar, Mr. Vishal Ganesh Shelar, Mr. Chetan Ganesh Shelar.

xi. Deed of Confirmation dated 22/04/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 4776/2021 dated 22/04/2021 made and executed between M/s. Amber Enterprises, a Partnership Firm, as the Developers and Mr. Aakash Ashok Shelar and 1 as the Owners, said Owner Viz. Mr. Aakash Ashok Shelar and 1 other have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm herein and in pursuant to said Deed of Confirmation dated 22/04/2021 the said Mr. Aakash Ashok Shelar and 1 other have executed Power of Attorney dated 22/04/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan – 3 under Sr. No. 4777/2021 dated 22/04/2021 in favour of M/s. Amber Enterprises, a Partnership Firm.

xii. Deed of Conveyance dated 20/10/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 19254/2021 dated 20/10/2021, read with Deed of Correction dated 12/01/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 764/2022 dated 12/01/2022 both made and executed between Smt. Jaibai Ramchandra Ahire as the Owner and M/s. Amber Enterprises, a Partnership Firm herein, as the Purchasers, the said owner has sold, conveyed and transferred the area of land admeasuring 655 Sq. meters forming the part of aforesaid entire property i.e. 7310 sq. meters in favour of M/s. Amber Enterprises, a Partnership Firm;

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xiii. Deed of Conveyance dated 20/10/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 19255/2021 dated 20/10/2021, read with Deed of Correction dated 12/01/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 763/2022 dated 12/01/2022 both made and executed between Smt. Anubai Rajaram Farde and Others as the Owners and M/s. Amber Enterprises, a Partnership Firm as the Purchasers, the said owners have sold, conveyed and transferred the area of land admeasuring 2945 Sq. meters forming the part of aforesaid entire property i.e. 7310 sq. meters in favour of M/s. Amber Enterprises, a Partnership Firm;

xiv. The Tahasildar, Kalyan by and under his order bearing No.MAHSUL/T-2/JAMINBAB-1/RUPANTARANKAR/SR/239/2021 dated 08/11/2021 has granted in respect to the Non-Agricultural use of said property necessary Non-Agricultural use permission is not required ;

xv. Revised Building Commencement Certificate obtained from Kalyan Dombivali Municipal Corporation bearing No. KDMC/TPD/BP/DOM/ 2018-19/0024/363 dated 29/11/2021.

xvi. Tenancy Appeal No. 148/2021, Tenancy Appeal No. 378/2021 and Tenancy Appeal No. 379/2021 filed in the court of MRTP at Mumbai.

xvii. Status Certificate dated 04/10/2024 issued by Adv. Avinash Desale in respect of the Tenancy Appeal No.148/2021, Tenancy Appeal No. 378/2021 and Tenancy Appeal No. 379/2021 are filed in the court of MRTP at Mumbai in this said appeals the MRTP court has passed the order dated 30/07/2024 and in this said appeals the MRTP court has dismissed the said Revision applications.



NILESH S. PATIL
B.Com., D.T.M., LL.M.,
ADVOCATE HIGH COURT

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xviii. As per the provisions of Government Resolution dated 29/01/2016, regarding regulations for grant of Transferable Development Rights granted for the Municipal Corporations of Kalyan Dombivali Municipal Corporation vide their letter bearing No. KDMC / NRV / HVH / 1727 dated 12/07/2024.

xix. Revised Building Commencement Certificate obtained from Kalyan Dombivali Municipal Corporation bearing Building Permit No. KDMCC/RB/ 2024/APL/ 00110 dated 21/01/2025.

xx. Search report for 30 years from 1988 to 2017.

xxi. Search report for 04 years from 2015 to 2018.

xxii. Search report for 09 years from 2015 to 2023.

xxiii. Search report for 02 years from 2023 to 2024.

xxiv. Search report for 03 years from 2023 to 2025.

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. AMBER ENTERPRISES, a Partnership Firm, through its Partners Mr. Ishwar S. Patel and Mr. Pritesh Kantilal Patel** is clear, marketable and without any encumbrances except the one which is mentioned in legal encumbrance.

