*Adv. Ashwini Shirke - Chapekar*
*B.A. BSc. B.Ed. LL.B, Advocate*
Cell No. 8983408617.

**Office At**: - F No. 2, B. J. Classic
RajendriNagar, Anandpark,
Wadgaonsheri,Pune-411014.

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**FORMAT - A**

**(Circular No. : 28/2021)**

To,
MAHA RERA
Maharashtra

**LEGAL TITLE REPORT**

Sub- Title Certificate with respect to S. No. 38 CH, CTS No. 7462, situated at Village Ambernath, Taluka and registration sub-registration Ambernath, District Thane. (hereinafter referred as the said Land).

[1] I have investigated the title of the said Land on the request of "**Soman Sons Nirmaan LLP**", a Partnership Firm formed and registered under Limited Liability Partnership Act 2008 with registration No. LLPIN : AAB-1914, having its registered address at Sne Building, Ground Floor, Vadavli Section, Ambarnath East, Dist. Thane along with following documents i.e.:-

1) **Description of property**

**SCHEDULE –I**

**SCHEDULE OF ENTIRE TOTAL LAND**

ALL THAT, piece or parcel of land or ground lying and being at Village Ambernath, Taluka and registration sub-registration Ambernath, District Thane, bearing S. No. 38 CH, Area Admeasuring 8100 Sq. Mtrs., and corresponding property card with CTS No. 7462 of Ambernath city survey, within the limits of Ambernath Muncipal Council and which is bounded as follows :-

**On or towards the East** : By Road and boundary of Shiv Ganga Nagar.
**On or towards the South** : Private Nallah.
**On or towards the West** : Road and Samarth Gruh Nirmaan Society.
**On or towards the North** : D. P. Road.

**SCHEDULE –II**

**SCHEDULE OF PROJECT LAND**

ALL THAT, piece or parcel of land or ground lying and being at Village Ambernath, Taluka amd registration sub-registration Ambernath, District Thane, bearing S. No. 38 CH, Area Admeasuring 4050 Sq. Mtrs., out of Area Admeasuring 8100 Sq. Mtrs and corresponding property card with CTS No. 7462 of Ambernath city survey, within the limits of Ambernath Municipal Council and which is bounded as follows :-

**On or towards the East** : By property of Gulabrao Baburao Karanjule Patil and others.
**On or towards the South** : Private Nallah.
**On or towards the West** : Road and Samarth Gruh Nirmaan Society.
**On or towards the North** : D. P. Road.

MRS ASHWINI SHIRKE CHAPEKAR ★ ADVOCATE ★

2) **The Documents of allotment of Land**

i. Will Deed executed by Mr. Balkrishna Shankar Pathare in favour of i)Mr. Gulabrao Baburao Karanjule Patil, ii)Sunita Gulabrao Karnjule Patil, iii)Madathingal Shekaran Soman, iv)Madathingal Kishore Soman and v) Madathingal Anup Soman, bearing Registration No. 4192/2011 dated 12/08/2011 registered at office of Sub-registrar Ulhasnagar.

ii. Deed of Partition executed between i)Mr. Gulabrao Baburao Karanjule Patil, ii)Sunita Gulabrao Karnjule Patil, iii)Madathingal Shekaran Soman, iv)Madathingal Kishore Soman and v) Madathingal Anup Soman, bearing Registration No. 968/2023 dated 24/01/2023 registered at Sub-registrar Ambernath.

iii. Deed of Conveyance executed by Madathingal Shekaran Soman in favour of Madathingal Kishore Soman and Madathingal Anup Soman for area admeasuring 405.00 Sq. Mtrs., bearing Registration No. 3111/2023, dated 17/03/2023, registered at Office of Sub-registrar Ambernath.

iv. Deed of Conveyance executed by Madathingal Kishore Soman and Madathingal Anup Soman in favour of Soman Sons Nirmaan LLP, for area admeasuring 4050.00 Sq. Mtrs., bearing Registration No. 6154/2023, dated 26/05/2023, registered at Office of Sub-registrar Ambernath.

