

Res: Shaligram House,
3rd Floor,
Opp. Old TMC Office,
Old Station Road,
Thane - 400 601.

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Date:- 16th October 2018

TO WHOSOEVER IT MAY CONCERN

TITLE CERTIFICATE

1. Name of the Owners:-

- a) Mr. Mavji Gela Gandhi, Age 43 years, PAN No. AATPG7069C,
- b) Mr. Madeva Gela Gandhi, Age 40 years, PAN No. AFRPG0750R,
- c) Mr. Milind Madhukar Kamble, Age 44 years, PAN No. ANKPK4455E,

All Agriculturist, being the partners of M/s. Mangalam Infra, a Partnership Firm having its registered office at Shop No.6, Om Residency, S. No. 1/5 (A), 5B and 6, Davle village, Shil Diva Road, District Thane-400612 (All 'a' to 'c' above hereinafter referred to as the Owners)

2. Description of Property:-

Land / immovable property bearing Survey No. 4, Hissa No. 14, admeasuring 0-67-5 H.R.P equivalent to 67.5 gunthas approximately, (an agricultural land), lying, being and situate at village Davle, Taluka and District Thane, within the limits of Thane Municipal Corporation, Registration District Thane (hereinafter called "The Said Land").

a) The following persons viz;

- i. Abdul Kadir Ali (Alimiya) Patel
- ii. Salim Abdul Kadir Patel,
- iii. Aslam Abdul Kadir Patel,
- iv. Naeem Abdul Kadir Patel,
- v. Salma Ibrahim Patel,
- vi. Yasin Ibrahim Patel,
- vii. Iliyas Ibrahim Patel,
- viii. Nasrin Ibrahim Patel,
- ix. Sajida Ibrahim Patel,
- x. Atik Ibrahim Patel,
- xi. Imtiyaj Ibrahim Patel,
- xii. Majida Ibrahim Patel

alias Majida Junaid Jalgaonkar,

(all (i to xii) above (hereinafter referred to as the original owners) were well and sufficiently entitled to the land bearing Survey No. 4, Hissa No. 14, admeasuring 0-67-5 H.R.P equivalent to 67.5 gunthas approximately, lying, being and situate at village Davle, Taluka and District Thane, within the limits of Thane Municipal Corporation, Registration District Thane (hereinafter called "The Said Land"). The said original owners have undivided share, right, title and interest in the said land.

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- b) The said land was originally purchased by Alisaheb Amirmiya Patel from Surendrarao Rajendrarao Sav by virtue of Sale Deed dated 2nd June 1932 for a consideration of Rs. 300/-. Upon the purchase of the said land Alisaheb Amirmiya Patel became the sole and absolute Owner and/or well and sufficiently entitled to the said land. Accordingly the name of Alisaheb Amirmiya Patel was mutated in the Revenue Records of the said land vide Mutation Entry No. 98 dated 31st July 1932.
- c) Thereafter as per the Revenue records the said Alisaheb Amirmiya Patel died intestate on 18th November 1947 leaving behind his sons viz. Abdul Kadir Ali (Alimiya) Patel (Vendor No. 1) and one Ibrahim Alisaheb Patel as his only legal heirs as his successors in title to the said land. Accordingly upon the death of Alisaheb Amirmiya Patel the names of the Abdul Kadir Ali (Alimiya) Patel (original owner No. 1) and Ibrahim Alisaheb Patel came to be mutated in the record of rights column of the 7/12 extract of the said land vide Mutation Entry No. 262 dated 3rd May 1948.
- d) Thereafter the said Ibrahim Alisaheb Patel died on 1st August 2001 leaving behind his widow, sons and daughters viz. Salma Ibrahim Patel, Yasin Ibrahim Patel, Iliyas Ibrahim Patel, Nasrin Ibrahim Patel, Sajida Ibrahim Patel, Atik Ibrahim Patel, Imtiyaz Ibrahim Patel and Majida Ibrahim Patel (original owners Nos. 5 to 12 respectively) as his only legal heirs having full right and authority to inherit the undivided share, right, title and interest of Ibrahim Alisaheb Patel in the said land. Accordingly upon the death of Ibrahim Alisaheb Patel the names of Salma Ibrahim Patel, Yasin Ibrahim Patel, Iliyas Ibrahim Patel, Nasrin Ibrahim Patel, Sajida Ibrahim Patel, Atik Ibrahim Patel, Imtiyaj Ibrahim Patel and Majida Ibrahim Patel (original owners Nos. 5 to 12 respectively) came to be mutated in the record of rights column of the 7/12 extract of the said land vide Mutation Entry No. 1344 dated 9th May 2005.
- e) In the year 2011 one Amina Amibya Gujar, Hafiza Bashir Patel and Maimuna Hasanmiya Pawale made an application before the concerned Talhati to mutate their names in record of rights column of the 7/12 extract of the said land by representing to be the daughters of deceased Alisaheb Amirmiya Patel. Upon the said representation the names of Amina Amibya Gujar, Hafiza Bashir Patel and Maimuna Hasanmiya Pawale came to be mutated in the record of rights column of the 7/12 extract of the said land vide Mutation Entry No. 1650 dated 24th June 2011. Thereafter upon the death of Maimuna Hasanmiya Pawale the names of her legal heirs viz. Zainuddin Hasan Pawle, Sultana Abdul Patel, Sayeeda Mushtaq Mukri, Swaleha Jaleel Burhan and Alia Saleemuddin Shaik were mutated in the record of rights column of the 7/12 extract of the said land vide Mutation Entry No. 2007 dated 21st January 2014.

