



Zamir Hasan R. Ahmed Shaikh

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Advocate High Court

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Date: 18/04/2024

FORMAT-A

(Circular No. 28/2021, dated 08/03/2021)

To,

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY,

Having address at : Housefin Bhavan, Plot No. C-21,

E Block, Bandra Kurla Complex,

Bandra (E), Mumbai-400051,

LEGAL TITLE REPORT

SUB: Title Clearance certificate with respect of Project known as "**Anant Sagar**" having address at Beside Tanisque Residency, Near MLA Bungalow, Kolivali Kalyan (W) to be constructed on all that **area of land admeasuring 900.00 sq. meters recognised as Plot "B" in the sanctioned plan on Building Wing "E" of Stilt (Part), Ground (Part) + First Floor to Seven Floor (Residential + Commercial)** is sanctioned forming the part of all that piece and parcel of Non-Agricultural land lying being at situated at **Village Kolivali, Taluka Kalyan, District Thane bearing Survey No. 4 Hissa No. 1/A/3 admeasuring 8010.00 sq. meters** and within the limits of the Kalyan Dombivli Municipal Corporation and within the Jurisdiction of Registration District Thane, Sub-Registration District Kalyan, hereinafter called and referred to as the "**Said Entire Property**" belonging to Shri Anant alias Daji Gouru Hardas and area of land **admeasuring 900.00 sq. meters recognised as Plot "B" in the sanctioned plan** forming the part of said entire property is herein after called and referred to as "**Said Property**".

[Signature]

I have investigated the title of said property on the request of my client Viz. **M/s. SAGAR ENTERPRISES**, a registered Partnership Firm, Having its Office at 01, Apna Ghar Society, Near Saint Thomas Church, Karnik Road, Kalyan (W) – 421301, Taluka Kalyan, District Thane and have perused the following documents i.e.

I) Description of Property

All that area of land admeasuring 900.00 sq. meters recognised as Plot "B" in the sanctioned plan forming the part of all that piece and parcel of Non-Agricultural land lying being and situate at Village Kolivali, Taluka Kalyan District Thane bearing Survey No. 4 Hissa No. 1/A/3 totally admeasuring 8010.00 sq. meters and within the limits of Kalyan Dombivali Municipal Corporation.

II) Documents of allotment of Plot

1) Deed of Conveyance dated 22.01.1976 registered at the Office of Sub-Registrar of Assurances at Kalyan under Sr. No. 110/1976 made and executed between Shri Gangaram Bhau Bhoir as the Owner and Shri Anant alias Daji Gouru Hardas as the Purchaser.

2) Development Agreement dated 08.01.1998 registered at the Office of Sub-Registrar of Assurances at Kalyan-1 under Sr. No. 97/1998 made and executed between Shri Anant alias Daji Gouru Hardas as the Owner and Shri Bal alias Harishchandra Hardas as the Confirming Party and M/s Sagar Enterprises, a registered Partnership, Having its Office at Rani Mansion, First Floor, Murbad Road, Kalyan (W) as the Developers.

3) Order passed by Dy. Collector and Competent Authority, Ulhasnagar Urban Agglomeration, Thane bearing No. ULC/ULN / 6(1) / SR-91 / Kolivali dated 31.10.2003.

4) Weaker section scheme sanctioned by Dy. Collector and Competent Authority Ulhasnagar Urban Agglomeration, Thane by

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and under order bearing No. ULC/ULN/Sec. (20) (N) / SR-469 dated 05/12/2003 in respect of said property.

5) Agreement dated 08.01.2016 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 235/2016 made and executed between M/s Sagar Enterprises, a registered Partnership, Having its Office at Rani Mansion, First Floor, Murbad Road, Kalyan (W) as the Party of the First Part and Shri Gangaram Bhau Bhoir and Others as the Party of the Second Part.

6) Letter bearing No. ULC/ULN/Sec.20/Mudatvadh/SR-469/294 dated 05.12.2017 issued by Dy. Collector and Competent Authority, Ulhasnagar Urban Agglomeration, Thane.

7) Supplementary Agreement dated 30.03.2019 registered at the Office of Sub-Registrar of Assurances at Kalyan-1 under Sr. No. 3537/2019 made and executed between M/s Sagar Enterprises, a registered Partnership, Having its Office at 01, New Apna Ghar Society, Near St. Thomas School, Karnik Road, Kalyan (W) as the Party of the First Part and Shri Anant alias Daji Gouru Haradas as the Party of the Second Part.