Owners of the land :

1) **M/s. AMBER ENTERPRISES, a Partnership Firm, through its Partners Mr. Ishwar S. Patel and Mr. Pritesh Kantilal Patel** are the owners of area of land admeasuring 3600 sq. meters from the said entire property.

2) Mrs. Meena Ganesh Shelar, Mr. Vishal Ganesh Shelar and Mr. Chetan Ganesh Shelar are the owners of area of land admeasuring 2290 sq. meters from the said entire property and as per registered Development Agreement dated 03/03/2008 and subsequently registered Deed of Confirmation dated

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12/02/2020 **M/s. AMBER ENTERPRISES** a Partnership Firm, has right to develop the said entire property as a developer.

Qualifying Comments : Nil

3. The report reflecting the flow of the title of the **M/s. AMBER ENTERPRISES, a Partnership Firm,** and on the said land is enclosed herewith as annexure.

Encl. Annexure.

Date : 07/02/2025

NILESH S. PATIL
(Advocate)

NILESH S. PATIL
B.Com., LL.M., D.T.M.
ADVOCATE HIGH COURT
Office 1/07 Siddhivinayak Sankul, Oak Baug,
New Shivaji Path, Kalyan (W) 421 301
Tel 2314 313
Mah / 1176 / 1994 Dt. 26/07/1994

NILESH S. PATIL

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ADVOCATE HIGH COURT

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Annexure :

FLOW OF THE TITLE

REG: All that area of land admeasuring 1225 sq. meters forming the part of all that piece and parcel of land being and situate at **Village Kanchangaon,** Taluka Kalyan, District Thane bearing :

Old Survey No./ Hissa No.	Survey No.	Hissa No.	Total Area on 7/12 extract (in Sq. meters)	Area of Plot B as per sanctioned Plan (in Sq. meters)
91/3 (Part) 25/3/(Part)	25	3/1	7310 Sq. meters	1225 sq. meters

and within the limits of Kalyan Dombivali Municipal Corporation and within the Jurisdiction of Registration District Thane and Sub Registration District Kalyan, hereinafter called and referred to as **"Said Entire Property"** and as per sanctioned plan the **area of land admeasuring 1225.00 sq. meters** recognized as Plot B in sanctioned plan forming the part of said entire property is herein after called and referred to as **"Said Property".**

READ :

1) Extracts of 7/12.

2) Mutation Entry Nos. 176, 361, 457, 511, 761, 790, 833, 949, 983, 1003, 1017, 1038, 1065, 1085, 1086, 1079, 1093, 1109, 1158, 1203, 1716, 1792, 1875.

3) Development Agreement dated 03/03/2008 registered at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 1333/2008 dated 03/03/2008 made and executed between Smt. Anubai Rajaram Farde and Others as the Owners and M/s. Amber Enterprises, a Partnership Firm as the Developers and Smt. Anubai Rajaram Farde and Others have granted the



development rights in respect of said property in favour of M/s. Amber Enterprises, a Partnership Firm as the Developers;

4) Public Notice dated 08/05/2017 issued in Marathi daily News Paper **"Navshakti"** and dated 08/05/2017 issued in English daily News Paper **"The Free Press Journal".**

5) The Kalyan Dombivali Municipal Corporation approved the said plans and granted Building Commencement Certificate bearing No. KDMP/NRV/BP/ DOM/CC/0024/19 dated 18/03/2019;

6) Deed of Transfer dated 24/09/2019 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 10576/2019 dated 24/09/2019 made and executed between M/s. Amber Enterprises through its Partners Mr. Ishwar Patel and Mr. Pritesh Patel for self and constituted attorney of said Owners Viz. Smt. Anubai Rajaram Farde and Others, therein called and referred to as the Transferor and Kalyan Dombivali Municipal Corporation as the Transferee and M/s. Amber Enterprises through its Partners Mr. Ishwar Patel have Handed over the area admeasuring 1420 sq. meters which is affected by the reservation of 18 Meter D.P Road area 152 Sq. meters and 24 Meter D.P Road area 1268 Sq. meters i.e. Totally Area admeasuring 1420 Sq. meters to Kalyan Dombivali Municipal Corporation;