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- f) Thereafter some of the original owners had preferred an Application bearing S. R. No. 18 of 2014 under section 150(4) of the Maharashtra Land Revenue Code before the Tahsildar, Thane challenging the said Mutation Entries referred herein above. Vide its Order dated 17th November 2014 the Tahsildar, Thane was pleased to allow the said Application under section 150(4) of the Maharashtra Land Revenue Code and cancel the Mutation Entry No. 2007 dated 21st January 2014.
- g) The original owners yet again filed a R.T.S Appeal bearing No. 55/2014 before the Sub-Divisional Officer Thane for cancellation of Mutation Entries bearing Nos. 1650 and 2007. The Sub-Divisional Officer Thane, vide Order dated 6th April 2015 was pleased to allow the said Appeal thereby cancelling both the Mutation Entries bearing Nos. 1650 and 2007.
- h) Thereafter said Zainuddin Hasan Pawle, Sultana Abdul Patel, Sayeeda Mushtaq Mukri, Swaleha Jaleel Burhan and Alia Saleemuddin Shaik preferred an Appeal bearing No. 229/2015 before the Sub-Divisional Officer, Thane against the Order dated 17th November 2014 passed by the Tahsildar, Thane. The Sub-Divisional Officer, Thane was pleased to dismiss the said Appeal vide Order dated 17th April 2015 further confirming the Order dated 17th November 2014 passed by Tahsildar, Thane whereby Mutation Entry No. 2007 was cancelled.
- i) Thereafter said Zainuddin Hasan Pawle and others preferred yet another Appeal bearing No. 74/2015 before the Deputy Collector, Thane against the Order dated 6th April 2015 passed by Sub-Divisional Officer Thane. The Deputy Collector, Thane was pleased to dismiss the said Appeal vide Order dated 17th February 2018 further confirming the Order dated 6th April 2015 passed by Sub-Divisional Officer Thane whereby Mutation Entries bearing Nos. 1650 and 2007 were cancelled.
- j) Thereafter said Zainuddin Hasan Pawle, Sultana Abdul Patel, Sayeeda Mushtaq Mukri, Swaleha Jaleel Burhan and Alia Saleemuddin Shaik preferred another Appeal bearing No. 90 of 2015 before the Deputy Collector, Thane against the Order dated 17th April 2015 passed by the Sub-Divisional Officer, Thane. The Deputy Collector, Thane was pleased to dismiss the said Appeal vide Order dated 17th February 2018 further confirming the Orders dated 17th April 2015 passed by Sub-Divisional Officer, Thane whereby Mutation Entry bearing No. 2007 was cancelled.
- k) In view of the above mentioned facts and circumstances the original owners become the absolute Owners of the said land and were in actual and physical possession of the said land as co-owners thereof each having their undivided share, right, title and interest in the said land having full right and authority to sell, convey, transfer and assign all their undivided share, right, title and interest with respect to the said land to any party/s and/or person/s they desire.

