

RISHI N. MISHRA

ADVOCATE HIGH COURT

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REPORT ON TITLE

To,
M/S NASAR ASSOCIATES
C1, Prashal Co-Operative Housing Society,
Sant Jana Bai Road,
Vile Parle (West), Mumbai – 400 057.

RE:- Schedule:- All that piece and parcel of land bearing Final Plot No. 480, 481 & 482, TPS III, CTS No. 419, admeasuring 1200 sq. mtrs. T.D.R., Village Eksar, Taluka Borivali, District Mumbai and Mumbai Suburban District.

1. At your request, I have issued this Title Certificate in respect of said property more particularly described in schedule hereinabove.
2. For the purpose of this report, I have perused copies of revenue records viz property Card, and other ancillary papers thereto, such as Agreement for Development, Power of Attorney, Commencement Certificate, search report in respect of said property which are as follows:-
 - a) Registered Agreement for Development dated 19.12.2009 (bearing reg. no. BDR-10-11764-2009) between M/s. Pranam Developers (Partnership Firm) [therein referred as Vendors] and M/s Nasar Associates (Proprietorship Firm) [therein referred as Transferee].
 - b) Property Card Extract for CTS No. FP No. 480, 481 & 482 of land admeasuring area 4615.10 sq. mtrs area in the name of M/s Pranam Developers.
 - c) Extract from Property Register Card for City Survey No. 419 (not legible)
 - d) Index II dated 04.06.1992 bearing No. PBBJ-1576-1989 between Smt. Bhimabai Narayan Mali, Shri Parshuram Narayan Mali, Shri Damodar Narayan Mali, Shri Raghunath Devji Mali, Shri Kumar Devji Mali, Smt. Latabai Chandrakant Mhatre, Shri Babubhai Hiralal Sheth, Shri Bhavanji

Ravji Cheda, Shri Narendra Chaturbhuj Doshi, Shri Nanji Dungarshi Gupta, Shri Jayesh Chimanlal Doshi, (Sr. No. 6 & 7 No. Power 7 to 11 through Power M/s. Pranam Construction Company's Partner) [therein referred as Vendor] and Shri Babubhai Hiralal Sheth, Shri Bhavanji Ravji Cheda, Shri Narendra Chaturbhuj Doshi, Shri Nanji Dungarshi Gala, Shri Jayesh Chimanlal Doshi M/s Pranam Developers [therein referred as Purchaser]

- e) Notarized Affidavit cum Indemnity Bond dated 29.12.2009 executed by Mr. Mulchand Raoji Chheda, Mr. Jigar Mulchand Chedda & Mr. Pravin Kantilal Seth partner of M/s. Parnam Developers.
 - f) Deed of Partnership dated 14.09.2005 between Shri Pravinchadnra Kantilal Sheth, Shri Jigar Mulchand Chheda and Shri Mulchand Ravji Chheda partner of M/s Parnam Developers.
 - g) Intimation of Disapproval dated 11.05.2007 bearing ref. no. CHE/7706/BP(WS)/AR issued under Section 346 of the Mumbai Municipal Corporation Act. And amended approved plan issued on dated – 30/03/2016.
 - h) Commencement Certificate dated 23.10.1989 bearing ref. no. CHE/7706/BP(WS)/AR issued by Brihan Mumbai Mahanagarpalika. And last plinth C.C of 'D' Wing. of Building No. 1 issued on Dated – 26/9/2016.
 - i) No Objection Letter dated 11/10/2016. to MCGM issued by society of building no 1 name as Satyam Shivam Sundram CHS Ltd .
 - j) Registered Power of Attorney registered on dated 30/12/2009 bearing reg. no. BDR-10-11765-2009) executed by M/s. Pranam Developers through Developers Mr. Mulchand R. Chheda, Mr. Jigar M. Chheda, Mr. Praveen K. Sheth in favor of Mr. S. G. Nasar proprietor of M/s. Nasar Associates. (Incomplete copy perused).
 - k) Search report dated 03.05.2019 issued by Ganesh Patil.
3. On Perusal thereof, I hereunder give my observation as follows:-
4. As per Agreement dated 31.03.1989 bearing No. PBBJ-1576-1989, Smt. Bhimabai Narayan Mali, Shri Parshuram Narayan Mali, Shri Damodar Narayan Mali, Shri Raghunath Devji Mali, Shri Kumar Devji Mali, Smt. Latabai Chandrakant Mhatre, Shri Babubhai Hiralal Sheth, Shri Bhavanji Ravji Cheda, Shri Narendra Chaturbhuj Doshi, Shri Nanji Dungarshi Gupta, Shri Jayesh Chimanlal Doshi, (Sr. No. 6 & 7 No. Power 7 to 11 through Power M/s. Pranam Construction Company's Partner) sold and conveyed the property being agricultural land bearing S. No. 32, Final Plot No. 480, 481, 482, 485, 486, 510, 511, 512, 513, TPS III, admeasuring 30,000 sq. yards, Village Eksar, Taluka Borivali, to Shri Babubhai Hiralal Sheth, Shri Bhavanji Ravji Cheda, Shri Narendra