8) Agreement For Development dated 17.10.2019 registered at the Office of Sub-Registrar of Assurances at Kalyan – 1 under Sr. No. 11831 / 2019 made and executed between M/s Sagar Enterprises, a registered Partnership, Having its Office at 01, New Apna Ghar Society, Near St. Thomas School, Karnik Road, Kalyan (W) as the Assignor Vendor and M/s Shankeshwar Kretors, a Partnership Firm, having its Office at 208, Aum Supreme Building, Near D Mart, Bail Bazaar, Vallipeer Road, Kalyan (W)-421301 as the Assignee Developers.

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- 9) Order passed by Dy. Collector and Competent Authority, Ulhasnagar Urban Agglomeration, Thane bearing No. ULC/ ULN/ 20 (New) / SR-469 / 315 dated 31.12.2019.
- 10) Order passed by The Tahasildar Kalyan bearing No. Mhasul/T-2/Jaminbabat-1/ Rupantarkar /SR -364 / 2018 dated 07.02.2020.
- 11) Building Commencement Certificate bearing No. KDMC / TPD / BP / KD / 2021-22 / 69 dated 18.01.2022 granted by Kalyan Dombivali Municipal Corporation.
- 12) Agreement For Grant of Development Rights dated 11/02/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 5906 / 2022 made and executed between M/s Bhakti Developers, a registered Partnership Firm, having its Office at Plot No. 184, Shop No. 105, Haware Tiara, Sector 13, Kharghar, Navi Mumbai as the Vendors / Transferors and M/s. Sagar Enterprises, a registered Partnership Firm, Having its Office at 01, Apna Ghar Society, Near Saint Thomas Church, Karnik Road, Kalyan (W) – 421301, Taluka Kalyan, District Thane as the Purchasers and Shri Laxman Jagannath Patil and Others as the Owners/ Confirming Party.
- 13) Agreement dated 24.01.2023 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 1655 / 2023 made and executed between M/s. Sagar Enterprises, a registered Partnership Firm, Having its Office at 01, Apna Ghar Society, Near Saint Thomas Church, Karnik Road, Kalyan (W) – 421301, Taluka Kalyan, District Thane as the Party of the One Part and Shri Anant alias Daji Gouru Hardas as the Party of the Other part.
- 14) Revised /amended Building Commencement Certificate bearing No. KDMC/TPD/BP/KD/2021-22/69/427 dated 24/02/2023 granted by Kalyan Dombivali Municipal Corporation.

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15) Supplementary Agreement dated 01/12/2023 registered at the Office of Sub-Registrar of Assurance at Kalyan - 2 under Sr. No. 25006/2023 made and executed between M/s Shankeshwar K creators, a Partnership Firm, having its Office at 208, Aum Supreme Building, Near D Mart, Bail Bazaar, Vallipeer Road, Kalyan (W)-421301 as the Party of the First Part and M/s. Sagar Enterprises, a registered Partnership Firm, Having its Office at 01, Apna Ghar Society, Near Saint Thomas Church, Karnik Road, Kalyan (W) - 421301, Taluka Kalyan, District as Party of the Second Part.

16) Order passed by The Tahasildar Kalyan bearing No. Mhasul /T-1/T-2/Jaminibabat/ Sanad/SR-295/2023, dated 21/12/2023.

III) REVENUE RECORD:

- 1) Extract of 7/12 of land bearing Survey No. 4 Hissa No. 1/A/3 totally admeasuring 8010.00 sq. meters issued by Talathi of Village Kolivali.
- 2) Mutation Entries.

IV) SEARCH REPORTS

Search for a period of 30 years from 1992 to 2023 at the Office of Sub-Registrar of Assurances at Kalyan -1, Kalyan-2, Kalyan -3, Kalyan -4 and Kalyan -5

On perusal of the above mentioned documents and all other relevant documents relating to the title of said property I am of the opinion that the title of Shri Anant alias Daji Gauru Haradas as Owner and M/s. SAGAR ENTERPRISES, a registered Partnership Firm, as Developers to said property is clear, marketable and without any encumbrances and in terms of Development Agreement dated 08.01.1998 and Supplementary Agreement dated 30.03.2019 M/s. SAGAR ENTERPRISES, a registered Partnership Firm, is well and sufficiently entitled to develop the Said Property.

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1) Owners of Land

Shri Anant alias Daji Gouruseth Hardas of land bearing Survey No. 4 Hissa No. 1/A/3.