7) Deed of Confirmation dated 12/02/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–4 under Sr. No. 2199/2020 dated 12/02/2020 made and executed between M/s. Amber Enterprises, a Partnership Firm, therein called and referred to as the Developers and Smt. Meena G. Shelar and 2 others being the Owners, the said Owners Viz. Smt. Meena G. Shelar and 2 others have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm and in pursuant to said Deed of Confirmation dated 12/02/2020 the said Smt. Meena G. Shelar and 2 others have executed Power of Attorney dated 12/02/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan-4 under Sr. No. 2200/2020 in favour of M/s. Amber Enterprises, a Partnership Firm.



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8) Deed of Confirmation dated 01/12/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–4 under Sr. No. 10021/2020 dated 01/12/2020 made and executed between the M/s. Amber Enterprises through its Partners Mr. Ishwar Patel and Mr. Pritesh Patel herein, therein called and referred to as the Developers and Smt. Nanda Naresh Shelar and 3 others being the Owners, the said Owners Viz. Nanda Naresh Shelar and 3 others have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm, herein and in pursuant to said Deed of Confirmation dated 01/12/2020 the said Smt. Nanda Naresh Shelar and 3 others have executed Power of Attorney dated 01/12/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan-4 under Sr. No.10022/2020 in favour of M/s. Amber Enterprises, a Partnership Firm.

9) The collector office Thane by and under his sanad order bearing No. MAHSUL/ K-1/ T-7/ SANAD/ SR-03/ 2020 dated 02/12/2020;

10) Release deed dated 10/11/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 3749/2021 dated 24/03/2021 made and executed between the Mrs. Tai Pandurang Kathe and Mrs.Vaishali Gurunath Enkar thought their power of attorney holder Mr. Vishal Ganesh Shelar (Farde) as Releasor and Mrs. Tai Pandurang Kathe and Mrs.Vaishali Gurunath Enkar thought their power of attorney holder Mr. Vishal Ganesh Shelar (Farde) are release their rights in respect of said entire property in favour of Mrs. Meena Ganesh Shelar, Mr. Vishal Ganesh Shelar, Mr. Chetan Ganesh Shelar.

11) Deed of Confirmation dated 22/04/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 4776/2021 dated 22/04/2021 made and executed between M/s. Amber Enterprises, a Partnership Firm herein, therein called and referred to as the Developers and Mr. Aakash Ashok Shelar and 1 other being the Owner, the said Owner



Viz. Mr. Aakash Ashok Shelar and 1 other have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm herein and in pursuant to said Deed of Confirmation dated 22/04/2021 the said Mr. Aakash Ashok Shelar and 1 other have executed Power of Attorney dated 22/04/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 4777/2021 dated 22/04/2021 in favour of M/s. Amber Enterprises, a Partnership Firm.

12) Deed of Conveyance dated 20/10/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 19254/2021 dated 20/10/2021, read with Deed of Correction dated 12/01/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 764/2022 dated 12/01/2022 both made and executed between Smt. Jaibai Ramchandra Ahire as the Owner and M/s. Amber Enterprises, a Partnership Firm herein, as the Purchasers, the said owner has sold, conveyed and transferred the area of land admeasuring 655 Sq. meters forming the part of aforesaid entire property i.e. 7310 sq. meters in favour of M/s. Amber Enterprises, a Partnership Firm;

13) Deed of Conveyance dated 20/10/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 19255/2021 dated 20/10/2021, read with Deed of Correction dated 12/01/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 763/2022 dated 12/01/2022 both made and executed between Smt. Anubai Rajaram Farde and Others as the Owners and M/s. Amber Enterprises, a Partnership Firm as the Purchasers, the said owners have sold, conveyed and transferred the area of land admeasuring 2945 Sq. meters forming the part of aforesaid entire property i.e. 7310 sq. meters in favour of M/s. Amber Enterprises, a Partnership Firm;



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14) The Tahasildar, Kalyan by and under his order bearing No. MAHSUL/ T-2/ JAMINBAB-1/RUPANTARANKAR/SR/239/2021 dated 08/11/2021 has granted in respect to the Non-Agricultural use of said property necessary Non-Agricultural use permission is not required ;

15) Revised Building Commencement Certificate obtained from Kalyan Dombivali Municipal Corporation bearing No. KDMC/TPD/BP/DOM/2018-19/0024/363 dated 29/11/2021.

