

SAMIR K. VAIDYA

B. Com., LL. B.

ADVOCATE (HIGH COURT)

Off. : 6799 7512
Mob. : 98205 65632

Akanksha, 2nd Floor, Sane Guruji Nagar, Vasantrao R. Sakpal Chowk, Mulund (East), Mumbai - 400 081.
Email ID : adv_skvaidya@yahoo.co.in

Ref. No.:

Date : 21/12/2012

REPORT ON TITLE OF PROPERTY

(TITLE CERTIFICATE)

Ref: ALL that piece of land admeasuring 847 sq. mtrs. area or thereabouts, bearing C.T.S. No. 893, area 376.4 sq. mtrs., 893/1, area 14.2 sq. mtrs., 894, area 456.7 sq. mtrs. of Village Kanjur, situated at Kanjur Village Road, St. Fransiz Zavious Church, Kanjur (East), Mumbai – 400 042, together with slum structures standing thereon and known as Ballareshwar Co-operative Housing Society (Proposed), standing thereon within the limits of Municipal Corporation of Greater Mumbai.(hereinafter referred to as “the said property”).

On perusal of revenue records of the above referred Property, it is noticed that

1. As per the Revenue Records, late Sir Mohamed Yusuf Khot (hereinafter referred to as “the said Khot of Bhandup”) was the Owner and as such absolutely seized and possessed of or otherwise well and sufficiently entitled to all that piece of land, collectively admeasuring 847.3 Sq. Mtrs area or thereabouts, bearing C.T.S. No. 893, 893/1, 894 of Village Kanjur, situated at Kanjur Village Road, St. Fransiz Zavious Church, Kanjur (East), Mumbai – 400 042 (herein after for the sake of brevity referred to as “the said property”).

2. The said Khot of Bhandup expired on 15th September 1965, leaving his last will and testament dated 20th August 1960.



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3. The said Khot of Bhandup, by his will appointed his son Mr. Abdul Rehaman Mohamed Yusuf and his grandsons Mr. Abdul Rashid A. R. Yusuf and Mr. Faruq A. R. Yusuf as his Executors and Trustees of his Estate.

4. The said Mr. Abdul Rehaman Mohamed Yusuf expired on 31st July 1968 and the said property was managed by Mr. Abdul Rehaman Mohamed Yusuf as the Estate Holder of the said Khot of Bhandup.

5. The said Mr. Abdul Rehaman Mohamed Yusuf executed Declaration dated 29th April 2005 whereby he confirmed grant of development rights in respect of the said property to OM VAISHNAVI DEVELOPERS, having their office at 37, Centre Point Shopping Arcade, Sevaram Lalwani Road, opp. Canara Bank, Mulund (West), Mumbai-400 080. (hereinafter called "the said Developers").

6. The said property is full of hutments and declared as slum area and there are total 29 Tenants, occupying their respective tenanted Premises in the said Property. The Occupants in the said Property have formed the Co-operative Housing Society under name and style of Ballareshwar Co-operative Housing Society (Proposed).

7. The DEVELOPERS desire to develop the said property under the Regulation 33(10), 33(14) of the Development control Rules (DCR) of Municipal Corporation of Greater Mumbai in conformity with Slum Re-habilitation Scheme of S.R.A. or any other permissible scheme by demolishing the existing structures standing thereon and re-develop the same by constructing new building.



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8. By Agreement dated 9th October 2004, on terms and conditions contained therein, Mr. Appa Shamrao Bhosale, the Chief Promoter of the said Ballareshwar Co-operative Housing Society (Proposed) with the confirmation of 29 Tenants of the said Ballareshwar Co-operative Housing Society (Proposed) granted the development rights of the said Property to the said Developers.

9. The said Ballareshwar Co-operative Housing Society (Proposed) through its office bearers also executed General Power of Attorney dated 1st January 2005 and delegated various powers in respect of the said property to Mr. Parkar S. M., the partner of the said Developer.

10. By Deed of Conveyance dated 23rd December 2011, registered in the office of the Sub-Registrar of assurances at Kurla under sr. no. BDR-13/2886, for the consideration and on the terms and conditions contained therein Mr. Haroun Alim A R. Usuf, the Constituted Attorney of Mr. Abdul Rashid A R Yusuf and Chairman of Sir Mahomed Usuf Khot Trust sold, conveyed and transferred the said property to the said M/s Om Vaishnavi Developers.

11. The public notice is published by me in two local news papers, Nav Shakti and Free Press Journal, both dated 29th November 2012 and objections against development of the said property by the Developer were invited but no objections or claims against the said Property were received.



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12. On causing to take the searches of the aforesaid property from the office of Sub-Registrar of Assurances having jurisdiction over the said property for last 30 years, no encumbrances of adverse nature against the said property were noticed.

13. Therefore on perusal of the above referred documents read with comments made thereupon in my opinion, the title of the said property is marketable and with due permissions of the appropriate authorities, the said Developer are entitled to develop the said property under SRA Scheme in accordance with plan as may be sanctioned by the Municipal Corporation Greater Mumbai.

Mumbai Dated 21st December 2012,


(SAMIR K. VAIDYA)

Advocate