2) Developers of Land

M/s. SAGAR ENTERPRISES, a registered Partnership Firm, Having its Office at 01, Apna Ghar Society, Near Saint Thomas Church, Karnik Road, Kalyan (W) – 421301, Taluka Kalyan, District Thane

3) Qualifying Comments / Remarks if any: Nil**4) Litigation: Nil.**

The Report reflecting the flow of title of the Shri Anant alias Daji Gouruseth Hardas and M/s. SAGAR ENTERPRISES, a registered Partnership Firm, to said property is enclosed herewith as Annexure.

ENCL: Annexure

Date: 18/04/2024

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(ADVOCATE)

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(Circular 28/2021 dated 08/03/2021)

Annexure "A"

FLOW OF THE TITLE OF THE SAID PROPERTY.

On perusal of Extract of 7/12, relevant mutation entries bearing Nos. (56), (130), (231), (296), (312), (529), (676), (805), (861), (862), (988), (1054), (1445) it appears that Shri Anant alias Daji Gaurushet Hardas is Owner / Bhogwatdar of in respect of all that piece and parcel of land lying being at situated at **Village Kolivali**, Taluka Kalyan, District Thane bearing **Survey No. 4 Hissa No. 1/A/3 admeasuring 8010.00 sq. meters** and within the limits of the Kalyan Dombivli Municipal Corporation and within the Jurisdiction of Registration District Thane, Sub-Registration District Kalyan, hereinafter called and referred to as the "**Said Entire Property**"

It appears that said entire property was originally owned by Shri Gangaram Bhau Bhoir.

It appears that Shri Anant alias Daji Gaurushet Hardas has by and under Deed of Conveyance dated 22.01.1976, registered at the Office of Sub-Registrar of Assurances at Kalyan under Sr. No. 110 / 1976 has purchased / acquired the said entire property from Shri Gangaram Bhau Bhoir as absolute owners thereof and in pursuant to said Deed of Conveyance dated 22.01.1976 said entire property is mutated in the name of Shri Anant alias Daji Gaurushet Hardas as is evidence vide Mutation Entry No. 231.

It further appears that by and under Development Agreement dated 08.01.1998, registered at the Office of Sub-Registrar of Assurances at Kalyan-1 under Sr. No. 97/1998 made and executed between Shri Anant alias Daji Gaurushet Hardas as the Owner and Shri Bal alias Harishchandra Hardas as the Confirming Party and M/s Sagar Enterprises, a registered

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Partnership, Having its Office at Rani Mansion, First Floor, Murbad Road, Kalyan (W) as the Developers, said Shri Anant alias Daji Gaurushet Hardas has granted the development rights in respect of said entire property in favour of M/s Sagar Enterprises, a registered Partnership on terms and conditions and for the consideration mentioned therein.

It further appears that said Shri Anant alias Daji Gaurushet Hardas had filed the returns under the provisions of Urban Land (Ceiling and Regulation) Act 1976 in respect of the immovable properties owned and possessed by him and in due course, necessary order is passed by Dy. Collector and Competent Authority, Ulhasnagar Urban Agglomeration, Thane under section 8(4) of the Urban Land Ceiling and Regulation Act 1976 bearing No. ULC/ULN/6(1)/SR-91-Kolivali dated 31.10.2003, wherein an area admeasuring 6010.00 sq. meters from said entire property is declared as surplus under the provisions of said Act.

It further appears that said Shri Anant alias Daji Gaurusheth Hardas, with a view to seek exemption under Section 20 of the Urban Land (Ceiling and Regulation) Act 1976, submitted the proposal with Dy. Collector and Competent Authority Ulhasnagar Urban Agglomeration, Thane for the said entire Property and accordingly necessary weaker section scheme is sanctioned by Dy. Collector and Competent Authority Ulhasnagar Urban Agglomeration, Thane under order bearing No. ULC/ULN/Sec.(20)(N)/SR-469 dated 05.12.2003 in respect of said entire Property.

It appear that by and under Agreement dated 08.01.2016 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 235/2016 made and executed between Shri Gangaram Bhau Bhoir and Others as the Part of the One Part and M/s Sagar Enterprises, a registered Partnership, Having its Office at Rani Mansion, First Floor, Murbad Road, Kalyan (W) as the Party of the Other Part, said M/s Sagar Enterprises, a registered Partnership, have settled the claim of said Gangaram Bhau Bhoir and Others who were in possession of said entire property and obtained actual,

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vacant and unobstructed physical possession of the said entire property and every part thereof.