16) Tenancy Appeal No. 148/2021, Tenancy Appeal No. 378/2021 and Tenancy Appeal No. 379/2021 filed in the court of MRTP at Mumbai.

17) Status Certificate dated 04/10/2024 issued by Adv. Avinash Desale in respect of the Tenancy Appeal No.148/2021, Tenancy Appeal No. 378/2021 and Tenancy Appeal No. 379/2021 are filed in the court of MRTP at Mumbai in this said appeals the MRTP court has passed the order dated 30/07/2024 and in this said appeals the MRTP court has dismissed the said Revision applications.

18) As per the provisions of Government Resolution dated 29/01/2016, regarding regulations for grant of Transferable Development Rights for the Municipal Corporations of Kalyan Dombivali Municipal Corporation vide their letter bearing No. KDMC/NRV / HVH / 1727 dated 12/07/2024.

19) Revised Building Commencement Certificate obtained from Kalyan Dombivali Municipal Corporation bearing Building Permit No. KDMCC/RB/ 2024/APL/00110 dated 21/01/2025.

20) Up to date Search Reports.

NILESH S. PATIL ADVOCATE

On perusal of Extract of 7/12, relevant mutation entries it appears that, **M/s. AMBER ENTERPRISES, a Partnership Firm, through its Partners Mr. Ishwar S. Patel and Mr. Pritesh Kantilal Patel** are the owners of said property.

It further appears that, since prior to the year 1969 landlord Mr. Dattatraya Ganesh Mulekar was the owner and one Mr. Hendrya Bhau Farde (Shelar) was the tenant of the said owner to the said entire property.

It further appears that, upon fixation of the purchase price U/S. 32G of the Bombay Tenancy and Agriculture Land Act, 1947, by the Agricultural Land Tribunal and additional Tahasildar Kalyan and upon payment of the purchase price the Addl. Tahasildar Kalyan issued purchase certificate dated 24/11/1969 U/S. 32M of the said Act in favour of the said tenant Mr. Hendrya Bhau Farde (Shelar) in respect of said entire property.

It further appears that, at the issuance of the said Mr. Hendrya Bhau Farde (Shelar) the revenue authority based on the said 32M Certificate vide Mutation Entry No. 1792 dated 18/03/1973 removed the charge of purchase price of the landlord from the others rights and confirmed the ownership of the said Mr. Hendrya Bhau Farde (Shelar) of said entire property.

It further appears that, the Mr. Hendrya Bhau Farde (Shelar) died intestate sometime in the year 1950 leaving behind him his two sons Viz. Rajaram and Heera. However, Rajaram Farde (Shelar) died intestate sometime in the year 1970 leaving behind him his widow Anubai Sons Yashwant, Naresh, Nagesh and Ashok and Naresh, Nagesh and Ashok being minor were represented by their natural guardian and mother Anubai. Upon heirship enquiry the Revenue Authority vide Mutation Entry No. 1875 dated 12/05/1975 recorded in the names of the above heirs at possession of the said entire property.

It further appears that, out of those heirs Mr. Heera Hendra Farde died intestate on 04/06/1989 leaving behind him his widow venubai Son Ganesh and 3 married daughters Mrs. Jaibai Rajaram Ahire, Mrs. Tai Pandurang Kathe and Mrs. Vaishali Gurunath Enker and upon heirship enquiry the Revenue Authority vide Mutation



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Entry No. 176 dated 05/01/1999 recorded in the names of the above heirs and deleting the name of the Mr. Heera Hendra Farde of the said entire property.

