



Bajpai & Associates, Advocates

Pramod Bajpai (Proprietor)

Enrolment No. MAH/910/1984

High Court (O.O.C.J.)

Regn. No. 584

By Regd. Post A.D./by Email/by courier/by Hand Delivery

Ref. : PB/NOT/No. 53/2019

Date: 21/5/2019

SEARCH AND TITLE REPORT OF TWO BUILDING BEARING "B" & "B2" TYPE BUILDING NO. 2 & 3, ON THE LAND AREA ADMEASURING 2597.997 SQ.MTRS. BEING CONSTRUCTED ON PLOT NOS. 3, 4 & 4A, SITUATED IN SECTOR 30/31 AT (AGROLI), BELAPUR, NAVI MUMBAI, OUT OF THE LARGER AREAS OF RESPECTIVE PLOTS ADMEASURING 9600, 40900 & 2700 SQ.MTRS., TOTALLY ADMEASURING 53200 SQ.MTRS.

1. Pursuant to Lease Agreement dated 5/9/2008, in favour of 1) SHRI GOVINDNARAYAN PURANMAL MUNDRA, 2) SHRI CHANDRAKANT PURANMAL MUNDRA, 3) SHRI RAMNIKLAL PURANMAL MUNDRA, 4) SHRI BRIJMOHAN PURANMAL MUNDRA, 5) SHRI MAHESH NANDLAL MUNDRA, and 6) SHRI MANOJ NANDLAL MUNDRA, residing at 16/62, Sahyadri Oswal Park, Pokhran Road No. 2, Thane, Tal & Dist Thane, as well as Letter of Transfer from M/S. CIDCO LTD. dated 12/9/2008, bearing Ref. No. CIDCO/VASAHAT/SATYO/BELAPUR(WAGHIVALI)/1/2008/10 13, in respect of the GES, Plot No. 3, Sector- 30/31, of C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 9600 sq. mtrs. more particularly described in Schedule I hereunder.



- a. AND WHEREAS Tripartite Agreement by and between M/S. CIDCO LTD., (as the Corporation) of the First Part, 1) SHRI GOVINDNARAYAN PURANMAL MUNDRA, 2) SHRI CHANDRAKANT PURANMAL MUNDRA, 3) SHRI RAMNIKLAL PURANMAL MUNDRA, 4) SHRI BRIJMOHAN PURANMAL MUNDRA, 5) SHRI MAHESH NANDLAL MUNDRA, and 6) SHRI MANOJ NANDLAL MUNDRA, (as the Original Licensee) of the Second Part and M/S. IRAISAA DEVELOPERS PVT.LTD. through its Director SHRI BHUPENDRA M. SHAH and MRS. ANUPAMA B. SHAH (as the New Licensee) of the Third Part, duly entered, executed and registered on 11th September, 2008, in respect of the said plot under schedule I above.
2. Lease Agreement dated 16/6/2008, in favour of 1) SHRI JUGALKISHORE HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA, 3) SHRI KAMALKISHORE BHALCHANDRA MUNDRA, at Mundra House, Jambhali Naka, Station Road, Thane, Tal & Dist Thane, as well as possession receipt from M/S. CIDCO LTD. dated 16/6/2008, in respect of the GES, Plot No. 4, Sector- 30/31, of





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C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 40900 sq. mtrs. more particularly described in Schedule II hereunder.

a. AND WHEREAS Tripartite Agreement by and between M/S. CIDCO LTD., (as the Corporation) of the First Part, 1) SHRI JUGALKISHORE HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA,

3) SHRI KAMALKISHORE BHALCHANDRA MUNDRA (as the Original Licensee) of the Second Part and M/S. IRAISAA DEVELOPERS PVT.LTD. through its Director SHRI BHUPENDRA M. SHAH and MRS. ANUPAMA B. SHAH (as the New Licensee) of the Third Part, duly entered and executed on 19th June, 2008 and registered on 20/6/2008, in respect of the said plot.

3. Lease Agreement dated 27/04/2009, duly registered bearing Reg. No. TNN11/01437/2009, by CIDCO LTD., in favour of 1) SHRI JUGALKISHOR HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA, residing at Mundara House, Jambhali Naka, Station Road, Thane, Taluka & Dist. Thane as well as possession receipt from M/S. CIDCO LTD., in respect of



the GES, Plot No.4A, Sector- 30/31, of C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 2700 sq. mtrs. more particularly described in Schedule III hereunder.