3) **7/12 extract or Property Card No. ULPIN:94529850604 issued by Addl. Collector, Bhumi Abhilekh, Ambernath, dated 11/02/2021, mutation entry Nos. 1790, 349, 953, 688, 1497, 1912, 1523 & 1963.**

4) **Search report for 30 years from 1995 till 13/04/2024.**

[2] 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 "**Soman Sons Nirmaan LLP**" is clean, clear & marketable without any encumbrances.

**Owners of Land :- Soman Sons Nirmaan LLP.**

The above of said Land was original owned by Mr. Madathingal Kishore Soman and Mr. Madathingal Anup Soman. Therafter had sold the said Land to **Soman Sons Nirmaan LLP.,** through Rigistered Deed of Conveyance bearing No. 6154/2023, dated 26/05/2023, registered at office of Sub-registrar Ambernath. Hence Soman Sons Nirmaan LLP became the absolute Owner of the said Land.

**DATE :- 15/04/2024.**
**PLACE :- Pune.**

Ashwini

**Adv. Ashwini Shirke - Chapekar**
**Signature.**

ASHWINI D. CHAPEKAR ADVOCATE

*Adv. Ashwini Shirke - Chapekar*
*B.A. BSc. B.Ed. LL.B, Advocate*
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**(Circular No. : 28/2021)**

**[3] FLOW OF TITLE**

**ALL THAT**, piece or parcel of land or ground lying and being at Village Ambernath, Taluka and registration sub-registration Ambernath, District Thane, bearing S. No. 38 CH, Area Admeasuring 4050 Sq. Mtrs., out of Area Admeasuring 8100 Sq. Mtrs and corresponding property card with CTS No. 7462 of Ambernath city survey, within the limits of Ambernath Municipal Council.

**AND WHEREAS**, Mr. Kishorechand Arora and Mr. Teckchand Arora was the Owners of Land 02 Acres i.e. 9680 Sq. Yards i.e. 8100 Sq. Mtrs.(the said Larger Property).

**AND WHEREAS**, Mr. Kishorechand Arora and Mr. Teckchand Arora sold the said land (8100 Sq. Mtrs.) through Registered Deed of Conveyance in favour of Mr. Balkrishna Shankar Pathare, bearing Registration No. 4368/1967, prepared on 26/10/1967 and registered on 08/12/1967, at the Office of Sub-registrar Mumbai.

**AND WHEREAS**, Mr. Balkrishna Shankar Pathare entered into unregistered Development Agreement and Power of Attorney with M/s. Shilpkala Developers Pvt. Ltd., which were prepared on 24/07/1997. The said unregistered Development Agreement was subsequently registered by M/s. Shilpkala Developers Pvt. Ltd., by execution of one party declaration and confirmation Deed, dated 21/01/1999 at Sub-registrar Ulhasnagar.

**AND WHEREAS**, due to some disputes and differences, Mr. Balkrishna Shankar Pathare terminated the Development Agreement and Power of Attorney both dated 24/07/1997, through Advocate's Notice dated 01/02/1999.

**AND WHEREAS,** M/s. Shilpkala Developers Pvt. Ltd., filed a Special Civil Suit No. 150/2000 before the Senior Division Kalyan Court against Mr. Balkrishna Shankar Pathare and 16 Others, for seeking specific performance of Development Agreement and POA both dated 24/07/1997 and for perpetual Injunction in of the larger property.

**AND WHEREAS,** M/s. Shilpkala Developers Pvt. Ltd., also registered Notice of Lis Pendens on 11/09/2000, bearing Register No. 2379 against Balkrishna Shankar Pathare and 13 Others.

**AND WHEREAS,** The said Special Civil Suit No. 150/2000 filed by M/s. Shilpkala Developers Pvt. Ltd., against Mr. Balkrishna Shankar Pathare and 16 Others ca[illegible] to

MRS. ASHWINI SHIRKE CHAPEKAR ★ ADVOCATE ★

be Dismissed by the Senior Division, Kalyan Court by its Order/Judgment dated 11/01/2010.