It appears that by and under Supplementary Agreement dated 30.03.2019 registered at the Office of Sub-Registrar of Assurances at Kalyan-1 under Sr. No. 3537 / 2019 made and executed between M/s Sagar Enterprises, a registered Partnership, Having its Office at 01, Apna Ghar Society, Near St. Thomas School, Karnik Road, Kalyan (W) as the Party of the One Part and Shri Anant alias Daji Gaurusheth Hardas as the Party of the Other part, said M/s Sagar Enterprises, a registered Partnership, have paid enhanced monetary consideration to said Shri Anant alias Daji Gaurusheth Hardas and have further agreed to provide additional consideration in kind to said Shri Anant alias Daji Gaurusheth Hardas on terms and conditions mentioned therein.

It further appears that 15.00 meters wide D.P. Road is passing through the said entire property virtually/naturally dividing the said entire property into two parts, one part admeasuring 6493 sq. meters and another part admeasuring 900 sq. meters and area of land admeasuring 617 sq. meters is affected by D.P. Road and accordingly M/s Sagar Enterprises, a registered Partnership Firm, considering the factual position submitted plans for necessary sanctions and obtaining building commencement certificate from Kalyan Dombivali Municipal Corporation by showing/denoting said area of land admeasuring 6493 sq. meters as Plot "A" and area of land admeasuring 900 sq. meters as Plot "B".

It further appears that M/s Sagar Enterprises, a registered Partnership Firm proposed four buildings Viz. Building "A", "B", "C" and "D" on said plot "A" and one Building on Plot "B" and as per the then plans all building where proposed to be sanctioned as Ground Plus Seven upper floors.

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It further appears that by and under Agreement For Development dated 17.10.2019, registered at the Office of Sub-Registrar of Assurances at Kalyan under Sr. No. 11831/2019 made and executed between M/s Sagar Enterprises, a registered Partnership, Having its Office at 01, Apna Ghar Society, Near St. Thomas School, Karnik Road, Kalyan (W) as the Vendors /Assignors and M/s Shankeshwar Kreamtors, a Partnership Firm, having its Office at 208, Aum Supreme Building, Near D Mart, Bail Bazaar, Vallipeer Road, Kalyan (W) – 421301 as the Assignee/ Developers, said M/s Sagar Enterprises, a registered Partnership, have granted the development rights of proposed Building “A” and Building “B” having aggregate area of 6214 sq. meters proposed to be sanctioned on Plot “A” forming the part of said entire property in favour of M/s Shankeshwar Kreamtors, a Partnership Firm, on terms and conditions and for the consideration mentioned therein.

It further appears that Dy. Collector and Competent Authority, Ulhasnagar Urban Agglomeration, Thane by and his order bearing No. ULC/ ULN/ 20 (New) / SR-469 / 315 dated 31.12.2019 have granted extension to the scheme sanction under Section 20 of Urban Land (Ceiling and Regulation) Act 1976 subject to the compliance of government notification dated 01/08/2019 by said M/s Sagar Enterprises, a registered Partnership.

It further appears that said entire property by and under order passed by The Tahasildar, Kalyan, is converted to Non-Agricultural use as is evidence vide Order bearing Mhasul/T-2/Jaminbabat-1/ Rupantarkar /SR -364 / 2018 dated 07.02.2020.

It further appears that said M/s Sagar Enterprises, a registered Partnership submitted necessary revised plans with Kalyan Dombivali Municipal Corporation for approval and Kalyan Dombivali Municipal Corporation approved the said plans and granted Building Commencement Certificate bearing No. KDMC/TPD/BP/ KV/2021-23/69 dated 18.01.2022 in respect of said entire property.

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It further appears that in terms of said sanctioned Plan dated 18.01.2022 four building were sanctioned on Plot "A" and one building is sanctioned on Plot "B" as under:

PLOT A:

Building Wing A : Stilt + First Floor to Fourteen Floor (Residential)

Building Wing B : Stilt + First Floor (Residential)

Building Wing C : Stilt + First Floor to Fourteen Floor (Residential)

Building Wing D : Stilt + First Floor to Fourteen Floor (Residential)

Podium Parking : Ground Plus Two Floor

PLOT B:

Building Wing E : Stilt (Part) Ground (Part) First Floor to Seven

Floor (Residential + Commercial)

It further appears that by and under Agreement For Grant of Development Rights dated 11/02/2022 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 5906/2022 made and executed between M/s Bhakti Developers, a registered Partnership Firm, having its Office at Plot No. 184, Shop No. 105, Haware Tiara, Sector 13, Kharghar, Navi Mumbai as the Vendors / Transferor and M/s Sagar Enterprises, a registered Partnership, Having its Office at 01, Apna Ghar Society, Near St. Thomas School, Karnik Road, Kalyan (W) as the Purchasers and Shri Laxman Jagannath Patil and Others as the Owners/ Confirming Party, said M/s Sagar Enterprises, a registered Partnership, have purchased / acquired Transferable Development Rights to the extent of 1319 sq. meters forming the part of total Transferable Development Rights sanctioned in respect of area of land admeasuring 2267 sq. meters forming the part of lands lying being and situate at Village Gandhare bearing Survey No. 15/3/6 and

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Survey No. 15/3/7 on terms and conditions and for the consideration mentioned therein.