- a. AND WHEREAS vide Tripartite Agreement by and between M/S. CIDCO LTD., (as the Corporation) of the First Part, 1) SHRI JUGALKISHOR HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA, (as the Original Licensee) of the Second Part and M/S. IRAISAA DEVELOPERS PVT.LTD. through its Director SHRI BHUPENDRA M. SHAH and MRS. ANUPAMA B. SHAH (as the New Licensee) of the Third Part, duly entered, executed and registered on 4th May, 2009, with the Sub-Registrar of Assurance at Thane, bearing Reg. No. TNN11-01521-2009, in respect of the said plot, more particularly described in schedule III hereunder.

AND WHEREAS sanctioned plans and specifications including the Commencement of Construction Certificate for each plot were issued by the Town Planning Authority i.e. Municipal Corporation of Navi Mumbai post respective Tripartite Agreements mentioned above:





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AND WHEREAS at the relevant time post issuance of the Commencement of Construction Certificate issued by Navi Mumbai Municipal Corporation, however there have been some litigations initiated by purported claimants/villagers, allegedly claiming the tenancy qua the original licensee i.e. M/s. Mundras, which has ultimately resulted into rejection of their claims by various orders and directions of the Hon'ble High Court, Mumbai & Govt. of Maharashtra, the said Commencement of Construction Certificate remained suspended for some time and that still some related litigations were again initiated by erstwhile legal heirs of the original occupants, who had earlier relinquished their rights accrued in the year 1960 under the provisions of Bombay Tenancy and Agricultural Lands Act, now known as Maharashtra Tenancy and Agricultural lands Act (in short BTALT & MTLT Acts), being 21 Regular Civil suits, pending before the Hon'ble Civil Court, Jr. Div. at Vashi Navi Mumbai, (as order dated 14/8/2018 has been passed *inter alia* rejecting the plaints in 4 Regular Civil Suits: highlighted in bold in Annexure - I hereinafter) of which without there being any adverse orders passed by the Hon'ble Court as there are applications for rejection of plaints for want of jurisdiction of Civil Court are pending decisions and simultaneously 39 Tenancy Appeals initiated resulting into dismissal of 37 by the sub-divisional officer Panvel, Dist. Raigad, wherein Appeals therefrom before Maharashtra Revenue



Tribunal are dismissed by Order dated 12th March, 2019 passed therein dismissing 37 Tenancy Rev. Applications from 331/17 to 367/17 and confirming the Orders of Ld. Sub-Divisional Officer, Panvel dated 12/10/2017, and allowing Tenancy Revision Application No. 40 of 2017, setting aside Order dated 15/12/2016 passed by Sub-Divisional Registrar in Tenancy Appeal Mr. Ramesh Shamji Patil and a Civil Writ Petition No.9212 of 2014 in the High Court of Judicature at Bombay by Iraissa Developers Pvt. Ltd. v/s M/s. CIDCO Ltd. & Others disposed in terms of the Final Order dated 04/10/2018 in favour of the Petitioner - By the Hon'ble High Court Acting Chief Justice - Hon'ble Shri Naresh H. Patil, Hon'ble Shri Justice G. S. Kulkarni and a Public Interest Litigation No.180 of 2018 initiated in the High Court of Judicature at Bombay by the erstwhile Gurukul Academy which has no co-relation with the stake holders of the company, and which is pending for admission, and that the list of such regular civil suits are annexed to this Report as Annexure-1 including the particulars of the order passed by the Maharashtra Revenue Tribunal and the order passed by the High Court of Bombay in Writ Petition and the particulars of the Public Interest Litigation in the High Court of Bombay and thus, the rights and entitlements of the new licensee viz. IRAISAA DEVELOPERS PVT.LTD. continued to remain immune to the effects of the aforesaid litigations as the said IRAISAA DEVELOPERS





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PVT.LTD. not being under any contractual or statutory obligation under the said litigations, have the complete absolute rights, entitlements and interest without any encumbrance save as aforesated .