Chaturbhuj Doshi, Shri Nanji Dungarshi Gala, Shri Jayesh Chimanlal Doshi M/s Pranam Developers for consideration and upon terms and conditions therein contained. However copy of the agreement is not perused by us. Details are incorporated on perusal of Index II of the same. Further on perusal of property card it is observed that following names are incorporated as original owners for plot no. FP No. 480, 481 & 482. 1) Smt. Bhimabai Narayan Mali, 2) Shri Purshotam Narayan Mali, 3) Shri Damodar Narayan Mali, 4) Shri Raghunath Devji Mali, 5) Shri Kumar Devji Mali, 6) Smt. Lata Devji Mali, 7) Smt. Ranjana P. Mali, 8) Shri Rajendra P. Mali, 9) Shri Kishore P. Mali, 10) Smt. Reshma P. Mali, 11) Meghna Damodar P. Mali, 12) Smt. Dipa Damodar Mali, 13) Shri Rishikesh D. Mali, 14) Shri Arun Raghunath Mali, 15) Smt. Vaishali Raghunath Mali, 16) Smt. Manisha Kumar Mali, 17) Shri Manish Kumar Mali, however we have not perused any documents in their favor.

5. Further vide order dated 25/04/1990 bearing ref. no. C/LND/D-VIII-A/SR923 from Deputy Collector Mumbai and order dated 27/08/1991 bearing ref. no. ADC/LND/E/1745, 1746, 1747 from Deputy Collector Andheri, the property being FP/481 was converted into NA land on the terms and conditions therein contained.
6. M/s. Pranam Developers developed plots No. 480, 481, 482 of TPS III, by constructing buildings thereon in accordance with sanctioned plan from Municipal Corporation of Greater Mumbai.
7. M/s. Pranam Developers submitted proposal for amalgamation of the aforesaid plot no. 480, 481, 482 of TPS III and vide letter dated 18th March 2009 bearing No. CHE/2000//BP/WS/LOR, Municipal Corporation conveyed the approval to the aforesaid proposal of the M/s. Pranam Developers.
8. There was no balance FSI for consumption on the said layout, however M/s. Pranam Developers became entitled to construct building on the aforesaid amalgamated layout by loading T.D.R. in accordance with Development Control Regulations and the Government Resolutions made in force from time to time including G.R. dated 10.04.2008 bearing no. TPB-4308/776/CR-127/2008/UD-11.
9. M/s. Pranam Developers therefore become entitled to construct a building by loading T.D.R. to the extent of 1200 sq. mtrs. in accordance with approved layout plan touching with Building No. 1. on the amalgamated layout of the Final Plot no. 480, 481, 482 of TPS III, CTS No. 419, village Eksar, Taluka Borivali.
10. By and under Registered Agreement for Development dated 19.12.2009 (bearing reg. no. BDR-10-11764-2009) M/s. Pranam Developers granted, assigned, transferred and M/s Nasar Associates purchased and acquired the right to develop and construct the building touching Building No. 1. ('D' Wing)on the amalgamated plot by loading TDR to the extent of 1200 sq. mtrs. entirely at their own cost and in accordance with the sanctioned plans and approvals

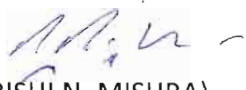
obtained from Municipal Corporation of Greater Mumbai and on terms and conditions as mentioned therein.

11. As per search report dated 03.05.2019 following entries were recorded:-

- Registered Development Agreement dated 21.02.2007 bearing reg. no. BRL-1-1137-2007 between M/s. Pranam Developers and M/s Nasar Associates for land and structure bearing CTS No. 419, area admeasuring 1624 sq. mtrs. (however we have not perused said Agreement).
- Registered Development Agreement dated 19.12.2009 bearing reg. no. BRL-4-11762-2009 between M/s. Pranam Developers and M/s Sun Associates for land bearing CTS No. 419, Final Plot No. 510, 511, 512 & 513, TPS III, area 2000 sq. mtrs. (TDR),
- Registered development agreement dated 19.12.2009 bearing registerd.no BDR-10-11764-2009 between M/s Pranam Developers & M/s Nasar Associates for land bearing CTS No. 419, Final Plot No. 480, 481 & 482 TPS III, area 1200 sq. mtrs. (TDR),

On the basis of the above M/s. NASAR ASSOCIATES having clear and marketable title for developing the proposed building No. 1 (D Wing) in the approved amalgamated layout of FP No. 480, 481 & 482 TPS III , Borivali West , Mumbai – 400092.

Dated 16th day of July, 2019


(RISHI N. MISHRA)
Advocate High Court