It further appears that, by and under Development Agreement dated 03/03/2008 registered at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 1333/2008 dated 03/03/2008 made and executed between Smt. Anubai Rajaram Farde and Others as the Owners and M/s. Amber Enterprises, a Partnership Firm as the developers, the Smt. Anubai Rajaram Farde and Others have granted the development rights from said owners of said entire property on terms, conditions and for the consideration mentioned therein and in pursuance thereof to said Development Agreement dated 03/03/2008, the said owners have also granted the Power of Attorney dated 03/03/2008 registered at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 1334/2008 dated 03/03/2008 of said entire property in favour of M/s. Amber Enterprises, a Partnership Firm;

It further appears that, out of those heirs Mr. Nagesh Rajaram Farde died intestate on 07/08/1998 leaving behind him his widow bebi and Minor Sons Nitesh and Avinash so also Shri Ashok Rajaram Farde and his wife Pushpa died intestate on 21/03/1999 leaving behind them their 2 sons viz. Akash and Aatish both minors represented by their grandmother Smt. Radhabai Chintaman Mhatre at the instance of the heirs of said deceased Mr. Ashok Rajaram Farde and Mr. Nagesh and upon heirship enquiry the Revenue Authority vide Mutation Entry No. 457 dated 02/08/2010 brought the names of aforesaid heirs in place of deceased.

It further appears that, for the purpose of development of said entire property, the Sub-Divisional Officer Thane by and under his order bearing order No.TD/ T-6/KV/KALYAN/VP/SR-141/10 dated 13/09/2010 got the conditions u/s. 43 of the Tenancy Act removed by paying Nazrana, thus the said entire property has now became freehold and the effect of the said order was given by the Revenue Authority into the Revenue record of rights vide Mutation Entry No. 761 dated 20/02/2016. So also the Tahsildar Kalyan vide his Order bearing No. Mahasul/ T-2/ JAMINBAB/ VINSHCHTI/ MOUJE KANCHANGAON/SR/238/16



dated 17/09/2016 to Kalyan Dombivali Municipal Corporation confirmed about freehold ness about the tenure of the said property.

It further appears that, the heirs of said deceased Nagesh Rajaram Farde Viz. Mr. Nitesh Nagesh Farde (Shelar) and Mr. Avinash Nagesh Farde (Shelar) while confirming the said Development Agreement dated 03/03/2008 executed and registered an irrevocable general power of attorney dated 25/07/2016 at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 2317/2016 dated 25/07/2016 in favour of M/s. Amber Enterprises, a Partnership Firm to develop the said property in pursuant to the said Development Agreement.

It further appears that, Aakarphod patrak Hissa Form No. 12 in respect of said Survey No. 25/3 (Part) area 7310 Sq. meters was caused under the Tahsildar Kalyan Order No. MSHA/T-10/Hakknond/KV-433/17 dated 02/03/2017 under which the said Survey No. was allotted New Survey No. / Hissa No. 25/3/1 area 0-H-66R-9P Pot Kharaba 0-H 06R-2P and the effect of this change was given into the Revenue Record of rights vide Mutation Entry No.790 ;

It further appears that, the M/s. Amber Enterprises, a Partnership Firm with view to develop the said property submitted necessary building Plans with Kalyan Dombivali Municipal Corporation for approval and accordingly Kalyan Dombivali Municipal Corporation approved the said plans and granted Building Commencement Certificate bearing No. KDMP/ NRV/BP/DV/CC/0024/19 dated 18/03/2019 in respect of said entire property.

It further appears that, as per the development plan published for the City of Kalyan Dombivali Municipal Corporation an area of land admeasuring 1420 sq. meters from said entire property is affected by 18.00 meters wide D.P. Road and by 24.00 meters wide D. P. Road and due to said reasons the said entire property is naturally sub-divided into two plots one plot admeasuring 4424.00 sq. meters recognized as Plot No. A in sanctioned Plan and another plot admeasuring 1225.00 sq. meters recognized as Plot No. B and both of said plot falls in Residential Zone.