IRASAA DEVELOPERS PVT. LTD. has changed its name as BHUMIRAJ BUILDERS PVT. LTD. in the records of Registrar of Companies and CIDCO LTD. the same Plot Nos. 3, 4 & 4A stands recorded with its changed name.

WHEREAS it is reported that Bhumeraj Builders Pvt. Ltd., have obtained financial assistance from ECL Finance Limited, a company incorporated under the Companies Act, 1956 and having its registered office at Edelweiss House, Off CST Road, Kalina, Mumbai - 400 098, by entering and executing a Loan Agreement dated 26th May, 2017 by virtue of which a Deed of Mortgage is duly registered before the Sub-Registrar of Assurances, Thane -6, at Thane bearing Registration No. TNN6-5627-2017 and as such all the activities are subject to the said secured financial assistance and subject to the terms and conditions of the said documents mentioned *supra* in respect of the development of the said plots including the current area of the proposed construction, for which the



Commencement of Construction certificate is issued as more particularly described hereinafter.

AND WHEREAS Navi Mumbai Municipal Corporation, on demand, have accepted the charges for the purpose of development of all the three plots as if the same are amalgamated and accordingly have issued Commencement Certificate for the plots mentioned in the schedule IV hereunder written.

AND WHEREAS the revised Commencement of Construction for the purpose of beginning the construction activity has been granted by the Municipal Corporation vide its letter dated 02/06/2018 bearing Ref.No. NMMC/TPO/BP-A-9183/2288/2018 alongwith the sanction of plans and specifications in respect of Development and construction of four buildings on the plots mentioned in schedule IV.

AND WHEREAS by virtue of such Commencement of construction certificate dated 02/06/2018 the Town Planning Authority i.e. Municipal Corporation of Navi Mumbai has granted for the construction work of proposed buildings in the following manner





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Floor	Area	No. of Flats
Building "B" Gr. +10 (2 Nos.)	3173.444 sq.mtrs.	78 Nos.
Building "B1" Gr. +10(2 Nos.)	3156.004 sq.mtrs.	78 Nos.
Building "B-2" Gr +10 (1 Nos.)	1254.756 sq.mtrs.	32 Nos.
Building "D" Gr. + 3 (1 Nos.)	500.313 sq.mtrs.	3 Nos.
Total B.U.A. (Residential)	8084.516 sq.mtrs.	191 Nos.
Total B.U.A. (Commercial)	601.414 sq.mtrs.	16 Nos.(Shop)
Total B.U.A.	8685.930 sq.mtrs.	

AND WHEREAS in our opinion and demonstrative effect of the records produced before us and search carried out by us, for the purpose of grant of certificate under Real Estate Regulation and Development Act (RERA) by the authority prescribed, M/s. Bhumiraj Builders Pvt. Ltd., being entitled to seek the registration, have good and absolute marketable title for the purpose of carrying out the development of the project in accordance with the duly issued revised commencement certificate for construction, subject to the registration under the provisions of RERA and the compliances as provided for the purpose of grant of conveyance in terms of lease by CIDCO LTD.



SCHEDULE-I

Part and parcel of land bearing Plot No.3, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 9600 sq.mtrs.

SCHEDULE-II

Part and parcel of land bearing Plot No.4, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 40900 sq.mtrs.

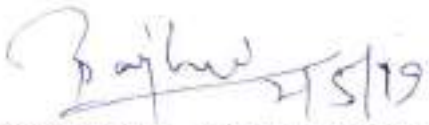
SCHEDULE-III

Part and parcel of land bearing Plot No.4A, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 2700 sq.mtrs.

SCHEDULE-IV

Being one building, B & B-2 Type, being constructed on Part and parcel of land bearing Plot No. 3, 4 & 4A, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 2597.997 sq.mtrs. out of total admeasuring area of 53,200 sq. mtrs. as per Revised Commencement Certificate dated 02/06/2018 issued by N.M.M.C.

RE-ISSUED IN VIEW OF CHANGE OF STATUS IN LITIGATION, ON THIS 2nd DAY OF MAY, 2019.


PRAMOD S. BAJPAI (PROP.)
BAJPAI & ASSOCIATES
ADVOCATES.





