

GANESH MAHESH MORE B.A. L.L.B

Advocate, High Court.

Off: 101/102,
Sharnam residency,
Edulji Road, opp. BalGanpati
Temple, Charai,
Thane (W) -400601.

**TITLE REPORT
TO WHOMSOEVER IT MAY CONCERN**

Name of Owners :

- 1) MRS. NANDINI S. AGARAWAL
- 2) MRS. JAYA NARESH AGICHA
- 3) MR. NARESH GOPALDAS AGICHA

Name of Promoters: **M/S. K. M. REALTY**
Office address: 2nd Floor, Horizon heights,
Vadavali, Ghodbunder Road,
Thane (West) 400615.
through partner **Mr. Mohan Baburao Shinde**

1. DESCRIPTION OF THE SAID PROPERTY:

All that pieces and parcels of land bearing Survey No. 19, Hissa no. 2, admeasuring 2300 square meters, lying, being and situate at village Borivade Taluka and District Thane, within the Registration Sub-District and District Thane, within limits of Thane Municipal Corporation (TMC).

2. LIST OF DOCUMENTS PERUSED:

- a. Current 7/12 extracts.
- b. 7/12 extracts from 1951 onwards
- c. All relevant Mutation Entries.
- d. Search Report.
- e. Owners' Title Deeds.



- f. Promoters' Title Deeds.
- g. Permissions and Orders.
- h. Public Notice dated 17/09/2018 published in Marathi newspaper namely Thane Vaibhav and English Newspaper namely Free Press Journal.

3. OBSERVATIONS IN RESPECT OF REVENUE RECORD:

3.1 In respect of 7/12 extract:

It appears from perusal of recent 7/12 extract that, the Said Property is owned by Owners. It appears from the perusal of 7/12 extracts from 1951 onwards that, the Said Property was originally owned by Mohammad Hussain Sheikh Mohammad.

3.2 In respect of 6 D mutation entries:

3.2.1 It appears from the perusal of **mutation entry no. 131** dated 15/04/1964 that, the said mutation entry is not relevant to the Said Property.

3.2.2 It appears from the perusal of **mutation entry no. 139 dated 04/05/1969 that**, as per the order no. 3347 dated November 08, 1968 of Hon'ble Ayukta, Mumbai Division and RTS order no. 1127 dated March 28, 1969, the name of Doctor Manijeh Aardesar Hakim was recorded as possession holder and name of Mohammad Hussain Sheikh Mohammad Warekar was recorded in the other rights column in respect of the Said Property.

3.2.3 It appears from the perusal of **mutation entry no. 142 dated 25/07/1970 that**, area and assessment of Said Property was converted into decimal system in accordance with provision of

Bombay Weights and Measures (Enforcement) Act, 1958 and Indian Coinage Act, 1955.

3.2.4 It appears from the perusal of **mutation entry no. 143 dated 07/08/1971 that**, the Executor Manijeh Ardeshir Hakim have transferred the Said property and several other properties by executing Transfer deed dated April 04, 1970 in favour of 1) Manijeh Ardeshir Hakim, 2) Soharab Ardeshir Hakim and 3) Sillu Dhanajishah Mistri.

3.2.5 It appears from the perusal of **mutation entry no. 317 dated 05/12/1997 that**, Mohammad Husain Shaikh Mohammad died Intestate on November 01, 1977, leaving behind his legal heirs, wife 1) Khatijabi Mohammad Husain Warekar, 2 daughters 2) Fatima Hasanmiya, 3) Hawabi Salam Chalkar and adopted son 4) Bakir Abdul Kadir Warekar.

3.2.6 It appears from the perusal of **mutation entry no. 364 dated 01/07/2005 that**, Khatijabi Mohammad Husain Warekar and 4 others had granted exclusive development rights in favor of the Owners by executing Development Agreement dated May 26, 2005 which is duly registered with the Sub Registrar of Assurances, Thane at serial number TNN1/3282/2005, the said original owners also executed general power of attorney in favor of the said Developers bearing authentication no. 350/2005.

3.2.7 It appears from the perusal of **mutation entry no. 623 that**, as per Petition bearing No. 10204/2015 dated December 08, 2015 filed in Hon'ble High Court Mumbai and as per the instruction issued by Hon'ble Jambandi Ayukta dated December 03, 2015,

the said mutation entry pertains to facilitate computerization of land records and to remove inconsistency in the hand written record and computerized record.