NILESH S. PATIL

B.Com., D.T.M., LL.M.,
ADVOCATE HIGH COURT

Office : I-07, First Floor, Siddhivinayak Sankul, Oak Baug, Shivaji Path, Kalyan (West) - 421 301

Mob. No.:- 98 20 61 48 66 Email ID-adv.patilnilesh@yahoo.com

It further appears that, the plan sanctioned by Kalyan Dombivali Municipal Corporation and accordingly as per said sanctioned Plan and said building Viz. **Stilt Plus First Floor to Eleven Upper Floors (Residential)** is sanctioned on said entire property;

It further appears that, By and under Deed of Transfer dated 24/09/2019, registered at the Office of Sub-Registrar of Assurances at Kalyan-3 under Sr. No. 10576/2019 dated 24/09/2019 made and executed between Smt. Anubai Rajaram Farde and Others through their constituted Attorney Holder M/s. Amber Enterprises through its Partner Mr. Pritesh K. Patel as the Vendor/Transferor and Kalyan Dombivali Municipal Corporation as the Transferee and M/s. Amber Enterprises, a Partnership Firm have handed over the area of land admeasuring 1420 sq. meters which is affected by the reservation of 18 Meter D.P Road area 152 Sq. meters and 24 Meter D.P Road area 1268 Sq. meters i.e. Totally area admeasuring 1420 Sq. meters of the entire said property is handed over/Transfer to Kalyan Dombivali Municipal Corporation and the effect of the said Deed of Transfer was given into the Revenue Record of Rights vide Mutation Entry No. 949 dated 25/11/2019;

It further appears that, the appeal is filed sub-divisional officer, Kalyan sub-division kalyan in the court of Mumbai by Tenancy and Agriculture Land Act, 1948 (74) Sr. No. Tenancy KV-02/2020, in this said appeal the court has passed the order dated 20/01/2020 and the effect of this was given into the Revenue Record of rights vide Mutation Entry No.983;

It further appears that, out of those heirs Mr. Naresh Rajaram Farde died intestate on 07/02/2015 leaving behind him his widow Nanda and 2 Sons Yogesh and Yogendra and daughter namely Yogita Jagdish Bhagat at the instance of the heirs of said deceased Mr. Naresh Rajaram Farde and upon heirship enquiry the Revenue Authority vide Mutation Entry No. 1003 dated 09/09/2020 brought the names of aforesaid heirs in place of deceased.



It further appears that, by and under Deed of Confirmation dated 12/02/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–4 under Sr. No. 2199/2020 dated 12/02/2020 made and executed between the M/s. Amber Enterprises, a Partnership Firm herein, therein called and referred to as the Developers and Smt. Meena G. Shelar and 2 others being the Owners, the said Owners Viz. Smt. Meena G. Shelar and 2 others have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm herein and in pursuant to said Deed of Confirmation dated 12/02/2020 the said Smt. Meena G. Shelar and 2 others have executed Power of Attorney dated 12/02/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan-4 under Sr. No. 2200/2020 in favour of the M/s. Amber Enterprises, a Partnership Firm.

It further appears that, by and under Deed of Confirmation dated 01/12/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–4 under Sr. No. 10021/2020 dated 01/12/2020 made and executed between the M/s. Amber Enterprises, a Partnership Firm herein, therein called and referred to as the Developers and Smt. Nanda Naresh Shelar and 3 others being the Owners, the said Owners Viz. Nanda Naresh Shelar and 3 others have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm herein and in pursuant to said Deed of Confirmation dated 01/12/2020 the said Smt. Nanda Naresh Shelar and 3 others have executed Power of Attorney dated 01/12/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan-4 under Sr. No. 10022/2020 in favour of the M/s. Amber Enterprises, a Partnership Firm.

It further appears that, The Collector, Thane by and under his order bearing No. MAHSUL/K-1/T-7/SANAD/SR-03/2020 dated 02/12/2020 has granted sanad as is evidenced vide **Mutation Entry No. 1085** dated 09/11/2021 their names have been recorded into the Record of Rights;



NILESH S. PATIL

B.Com., D.T.M., LL.M.,
ADVOCATE HIGH COURT

Office : I-07, First Floor, Siddhivinayak Sankul, Oak Baug, Shivaji Path, Kalyan (West) - 421 301

Mob. No.:- 98 20 61 48 66 Email ID-adv.patilnilesh@yahoo.com

It further appears that, Release deed dated 10/11/2020 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 3749/2021 dated 24/03/2021 made and executed between the Mrs. Tai Pandurang Kathe and Mrs.Vaishali Gurunath Enkar thought their power of attorney holder Mr. Vishal Ganesh Shelar (Farde) as Releasor and Mrs. Tai Pandurang Kathe and Mrs.Vaishali Gurunath Enkar thought their power of attorney holder Mr. Vishal Ganesh Shelar (Farde) are release their rights in respect of said entire property in favour of Mrs. Meena Ganesh Shelar, Mr. Vishal Ganesh Shelar, Mr. Chetan Ganesh Shelar.