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ANNEXURE-I

ORDER dated 12th March, 2019 passed by the Maharashtra Revenue Tribunal, Mumbai dismissing Tenancy Revision Application Nos. from TNC/REV/RAG/331/17 to TNC/REV/RAG/367/17 and confirming the Orders of Ld. Sub-Divisional Officer, Panvel dated 12/10/2017 and allowing Tenancy Revision Application No. TNC/REV/RAG/40/2017, setting aside Order dated 15/12/2016 passed by Ld. Sub-Divisional Officer, Panvel in Tenancy Appeal Mr. Ramesh Shamji Patil.

	Tenancy Rev. Appl No.	Applicant	Opposite Party
1.	331/17	Mr. Prakash Gaurya Mundkar	Jugalkishor Hanumanbux Mundra & Others
2.	332/17	Mr. Ananta Baburav Mundkar	Jugalkishor Hanumanbux Mundra & Others
3.	333/17	Mr. Pandurang Budhaji Bhoir	Jugalkishor Hanumanbux Mundra & Others
4.	334/17	Mr. Mahadev Chandar Koli	Jugalkishor Hanumanbux Mundra & Others
5.	335/17	Mr. Manglubai Gana Koli	Jugalkishor Hanumanbux Mundra & Others
6.	336/17	Mr. Datta Bala Patil	Jugalkishor Hanumanbux Mundra & Others
7.	337/17	Mr. Kana Joma Koli	Jugalkishor Hanumanbux Mundra & Others
8.	338/17	Mr. Vinod Changa Koli	Jugalkishor Hanumanbux Mundra & Others
9.	339/17	Mr. Parshuram Changa Koli	Jugalkishor Hanumanbux Mundra & Others



10	340/17	Mr. Tukaram Dharma Koli	Jugalkishor Hanumanbux Mundra & Others
11.	341/17	Mr. Eknath Dattu Koli	Jugalkishor Hanumanbux Mundra & Others
12.	342/17	Mr. Rama Chaya Patil	Jugalkishor Hanumanbux Mundra & Others
13.	343/17	Mr. Bhalchandra Baban Mundkar	Jugalkishor Hanumanbux Mundra & Others
14.	344/17	Mr. Suresh Padu Koli	Jugalkishor Hanumanbux Mundra & Others
15.	345/17	Mr. Suresh Parshuram Bhagat	Jugalkishor Hanumanbux Mundra & Others
16	346/17	Mr. Poshiram Dharma Koli	Jugalkishor Hanumanbux Mundra & Others
17.	347/17	Mr. Dhau Krishna Shinde	Jugalkishor Hanumanbux Mundra & Others
18.	348/17	Mr. Mahesh Suresh Mundkar	Jugalkishor Hanumanbux Mundra & Others
19.	349/17	Mr. Mahesh Parshuram Bhoir	Jugalkishor Hanumanbux Mundra & Others
20.	350/17	Mr. Pandurang Joma Patil	Jugalkishor Hanumanbux Mundra & Others
21.	351/17	Mr. Harishchandra Balu Koli	Jugalkishor Hanumanbux Mundra & Others
22.	352/17	Mr. Hiranman Manglya Koli	Jugalkishor Hanumanbux Mundra & Others
23.	353/17	Mr. Minnath Kamlakar Patil	Jugalkishor Hanumanbux Mundra & Others
24.	354/17	Mr. Rama Padya Koli	Jugalkishor Hanumanbux Mundra & Others
25.	355/17	Mr. Santosh Goma Mundkar	Jugalkishor Hanumanbux Mundra