3.2.8 It appears from the perusal of **mutation entry no. 653 dated 14/09/2018 that**, Khatijabi Mohammad Husain Warekar and 4 others through their constituted attorney have sold and conveyed the Said Property in favour of Owners by executing Conveyance Deed dated August 31, 2018, which is duly registered with the Sub Registrar of Assurances, Thane at serial no. TNN-12/9432/2018.

4. IN RESPECT OF SEARCH REPORT:

a) Search Report issued by Searcher Mr. Vishal Gaikwad, , is based on search carried out in the office of Sub-Registrar of Assurances at Thane I, II, V, VII, VIII, IX, X, XII and XIII for the period of year 1990 to 2019 (14/05/2019) was placed before me.

I) No entries are recorded for the Years 1990 to 2004 and 2006 to 2017.

II) Relevant transactions were recorded for the years 2005, 2018 and 2019.

6. IN RESPECT OF TITLE DEEDS:

6.1 Promoters Title Deeds:

a) **Development Agreement:**

Mrs. Nandini S. Aggrawal, Mrs. Jaya Naresh Agicha and Mr. Naresh Gopaldas Agicha have agreed to grant development rights



in respect of Said Property in favour of Promoter by executing Development Agreement dated May 10, 2019, which is duly registered with the Sub Registrar of Assurances, Thane at serial no. TNN5/7564/2019.

b) Power of Attorney:

Mrs. Nandini S. Aggrawal, Mrs. Jaya Naresh Agicha and Mr. Naresh Gopaldas Agicha have executed Power of Attorney dated May 10, 2019 in favour of Promoters. The said Power of Attorney is duly registered with the Sub Registrar of Assurances, Thane at serial no. TNN-5/7565/2019.

6.2 Owner's Title Deed:

a) Development Agreement:

Khatijabi Mohammad Husain Warekar and others had granted sole and exclusive development rights in favor of the Owners by executing Development Agreement dated May 26, 2005 which was duly registered with the Sub Registrar of Assurances, Thane at serial number TNN-1/3282/2005, the said original owners also executed general power of attorney in favor of the said Developers bearing authentication no. 350/2005.

b) Conveyance Deed:

Khatijabi Mohammad Hussain Warekar and others through their constituted attorney transferred and conveyed the Said Property in favor of the Owners by executing Deed of Conveyance dated August 31, 2018, which is duly registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-12/9432/2018.



7. IN RESPECT OF VARIOUS PERMISSIONS AND SANCTIONS:

7.1 In respect of Permission under section 8 (4) of ULC Act:

The Addl. Collector and Competent Authority Thane Urban Agglomeration, Thane passed order bearing no. ULC/TA/Te. No. 7/ Borivade/SR-283 dated April 19, 2005 under the provisions of Section 8 (4) of Urban Land (Ceiling and Regulation) Act and thereby exempted the Said Property.

8. PAPER NOTICE:

As a part of due diligence we had caused to be published Notice inviting claims on September 17, 2018 in respect of Said Property in local Marathi newspaper namely Thane Vaibhav and English Newspaper namely Free Press Journal. We have not received any objection in respect of the said Public Notice till date.

9. CONCLUSION:

9.1 On behalf of the Promoters we have verified the title of the Owner and rights of the Promoters to the Said Property on request of the Promoters to ascertain the status of the Said Property.

9.2 We have perused the certified copies and plain copies of document of title relating to the property which are known to us to be relevant for the purpose of this Certificate.

9.3 We have been provided search reports with the Sub Registrar of Assurances for the period of 1990 to 2019 (14/05/2019). Therefore opinions and observations shall be qualified and



restricted to the said period and also to the extent of availability of record only, as it appears that in some of the cases record is unavailable.

- 9.4** The Promoters have assured and informed us that, there is no litigation is pending with respect to the Said Property in any Court, Tribunal or office.
- 9.5** The opinion with respect to the title is formed on basis of examination of the searches and inquiries to the extent of documents provided for perusal which are attached herewith.
- 9.6** The Said Property is free hold in nature.
- 9.7** In our opinion Owners have clear and marketable title to the Said Property and the Promoters shall be entitled to develop the Said Property.

Date: 30/05/2019

Place: Thane



GANESH MAHESH MORE
ADVOCATE