**AND WHEREAS,** First Appeal No. 594/2010 came to be filed at Hon'ble High Court at Bombay by M/s. Shilpkala Developers Pvt. Ltd., against Mr. Balkrishna Shankar Pathare and 16 Others, for challenging the Order/Judgment dated 11/01/2010 passed by The Senior Division, Kalyan Court. Civil Application No. 1511/2010 was also filed for stay on execution and operation of the said Order/Judgment dated 11/01/2010 and for injunction restraining Mr. Balkrishna Shankar Pathare and 16 Others being Respondents therein from creating third party rights in respect of the Larger Property.

**AND WHEREAS,** By Order dated 27/11/2012, the Division Bench of the Hon'ble High Court at Bombay rejected the said Civil Application No. 1511/2010. However First Appeal No. 594/2010 is pending for hearing and final disposal. M/s. Shilpkala Developers Pvt. Ltd., did not challenge the said Order dated 27/11/2012. Therefore there is no Order of Stay or injunction preventing Sale, Transfer, Mortgage or Subletting of the larger Property to any third party.

**AND WHEREAS,** M/s. Shilpkala Developers Pvt. Ltd., also filed another Civil Suit No. 251/2005 before the Junior Division, Ulhasnagar Court against Mr. Gulabrao Karanjule and Others for declaration and perpetual Injunction in respect of the Larger Property. However said Suit came to be dismissed by Order dated 14/12/2012 passed by Junior Division Civil Judge Ulhasnagar Court, under Order 9 Rule 3 of Code of Civil Procedure Code due to the absence of both the parties and their respective Advocates. M/s. Shilpkala Developers Pvt. Ltd., did not challenge the said Order dated 14/12/2012. Therefore it attained finality.

**AND WHEREAS,** In the meanwhile Mr. Balkrishna Shankar Pathare during his lifetime executed registered Last Will and Testament in favour of i)Mr. Gulabrao Baburao Karanjule Patil, ii)Sunita Gulabrao Karnjule Patil, iii)Madathingal Shekaran Soman, iv)Madathingal Kishore Soman and v) Madathingal Anup Soman, bearing Registration No. 4192/2011 dated 12/08/2011 registered at office of Sub-registrar Ulhasnagar.

**AND WHEREAS,** Mr. Balkrishna Shankar Pathare expired on 15/03/2012 as a Bachelor and according to Will Deed stated above i)Mr. Gulabrao Baburao Karanjule Patil, ii)Sunita Gulabrao Karnjule Patil, iii)Madathingal Shekaran Soman, iv)Madathingal Kishore Soman and v) Madathingal Anup Soman had become the absolute Owners of the said Larger Property.

**AND WHEREAS,** Mr. Hemant Ramchandra Sane, Mr. Arvind Baburao Pol and Suryakant Gajanan Patil had filed Miscellaneous Civil Application in the year 2001 in Kalyan Court for issuance of Probate of Will and Testament of Late Sunita Kamlakar Pathare claiming to be Wife of Mr. Kamlakar Pathare (brother of Mr. Balkrishna Shankar Pathare), the same was converted into Special Suit No. 195/2001, in Senior Division Kalyan Court, since it was contested by Mr. Balkrishna Shankar Pathare