It further appears that, by and under Deed of Confirmation dated 22/04/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 4776/2021 dated 22/04/2021 made and executed between the M/s. Amber Enterprises, a Partnership Firm herein, therein called and referred to as the Developers and Mr. Aakash Ashok Shelar and 1 other being the Owner, the said Owner Viz. Mr. Aakash Ashok Shelar and 1 other have confirmed and consented the execution of said Development Agreement dated 03/03/2008 in favour of M/s. Amber Enterprises, a Partnership Firm herein and in pursuant to said Deed of Confirmation dated 22/04/2021 the said Mr. Aakash Ashok Shelar and 1 other have executed Power of Attorney dated 22/04/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan–3 under Sr. No. 4777/2021 dated 22/04/2021 in favour of the M/s. Amber Enterprises, a Partnership Firm.

It further appears that, by and under Deed of Conveyance dated 20/10/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 19254/2021 dated 20/10/2021, read with Deed of Correction dated 12/01/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 764/2022 dated 12/01/2022 both made and executed between M/s. Amber Enterprises, a Partnership Firm for self and constituted attorney holder of Smt. Jaibai Ramchandra Ahire as the Owners and the M/s. Amber Enterprises, a Partnership Firm herein, therein called and referred to as the Purchasers, the M/s. Amber Enterprises, a Partnership Firm herein, the said owners have sold and conveyed the area of land admeasuring 655 Sq. meters forming the part of aforesaid entire property



in favour of M/s. Amber Enterprises, a Partnership Firm herein stands mutated as is evidence vide Mutation Entry No. 1158.

It further appears that, by and under Deed of Conveyance dated 20/10/2021 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 19255/2021 dated 21/10/2021 read with Deed of Correction dated 12/01/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 763/2022 dated 12/01/2022 both made and executed between M/s. Amber Enterprises, a Partnership Firm for self and constituted attorney holder of Smt. Anubai Rajaram Farde and Others as the Owners and the M/s. Amber Enterprises, a Partnership Firm herein, therein called and referred to as the Purchasers, the M/s. Amber Enterprises, a Partnership Firm herein, the said owners have sold and conveyed the area of land admeasuring 2945 Sq. meters forming the part of aforesaid entire property in favour of M/s. Amber Enterprises, a Partnership Firm herein stands mutated as is evidence vide Mutation Entry No. 1109.

It further appears that, The Tahasildar, Kalyan by and under his order bearing No. MAHSUL/T-2/JAMINBAB-1/RUPANTARANKAR/SR/239/2021 dated 08/11/2021 has confirmed that Non-Agricultural use permission is not required for the development of said entire property and same have been recorded into the Record of Rights as is evidenced vide Mutation Entry No. 1086;

It further appears that, M/s. Amber Enterprises, a Partnership Firm herein decided to developed the Plot B as per sanctioned plan and accordingly submitted revised building plans for the purpose of development of Plot B admeasuring 1225 sq. meters forming the part of said entire property with Kalyan Dombivali Municipal Corporation for approval and Kalyan Dombivali Municipal Corporation approved the said plans and granted **Revised Building Permission bearing No. KDMC/ TPD/BP/DOM/2018-19/0024/363 dated 29/11/2021 in respect of said Plot B**;

It further appears that, as per Revised Building Permission dated 29/11/2021 Single Building of **Stilt (Part) Plus First to Nine Upper Floor (Residential) is sanctioned on said Plot B** as per sanctioned plan forming the part of said entire property.