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- l) The original owners were desirous of selling their undivided share, right, title and interest of all kinds with respect to the said land to a prospective Purchaser and hence they after several meetings and negotiations decided to sell, convey, transfer and assign all their undivided share, right, title and interest in the said land to the Owners.
- m) Accordingly the original owners executed in favor of the owners, a Sale Deed dated 30th August 2018 duly registered in the office of the Sub-Registrar of Assurances Thane at Sr. No.TNN/1/12936/2018 dated 30th August 2018. Along with the said Sale Deed dated 30th August 2018 the original owners executed in favor of the owners Possession Letter dated 30th August 2018 thereby handing over the vacant, peaceful and actual possession of the said land. The original owners also executed a separate power of attorney dated 30th August 2018 duly registered in the office of the Sub-Registrar of Assurances Thane at Sr. No. TNN/1/12937/2018 dated 30th August 2018 in pursuance to the said Sale Deed dated 30th August 2018.
3. I have also peruse the certified copy of the 7/12 extracts of the said land issued under the seal and signature of the Talathi Shil Thane dated 6th July 2018 in favour of the original owners. On perusal of the same it is seen that the names of the original owners reflected in the occupancy rights of the said 7/12 extracts. I have also perused the certified copies of the relevant mutation entries and Village Form VIII A with respect to the said land. On perusal of the same it can be confirmed that the said original owners had full right and authority to sell, convey, transfer and assign all their undivided share, right, title and interest in the said land.
4. The said original owners also instructed V.M. Mahamune of Akshar Consultancy (Search Clerk) to take detailed search of the said land for the last 30 years. Under the said instructions the said V.M. Mahamune of Akshar Consultancy (Search Clerk) did the needful and submitted his search report dated 6th June 2018. The said search report along with receipt thereof is perused to me.
5. The said original owners also made an application to TILR for survey of the said land. Accordingly the office of the TILR conducted and concluded the survey of the said land on 17th May 2018 and submitted a TILR plan dated 31st May 2018. The said TILR plan dated 31st May 2018 along with receipt is perused by me and it was revealed from the said plan that the total area of the said land was 67.5 gunthas and the same was conveyed/sold by the original owners to the owners under the sale deed dated 30th August 2018.
6. I have perused the Certified Copies of the orders of different Revenue Courts mentioned above and also the original Sale Deed dated 30th August 2018 along with its annexure as well as the original power of attorney dated 30th August 2018 which were supplied to me by my client (the said

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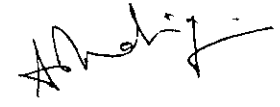
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owners). I have gone through the said documents and title deeds and on the basis of the same I, have narrated hereinafter the History of Title of the said land.

7. The said original owners also instructed Shri. Tejas R. Tipre (Advocate) to issue a Public Notice on their behalf in daily Konkan Sakal dated 12th June 2018 and The Afternoon News paper in the edition dated 8th June 2018 to invite any objections from the third parties with respect to the title of the said land within 15 days from then. As on today neither the said original owners nor Shri. Tejas R. Tipre (Advocate) have received any objections from any person whatsoever in that behalf.
8. I have also perused the certified copy of the latest 7/12 extract dated 9th October 2018 with respect to the said land. The name of /s. Mangalam Infra, a Partnership Firm through its partners Mr. Mavji Gela Gandhi, Mr. Madeva Gela Gandhi, Mr. Milind Madhukar Kamble are entered into the record of rights of the said Land as Holders thereof vide Mutation Entry No.2414 dated 14th September 2018, certified copy whereof is also perused to me.
9. On the basis of the observations aforesaid and replying upon the Certified Copies of the orders of different Revenue Courts mentioned above referred documents and also the original Sale Deed dated 30th August 2018 along with its annexure as well as the original power of attorney dated 30th August 2018, the search report, TILR Plan, Public Notice and the 7/12 extracts and Mutation Entries and other relevant documents produced to me, in my opinion the said Mr. Mavji Gela Gandhi, Mr. Madeva Gela Gandhi and Mr. Milind Madhukar Kamble, all Agriculturist, being the partners of M/s. Mangalam Infra, are the lawful owners of the said land having full power and absolute authority to develop the said land in accordance with the Development Control Rules of the Thane Municipal Corporation and/or sell and/or to deal with the same or any part thereof as the rightful owners thereof.

Thane dated 16th October 2018



Amit A. Shaligram