

Mr. Sanman N. Pathari

B.Com. LL.B.

**ADVOCATE
HIGH COURT, MUMBAI**

Shop No. 4, Mathura Apt., Near Maruti Mandir, Gandhi Chowk, Kulgaon, Badlapur(East)

SNP-72/2019

Date: 18.06.2019

TITLE CERTIFICATE

Ref: In respect of area admeasuring 100 Gunthe i.e. 10000 sq. mtrs, out of total area of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3.

I have been requested to give my opinion on the marketability of the title of the above subject property. For this purpose I have been provided of certain documents on title and information.

Further, on the aforesaid basis, I have carried out necessary search for the period of last 35 years viz, year 1986- 2019, maintained in the office of Sub - Registrar of Assurance of Ulhasnagar through Mr. Satish Anand Farad, and for that the necessary charges has been paid with the office of Sub - Registrar of Assurance of Ulhasnagar.

I have examined the documents placed in my hands as such on the basis of the above my opinion is as under:

Originally from the records of rights and 7/12 extract and mutation entries thereof it appears that Originally **MR. GANGADHAR VASUDEV BHIDE** was owner of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3 (hereinafter for the sake of brevity called and referred to as the "ENTIRE PROPERTY").

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Further by Mutation Entry No. 229, it appears that said **MR. GANGADHAR VASUDEV BHIDE** died on 15.02.1976, leaving behind him **1. MRS. SHANTABAI MUKUND OAK, 2. MRS. INDUMATI SHRIRANG AAPATE, 3. MISS. TARABAI GANGADHAR BHIDE**, as his legal heirs and mutated as owners of entire property.

Further by Mutation Entry No. 357, dated 20.02.2002, it appears that said **MRS. SHANTABAI MUKUND OAK**, died on 28.08.2001, leaving behind her **1. MRS. INDUMATI SHRIRANG AAPATE, 2. MISS. TARABAI GANGADHAR BHIDE**, as his legal heirs and mutated as owners of entire property.

Further it appears that by Sale Deed dated 17.03.2010, said **1. MRS. INDUMATI SHRIRANG AAPATE, 2. MISS. TARABAI GANGADHAR BHIDE**, sold piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3, to **MR. KISAN BHAU GAIKAR**, said Sale Deed duly registered at Sub-registrar Office Ulhasnagar 3, on 06.05.2010, under serial No. 2040/2010.

Further it appears that the name of **MR. KISAN BHAU GAIKAR**, mutated as owner of entire property by Mutation Entry No. 400 dated 07.05.2010

Further it appears by Development Agreement dated 27.04.2015 said **MR. KISAN BHAU GAIKAR**, granted development rights of area admeasuring 100 Gunthe i.e. 10000 sq. mtrs, out of total area of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3 in favour of **M/S. H. P. DEVELOPERS THROUGH PARTNER 1. MR. MUSELAL NICHHID GUPTA, 2. MR. RADHESHAM KALPU GUPTA, 3. MR. HIRALAL KALPU GUPTA, 4. MR. PRASIDDHA MITHU THAKUR, 5. MR. RAMESHCHANDRA B. DWIVEDI**, the said Developemnt Agreement duly registered at Sub-registrar Office Ulhasnagar 3 under serial No. 3673/2015. (hereinafter for the sake of brevity called and referred to as the "**SAID PROPERTY**").

Further it appears by in pursuance to Development Agreement dated 27.04.2015, said **1 MR. KISAN BHAU GAIKAR**, executed Power of Attorney in respect of area admeasuring 100 Gunthe i.e. 10000 sq. mtrs, out of total area of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3 in favour of **M/S. H. P. DEVELOPERS THROUGH PARTNER 1. MR. MUSELAL NICHHID GUPTA, 2. MR. RADHESHAM KALPU GUPTA, 3. MR. HIRALAL KALPU GUPTA, 4. MR. PRASIDDHA MITHU THAKUR, 5. MR. RAMESHCHANDRA B. DWIVEDI**, the said Power of Attorney duly registered at Sub-registrar Office Ulhasnagar 3 under serial No. 3674/2015.

Further it appears that by Correction Deed dated 17.10.015, executed by and between **1 MR. KISAN BHAU GAIKAR & M/S. H. P. DEVELOPERS THROUGH PARTNER 1. MR. MUSELAL NICHHID GUPTA, 2. MR. RADHESHAM KALPU GUPTA, 3. MR. HIRALAL KALPU GUPTA, 4. MR. PRASIDDHA MITHU THAKUR, 5. MR. RAMESHCHANDRA B. DWIVEDI**, correcting the name of Village in Power of Attorney registered under serial No. 3674/2015, the said Power of Attorney duly registered at Sub-registrar Office Ulhasnagar 3 under serial No. 8924/2015.

Further it appears that the said property converted into Non Agricultural use by order dated 25.08.2016, bearing No. **MAH/K-1/T-3/JAMINBAB/KV-147/2016**, obtained from Tahasildar, Ambernath.

Further it appears that said **M/S. H. P. DEVELOPERS**, obtained the Commencement Certificate dated 11.03.019, bearing No. **ANP/NRV/BP/18-19/1413/8905/76**, from Ambernath Municipal Council.

I have inspected all the relevant documents relating to the Title of the said property i.e. area admeasuring 100 Gunthe i.e. 10000 sq. mtrs, out of total area of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3.


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I hereby state and Certify that the title of the Owner **MR. KISAN BHAU GAIKAR** in respect of Said Property i.e. area admeasuring 100 Gunthe i.e. 10000 sq. mtrs, out of total area of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3, is clear marketable and free from reasonable doubts and encumbrances.

I further certify that **M/S. H. P. DEVELOPERS** have right to develop and construct building on said property i.e. area admeasuring 100 Gunthe i.e. 10000 sq. mtrs, out of total area of piece and parcel of plot of land bearing Survey No. 76, Hissa No.2/2, area admeasuring 1H-26R-0P, Pot Kharaba 0H-06R-0P, Akar 8.24; Survey No. 76, Hissa No. 3, area admeasuring 0H-04R-5P, Akar 0.06; total area admeasuring 1H-37R-4P, Village Javsai, Taluka Ambernath, Dist Thane, within the limits of Ambernath Municipal Council, within registration District Thane, Sub Registration District Ulhasnagar-3, in Accordance with the plans to be sanctioned and to sell and transfer the premises/flats/shops therein to the prospective purchasers.


S. N. Pathari
Advocate High Court

Mr. Sanman N. Pathari
B.Com.L.L.B.
ADVOCATE, HIGH COURT, MUMBAI.
Roll No. MAH/1163/2012.