ASHWINI D. CHAPEKAR ADVOCATE

(during his lifetime) by filing his written statement. Mr. Hemant Ramchandra Sane and 2 Others being the Plaintiffs in the aforesaid Suit had claimed that during lifetime of Sunita Kamlakar pathare, She had formed a Trust with Mr. Balkrishna Pathare and all the properties of Sunita Kamlakar Pathare & Mr. Balkrishna Pathare brought into the Trust, which includes the larger property and as per Will/Testament of Sunita Kamlakar Pathare had bequeath the properties to Mr. Hemant Ramchandra Sane and 2 Others. The said Suit came to be Dismissed by Order and Judgment dated 22/02/2019, on the ground that Mr. Balkrishna Shankar Pathare being the Defendant in the Suit had died during the pendency of Suit and therefore the Suit became infructuous since as per one of the conditions of the Trust Deed, the Trust shall dissolved after the Death of the parties or completion of 20 years therefore on the death of Mr. Balkrishna Shankar Pathare being the only defendant in the Suit, the Trust stands dissolved and does not exist, hence question doesn't arise to issue probate of Will and Testament in favour of Plaintiffs therein. The said Order and Judgement dated 22/02/2019 was not challenged by the Plaintiffs i.e. Mr. Hemant Ramchandra Sane and 2 Others therefore attained finality.

**AND WHEREAS,** in the year 2021, Mr. Gulabrao Baburao Karanjule Patil and Others made an Application dated 16/03/2021 to the Office of Sub-divisional Officer, Ulhasnagar to delete the name of "Government of Maharashtra Forest Department" recorded in 7/12 Extract in respect of the Larger Property. After the detailed enquiry by Forest Department, by Order dated 21/05/2021, the Office of Sub-divisional Officer, Ulhasnagar, allowed the said application filed by Mr. Gulabrao Baburao Karanjule Patil. Accordingly Mutation Entry No. 953 and 957 the name of Government of Maharashtra Forest Department was deleted.

**AND WHEREAS,** Mr. Gulabrao Baburao Karanjule Patil had obtained Non-Agricultural permission on 05/08/2021, issued by Tahsildar, Ambernath for the said Larger property.

**AND WHEREAS,** Mr. Gulabrao Baburao Karanjule Patil and others filed application dated 07/01/2022 to the Collector, Ulhasnagar, Urban Agglomeration, Thane for cancellation of order dated 08/02/1983 for grant of exemption for Agriculture Land u/s 20 of the ULC Act 1976 and by Mutation Entry No. 658, came to be cancelled.

**AND WHEREAS,** Deed of Partition executed between i)Mr. Gulabrao Baburao Karanjule Patil, ii)Sunita Gulabrao Karnjule Patil, iii)Madathingal Shekaran Soman, iv)Madathingal Kishore Soman and v) Madathingal Anup Soman, bearing Registration No. 968/2023 dated 24/01/2023 registered at Sub-registrar Ambernath. According to partition Deed, the parties thereto mutually and physically partitioned and demarcated the larger property into the shares mentioned as below :-

i)Mr. Gulabrao Baburao Karanjule Patil :- Area 3645.00 Sq. Mtrs.

ii)Sunita Gulabrao Karnjule Patil :- Area 405.00 Sq. Mtrs.

iii)Madathingal Shekaran Soman :- Area 405.00 Sq. Mtrs.



iv)Madathingal Kishore Soman :- Area 1822.50 Sq. Mtrs.

v) Madathingal Anup Soman :- Area 1822.50 Sq. Mtrs.

Total Area Admeasuring 8100 Sq. Mtrs. As per Mutation Entry No. 1929 the name of above Owners, as per Partition Deed were reflected in the 7/12 Extract.

**AND WHEREAS,** Deed of Conveyance executed by Madathingal Shekaran Soman in favour of Madathingal Kishore Soman and Madathingal Anup Soman for area admeasuring 405.00 Sq. Mtrs., bearing Registration No. 3111/2023, dated 17/03/2023, registered at Office of Sub-registrar Ambernath. Accordingly Madathingal Kishore Soman and Madathingal Anup Soman became entitled to the property Area Admeasuring 4050 Sq. Mtrs. out of the larger property.

**AND WHEREAS,** Deed of Conveyance executed by Madathingal Kishore Soman and Madathingal Anup Soman in favour of Soman Sons Nirmaan LLP, for area admeasuring 4050.00 Sq. Mtrs., bearing Registration No. 6154/2023, dated 26/05/2023, registered at Office of Sub-registrar Ambernath.