It further appears that by and under Agreement dated 24.01.2023 registered at the Office of Sub-Registrar of Assurances at Kalyan-2 under Sr. No. 1655/ 2023 made and executed between M/s Sagar Enterprises, a registered Partnership, as the Party of the One Part and Shri Anant alias Daji Gaurusheth Hardas as the Party of the Other part, said M/s Sagar Enterprises, a registered Partnership, in terms of said agreement have allotted the kind consideration to said Shri Anant alias Daji Gaurusheth Hardas to which he was entitled to in terms of Supplementary Agreement dated 30.03.2019.

It further appears that said M/s Sagar Enterprises, a registered Partnership, having acquired Transferable Development Rights to the extent of 1319 sq. meters for use and utilisation of same on said entire property under Unified Development Control and Promotion Regulation (UDCPR), using Basic F.S.I., Ancillary F.S.I. and further used and utilized the Transferable Development Rights acquired by them and submitted revised plans with Kalyan Dombivali Municipal Corporation for approval and sanction and Kalyan Dombivali Municipal Corporation approved the said plans and granted revised /amended Building Commencement Certificate bearing No. KDMC/TPD/BP/KD/2021-22/69/427 dated 24/02/2023 in respect of said entire property and in terms of the said revised permission the said buildings sanctioned on said property are now sanctioned as under :

PLOT A:

Building Wing A : Stilt + First Floor to Fourteen Floor (Residential)

Building Wing B: Stilt + First Floor to Fourteen Floors (Residential)

Building Wing C: Stilt + First Floor to Fourteen Floors (Residential)

Building Wing D: Stilt + First Floor to Fourteen Floor (Residential)

Podium Parking : Ground Plus Two Floor

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PLOT B:

Building Wing E : Stilt (Part) Ground (Part) First Floor to Seven

Floor (Residential + Commercial)

It further appears that The Tahasildar Kalyan by and under his order bearing No. Mhasul /T-1/T-2/Jaminibabat/ Sanad/SR-295/2023 has grant necessary sanad in respect to non-agricultural use of said entire property.

It further appears that by and under Supplementary Agreement dated 01/12/2023 registered at the Office of Sub-Registrar of Assurance at Kalyan - 2 under Sr. No. 25006/2023 made and executed between M/s Shankeshwar Kretors, a Partnership Firm, having its Office at 208, Aum Supreme Building, Near D Mart, Bail Bazaar, Vallipeer Road, Kalyan (W)-421301 as the Party of the First Part and M/s. Sagar Enterprises, a registered Partnership Firm, Having its Office at 01, Apna Ghar Society, Near Saint Thomas Church, Karnik Road, Kalyan (W) - 421301, Taluka Kalyan, District as Party of the Second Part, M/s Sagar Enterprises, a registered Partnership Firm have granted additional area sanctioned in said Building No. A and Building No. B in favour of M/s Shankeshwar Kretors, a Partnership Firm, on terms and condition mentioned therein.

I have gone through the search report taken by Mr. G.H. Jagtap in respect of said property, the said search report does not reveal any entry which will fall in category of registered encumbrances over the said property.

On perusal of above mentioned documents and subject to what is stated herein above, I am of the opinion that the title of said Shri Anant alias Daji Gaurusheth Hardas to said property is clear and free from reasonable doubts and encumbrances and in terms of aforesaid Development Agreement dated 08.01.1998 and Supplementary Agreement dated 30.03.2019, said M/s. Sagar Enterprises, a registered Partnership Firm is well and sufficiently entitled to develop said property as per sanctioned plans and permissions

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and in accordance with development rules, regulations and Bye-Laws in force from time to time and by complying with conditions as mentioned in respective permissions, orders and sanctions.

Litigation: Nil

The Present title is issued based on the revenue records, deeds and document and search report produced before me and I bear no responsibility of any act, deeds or thing which is not brought to my knowledge or is not placed before me or any fact concealed from me.



Date: 18/04/2024

ZAMIR HASAN R. AHMED SHAIKH
(ADVOCATE)

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