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			& Others
26.	356/17	Mr. Prakash Pandurang Bhagat	Jugalkishor Hanumanbux Mundra & Others
27.	357/17	Mr. Pandurang Raghu Koli	Jugalkishor Hanumanbux Mundra & Others
28.	358/17	Mr. Kamalakar Nathu Koli	Jugalkishor Hanumanbux Mundra & Others
29.	359/17	Mr. Ananta Ladkya Patil	Jugalkishor Hanumanbux Mundra & Others
30.	360/17	Mr. Ananta Mahadev Patil	Jugalkishor Hanumanbux Mundra & Others
31.	361/17	Mr. Jayendra Laxman Bhagat	Jugalkishor Hanumanbux Mundra & Others
32.	362/17	Mr. Hiranman Kamliya Koli	Jugalkishor Hanumanbux Mundra & Others
33.	363/17	Mr. Sitabai Soma Koli	Jugalkishor Hanumanbux Mundra & Others
34.	364/17	Mr. Ramnath Mahadev Koli	Jugalkishor Hanumanbux Mundra & Others
35.	365/17	Mr. Dillip Ambo Patil	Jugalkishor Hanumanbux Mundra & Others
36.	366/17	Mr. Kana Hira Koli	Jugalkishor Hanumanbux Mundra & Others
37.	367/17	Mr. Bandu Bama Patil	Jugalkishor Hanumanbux Mundra & Others
38.	Tenancy Appeal	Mr. Ramesh Shamji Patil	Jugalkishor Hanumanbux Mundra & Others
39.	Tenancy Revision Application No.40 of 2017	Jugalkishor Hanumanbux Mundra & Ors.	Mr. Ramesh Shamji Patil



Sr. No.	R.C.S. No.	Plaintiff	Defendants
1.	407/16	Mahadeo Kalya Koli	Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
2.	419/16	Pandurang Joma Patil	V/s. Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
3.	425/16	Vijay Ramdas Patil	V/s. Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
4.	421/16	Ananta Baburao Mundkar	V/s. Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
5.	417/16	Kundan Rohidas Bhoir	V/s. Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
6.	423/16	Joma Kalya Gavand	Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
7.	<u>418/16</u> (Order passed rejecting Plaintiff)	<u>Prakash Pandurang Bhagat</u> (dtd. 14/08/18)	<u>Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9</u>
8.	<u>422/16</u> (Order passed rejecting	<u>Kamlakar Mundi Koli</u> (dtd. 14/08/18)	<u>Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9</u>





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	Plaint)		
9.	424/16 (Order passed rejecting Plaint)	Alya Kana Mundkar (dtd. 14/08/18)	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
10.	420/16 (Order passed rejecting Plaint)	Subhash Ragho Patil (dtd. 14/08/18)	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
11.	323/16	Ramesh Shamji Patil	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
12.	337/16	Anant G. Mundkar	Jugalkishor Mundra & 27 Ors. And M/s. Iraisaa as the Defendant No.22
13.	342/16	Suresh Shankar Koli	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
14.	505/2016	Ram Parshuram Koli (Raja Mahadu Koli & Narayan Rama Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
15.	506/2016	Jayendra Laxman Bhagat (Balu Maya Bhagat)	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
16.	507/2016	Dilip Ambu Patil (Ambu Vitthal Patil)	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
17.	508/2016	Chandrakant Mahadeo Koli (Mahadya Amulya Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as



			the Defendant No.9
18.	509/2016	Tukaram Dharma Koli (Dharma Naga Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
19.	510/2016	Minnath Kamlakar Patil (Nama Bama Patil)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
20.	511/2016	Pundalik Hira Bhagat	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
21.	512/2016	Jayendra Eknath Patil (Chaya Balu Patil)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
22.	513/2016	Suresh Padu Koli (Pandu Changya Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
23.	514/2016	Parshuram Changa Koli (Mahadu Joma Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
24.	515/2016	Poshiram Dharma Koli (Shriram Gana Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
25.	489/2016	Anant Nagesh Koli	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9

Sr.No.	W.P.NO.	Petitioner	Respondent
1.	High Court, Bombay Civil Writ	IRAI SAA DEVELOPERS PVT.LTD. (see order dtd.	M/S. CIDCO LTD. & ORS.





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	Petition No.9212 of 2014 - (Disposed in terms of the Final Order in favour of the Petitioner - By the Hon'ble High Court Acting Chief Justice - Hon'ble Shri Naresh H. Patil, Hon'ble Shri Justice G. S. Kulkarni)	04/10/18)	
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Sr.No.	PIL NO.	Petitioner	Respondents
1.	High Court, Bombay Public Interest Litigation No.180 of 2018	The Gurukul Academy	The State of Maharashtra and 21 Others.

**RE-ISSUED IN VIEW OF CHANGE OF STATUS IN LITIGATION, ON
THIS 2nd DAY OF MAY, 2019.**

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