**AND WHEREAS,** the first Appeal No. 594/2010 which is pending in Bombay High Court for hearing and final disposal there is no litigation pending in respect of the property described in the schedule. In the pending litigation, there is no order restraining on Soman Sons Nirmaan LLP to develop and sell, transfer/ convey the said property. As on demise of Balkrishna Shankar Pathare, who was sole owner of the larger property and expired on 15/03/2012 as a Bachelor, there are no legal heirs claiming any share, right, title and interest in the said property. The said pending first Appeal has become infructuous on the demise of him since M/s. Shilpkala Developers Pvt. Ltd. has failed to join the necessary parties in the said Appeal who become entitled to the said property.

**AND WHEREAS,** Soman Sons Nirmaan LLP become the absolute owners and well sufficiently entitled to the property admeasuring 4050 Sq. Mtrs. Therefore Soman Sons Nirmaan LLP decided to develop the said property and applied for sanction of building plans to Ambernath Municipal Council. The same has been sanctioned by Ambarnath Municipal Council on 03/04/2024.

**AND WHEREAS,** Soman Sons Nirmaan LLP had obtained Commencement Certificate bearing Outward No. AMC/TPD/2024-2025/02, dated 03/04/2024 and willing to construct multi-storied Buildings on the said land.

**DATE :- 15/04/2024.**
**PLACE :- Pune.**

Ashwini

**Adv. Ashwini Shirke - Chapekar**
**Signature.**

ASHWINI D. CHAPEKAR ADVOCATE

# CHALLAN
## MTR Form Number-6

| GRN | MH000654256202425E | BARCODE | | Date | 15/04/2024-15:43:07 | Form ID | |
|---|---|---|---|---|---|---|---|

| | | | |
|---|---|---|---|
| **Department** | Inspector General Of Registration | **Payer Details** | |
| **Type of Payment** | Search Fee<br>Other Items | **TAX ID / TAN (If Any)** | |
| | | **PAN No.(If Applicable)** | |
| **Office Name** | ULH1_ULHASNAGAR NO 1 SUB REGISTRAR | **Full Name** | Adv Ashwin Shirke |
| **Location** | THANE | | |
| **Year** | 2024-2025 One Time | **Flat/Block No.** | B J Classic |
| | | **Premises/Building** | |
| **Account Head Details** | **Amount In Rs.** | **Road/Street** | Wadgaon Sheri |
| 0030072201 SEARCH FEE | 750.00 | **Area/Locality** | Pun ne |
| | | **Town/City/District** | |
| | | PIN | 4 1 1 0 1 4 |
| | | **Remarks (If Any)** | Soman Sons Nirmaan LLP S No 38 (P) CTS No 7462 Village Ambernath District Thane |
| **Total** | 750.00 | **Amount In Words** | Seven Hundred Fifty Rupees Only |

| **Payment Details** | STATE BANK OF INDIA | **FOR USE IN RECEIVING BANK** | | | |
|---|---|---|---|---|---|
| **Cheque-DD Details** | | Bank CIN | Ref. No. | 00040572024041555832 | IK0CSILUH0 |
| Cheque/DD No. | | Bank Date | RBI Date | 15/04/2024-15:24:44 | Not Verified with RBI |
| Name of Bank | | Bank-Branch | | STATE BANK OF INDIA | |
| Name of Branch | | Scroll No. , Date | | Not Verified with Scroll | |

Department ID :

Mobile No. : 8983408617

**NOTE:- This challan is valid for reason mentioned in Type of payment only. Not valid for other reasons or unregistered document**

सदर चलन "टाइप ऑफ पेमेंट" मध्ये नमूद कारणासाठीच लागु आहे . इतर कारणांसाठी किंवा नोदणी न करावयाच्या दस्तांसाठी लागु नाही .

ASHWINI D. CHAPEKAR ADVOCATE



Print Date 15-04-2024 03:45:16