NILESH S. PATIL
ADVOCATE

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B.Com., D.T.M., LL.M.,
ADVOCATE HIGH COURT

Office : I-07, First Floor, Siddhivinayak Sankul, Oak Baug, Shivaji Path, Kalyan (West) - 421 301

Mob. No.:- 98 20 61 48 66 Email ID-adv.patilnilesh@yahoo.com

It further appears that, Status Certificate dated 04/10/2024 issued by Adv. Avinash Desale in respect of the Tenancy Appeal No.148/2021, Tenancy Appeal No. 378/2021 and Tenancy Appeal No. 379/2021 are filed in the court of MRTP at Mumbai in this said appeals the MRTP court has passed the order dated 30/07/2024 and in this said appeals the MRTP court has dismissed the said Revision applications.

It further appears that, as per the provisions of Government Resolution dated 29/01/2016, regarding regulations for grant of Transferable Development Rights for the Municipal Corporations of Kalyan Dombivali Municipal Corporation vide their letter bearing No. KDMC / NRV / HVH / 1727 dated 12/07/2024 have accorded the Permission to the Kalyan Dombivali Municipal Corporation to use, utilize and consume the 734.25 sq. meters floor space index in the form of Transferable Development Rights on all that piece and parcel of land bearing **Old Survey No. 91 Hissa No. 3/1, (New Survey No. 25, Hissa No. 3/1, Plot No. "B"** and situate at **Village Kanchangaon,** Taluka Kalyan, District Thane and within the limits of the Kalyan Dombivali Municipal Corporation being undertaken for development by the M/s. Amber Enterprises, a Partnership Firm herein against the deduction of said Transferable Development Rights having area 734.25 sq. meters in respect of the said property.

It further appears that, Kalyan Dombivali Municipal Corporation approved the said plans and granted **Revised Building Permit No. KDMCC/RB/ 2024/APL/00110 dated 21/01/2025 in respect of said Plot B;**

It further appears that, as per Revised Building Permission dated **21/01/2025** single Building of **Stilt Plus Ground Floor Plus 1st to 7th Floor Plus 9th to 12th Floor Plus 14th to 17th Floor Plus 19th to 22nd Floor Plus 24th Floor Plus 25th Floor, 9th Floor, 8th Floor Plus 13th Floor Plus 18th Floor Plus 23rd Floor Plus Terrace Floor (Residential) i.e. Stilt Plus Ground Floor Upper 25th Floor Plus Terrace Floor Plus Fitness Centre and Society Office is sanctioned on said Plot B** as per sanctioned plan forming the part of said entire property, herein after the area of land

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admeasuring 1225.00 sq. meters recognized as Plot B in sanctioned plan forming the part of said entire property is herein after called and referred to as **"Said Property"** and is more particularly described in the **SCHEDULE** hereunder written and is subject matter of present development and the building sanctioned on said property is herein after called and referred to as "**Said Building**";

Search report does not reveal any entry which may fall in the category of registered encumbrances over the said property.

IN view of the aforesaid scrutiny of the relevant documents, papers and search report and subject to what is stated herein above, I am of the opinion that **M/s. AMBER ENTERPRISES, a Partnership firm** is the owner of the said property and the title of said owner is clear and free from reasonable doubts and encumbrances and as absolute Owners said **M/s. AMBER ENTERPRISES, a Partnership firm** is well and sufficiently entitled to develop the said property and/or said residential property as per sanctioned plans and permissions and in accordance with development Rules, Regulations and Bye-laws in force from time to time and by complying with conditions as mentioned in above said permissions, orders and sanctions and to sell the flats/shops/units constructed therein to intending purchasers and appropriate the sale proceeds for their exclusive use and benefits.

Date : 07/02/2025

NILESH S. PATIL
ADVOCATE

NILESH S. PATIL
(Advocate)

NILESH S. PATIL
B.Com., LL.M., D.T.M.
ADVOCATE HIGH COURT
Office 1/07 Siddhivinayak Sankul, Oak Baug,
New Shivaji Path, Kalyan (W) 421 301
Tel 2314 313
Mah / 1176 / 1994 Dt. 26/07/1994