Abhishek A. Walwaikar
B.Sc., LL.B, D.I.P.L.

Walwaikar Law Associates

Advocates, High Court

TO WHOMSOEVER IT MAY CONCERN

Date : 05/03/2019

Re : All that piece and parcel of land bearing C.T.S. No.1659, F.P. No.338, T.P.S. II admeasuring about 334.57 sq. mtrs. lying and being at Survey No.73, Hissa No.4, Taluka and Village Vile Parle (East), Mumbai Suburban District and situated at Nariman Road, Vile Parle (East), Mumbai 400 057.

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I have perused the copies of the documents forwarded to me in respect of the above captioned property and have to observe as follows :-

1. One Smt. Lakshmibai Dwarkanath Dighe was absolutely seized and possessed off and otherwise well and sufficiently entitled to a property being All that piece and parcel of land bearing C.T.S. No.1659, F.P. NO.338, T.P.S. II admeasuring about 334.57 sq. mtrs. lying and being at Survey No.73, Hissa No.4, Taluka and Village Vile Parle (East), Mumbai Suburban District and situated at Nariman Road, Vile Parle (East), Mumbai 400 057, (hereinafter referred to as "the said property") and more particularly described in the Schedule hereunder written.

2. The said Smt. Lakshmibai Dwarkanath Dighe died intestate at Mumbai on 25/09/1970 leaving behind her five sons viz. (i) Shri Madhusoodan Dwarkanath Dighe (ii) Shri Vinayak Dwarkanath Dighe (iii) Shri. Dinkar Dwarkanath Dighe (iv) Shri. Kamlakar Dwarkanath Dighe & (v) Mr. Sudhakar Dwarkanath Dighe, as her only heirs and legal representatives as per the law of succession by which she

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was governed at the time of her death. Her husband Shri Dwarkanath Vinayak Dighe predeceased on 09/03/1942.

3. One of the son viz. the said Shri Madhusoodan Dwarkanath Dighe died intestate on 12/05/1989 leaving behind him his widow Smt. Mangala M. Dighe, one son Shri Rajendra M. Dighe and two married daughters viz. (i) Mrs. Anjali R. Karnik and (ii) Mrs. Neela R. Mahulkar, as his only heirs and legal representatives as per the law of succession by which he was governed at the time of his death.

4. By a Release Deed dated 11/06/1996 made and entered into between Smt. Anjali Rajan Karnik and Smt. Neelambari Rajesh Mahulkar as the "Releasors" therein and Smt. Mangala M. Dighe and Shri Rajendra M. Dighe as the "Releasee" therein, the Releasors therein released and relinquished their inherited share, right, title and interest in the said property in favour of the Releasee therein, on the terms and conditions and for the consideration mentioned therein. The said Release Deed dated 11/06/1996 is duly registered on 17/03/1998 alongwith the Deed of Confirmation dated 16/03/1998.

5. The other son viz. the said Shri Vinayak Dwarkanath Dighe died intestate on 05/02/1987 leaving behind him his son Shri Bhushan V. Dighe and one married daughter Mrs. Leena B. Parikh, as his only heirs and legal representatives as per the law of succession by which he was governed at the time of his death. His wife Smt. Sunita V. Dighe predeceased on 26/06/1981.

6. By a Release Deed dated 11/06/1996 made and entered into between Smt. Leena Bharat Parikh as the "Releasor" therein and Shri Bhushan V. Dighe as the "Releasee" therein, the Releasor therein released and relinquished

their inherited share, right, title and interest in the said property in favour of the Releasee therein, on the terms and conditions and for the consideration mentioned therein. The said Release Deed dated 11/06/1996 is duly registered on 17/03/1998 alongwith the Deed of Confirmation dated 16/03/1998.

7. The other son viz. the said Shri Dinkar Dwarkanath Dighe died on 22/10/2016 leaving behind him his three sons viz. (i) Shri Nandakumar D. Dighe, (ii) Shri Nilesh D. Dighe (iii) Shri Mahesh D. Dighe (since deceased) and two married daughters viz. (i) Mrs. Jyoti A. Kulkarni and (ii) Mrs. Sandhya N. Pradhan, as his only heirs and legal representatives as per the law of succession by which he was governed at the time of his death. His wife Smt. Nirmala D. Dighe predeceased on 31/08/2012.

8. The other son viz. the said Shri Sudhakar Dwarkanath Dighe died intestate on 19/10/2002 leaving behind him widow Smt Seema S. Dighe, and two married daughters (i) Mrs. Nivedita R. Durve & (ii) Mrs. Yogita S. Karnik, as his only heirs and legal representatives as per the law of succession by which he was governed at the time of his death. His widow Smt. Seema S. Dighe died intestate on 18/08/2004.

9. By a Release Deed dated 18/10/2007 made and entered into between Mrs. Yogita Sachin Karnik nee Yogita Sudhakar Dighe as the "Releasor" therein and Mrs. Nivedita Raju Durve nee Nivedita Sudhakar Dighe, as the "Releasee" therein, the Releasor therein released and relinquished her inherited share, right, title and interest in the said property, to the Releasee therein, on the terms and conditions contained therein. The said Release Deed

dated 18/10/2007 is duly registered with the office of Sub-Registrar of Assurances vide Serial No.AND-2/7882/2007 dated 18/10/2007.

10. In the circumstances, the said (1) Smt. Mangala Madhusoodan Dighe, (2) Shri Rajendra Madhusoodan Dighe, (3) Shri Bhushan Vinayak Dighe (4) Shri Nilesh Dinkar Dighe (5) Shri Nandakumar Dinkar Dighe (6) Smt. Jyoti Ajit Kulkarni (7) Smt. Sandhya Nitin Pradhan (8) Shri Kamlakar Dwarkanath Dighe (9) Smt. Nivedita R. Durve, (hereinafter referred to as "the said Owners") are thus absolutely seized and possessed of and otherwise well and sufficiently entitled to the said property.

11. I have also issued Public Notices in Free Press Journal & Nav Shakti both dated 12th February 2019 inviting claims from the public, however, till date, I have not received any claims.

12. I have also conducted a Search with the office of Sub-Registrar of Assurances at Mumbai & Bandra from 1970 to 2019 (50 years) and Computer Records from 2002 to 2019 (18 years).

13. In the premises aforesaid, I am of the prima facie opinion that the title of the said Owners in respect of the said property is clear and marketable and free from all encumbrances and further the Owners are entitled to demolish the existing structure and construct a new building by obtaining requisite permissions and sanctions from the concerned authorities including MCGM.

THE SCHEDULE ABOVE REFERRED TO

All that piece and parcel of land bearing C.T.S. No.1659, F.P. NO.338, T.P.S. II admeasuring about 334.57 sq. mtrs. lying and being at Survey No.73, Hissa No.4, Taluka and Village Vile Parle (East), Mumbai Suburban District together with the building standing thereon known as "LAXMINATH" situated at Nariman Road, Vile Parle (East), Mumbai 400 057, and bounded as follows :-

On or towards the East	: By Amardeep CHS Ltd.
On or towards the North	: By Yashwant Sadan
On or towards the South	: By Kastur Kunj
On or towards the West	: By Internal Road

Dated this 5th day of March 2019.

Yours truly,

ADVOCATE

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ADVOCATE HIGH COURT
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