

**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.

Pallavi/4, Ganpati Chowk, Agra Road,

Kalyan (W) - 421 301. Tel.: 2204340

Cell : 9869420700

**किशोर शां. देशपांडे**

बी.ए.एलएल.बी.

अॅडव्होकेट, मुंबई उच्च न्यायालय

पल्लवी/४, गणपती चौक, आगरा रोड,

कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०

मोबा.: ९८६९४२०७००

Date : 20/01/2020

**TITLE CERTIFICATE**

**(Including Search Report)**

Title to the property comprising of four pieces of land in Taluka — Kalyan.  
District -Thane within the limits of Kalyan Dombivli Municipal Corporation and as  
hereunder detailed, that is to say :-

| Serial<br>No. | Revenue<br>Village | Old    |              | New    |              | Area Sq.<br>Mtrs. |
|---------------|--------------------|--------|--------------|--------|--------------|-------------------|
|               |                    | S. No. | Hissa<br>No. | S. No. | Hissa<br>No. |                   |
| 1             | Chole              | 242A   | 1/2          | 28     | 1 (Part)     | 7400              |
| 2             | Chole              | 242A   | 1/3          | 28     | 1 (Part)     | 1700              |
| 3             | Kanchangaon        | 127    | 3            | 69     | 3            | 0250              |
| 4.            | Chole              | 242A   | 2            | 28     | 2            | 3300              |

hereinafter together referred to as the **said land** and separately by their  
respective Survey Numbers

- 1) Perused the following documents relating to the title of the said land  
furnished to me by M/s. Kalyan Development Corporation for enabling me  
to give my opinion about the title of the said land for the purpose of getting  
the plan of the proposed building to be built on the said land approved  
from Kalyan Dombivli Municipal Corporation.
  - i) 7/12 Extract in respect of the said land.
  - ii) Mutation Entries in respect of the said land.
  - iii) Agreement for Grant of Development Rights dated **26.12.2007** and  
Registered on **26.12.2007** at Serial No. **8180/2007** in the Sub-  
Registry at Kalyan between **Madhukar Nago Patil and 40 others**  
on the one hand and **M/s. Kalyan Development Corporation** on  
the other hand.
  - iv) Consequential Power of Attorney dated **26.12.2007** registered on  
the same day at Serial No. **8181/2007**.

*MS*

**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.  
Pallavi/4, Ganpati Chowk, Agra Road,  
Kalyan (W) - 421 301. Tel.: 2204340  
Cell : 9869420700

**किशोर शां. देशपांडे**

बी.ए.एलएल.बी.

अॅडव्होकेट, मुंबई उच्च न्यायालय  
पल्लवी/४, गणपती चौक, आग्रा रोड,  
कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०  
मोबा.: ९८६९४२०७००

- v) Ten Confirmation Deeds and consequential deeds of power of attorney executed by the Owners whose names had remained to be mentioned or incorporated in the said agreement dated **26.12.2007** for confirming and/or ratifying the terms and conditions thereof.
- vi) Agreement for Grant of Development Rights dated **14.12.2010** and registered on **14.12.2010** at Serial No. **11881/2010** in the Sub-Registry at **Kalyan-2** between the owners **Shri Vithal Shankar Mhatre & Others** and **M/s. Kalyan Development Corporation**.
- vii) Power of Attorney dated **14/12/2010** registered at the office of the sub-registrar of Assurances at Kalyan - 2 under Sr. No. **11882/2010** dated **14/12/2010**.
- viii) Agreement for Grant of Development Rights dated **28.04.2011** and registered on **28.04.2011** at Serial No. **4361/2011** in the Sub-registry at Kalyan - 2 between **Shri. Kisan Ganpat Mhatre & thers** and **M/s. Kalyan Development Corporation** the Promoters above named.
- ix) Power of Attorney dated **28/04/2011**, registered at the office of the Sub-registrar of Assurances at Kalyan - 2 under Sr. No. **4362/2011** dated **28/04/2011**.
- x) Declaration Cum Rectification Deed dated **30-03-2012** and registered on the same day at Serial No. **2184/2012** in the Sub Registry at Kalyan.
- xi) Building permission (I.O.D.) and or construction letter bearing No. **KDMC / NR / BP / Dom / 2012 - 13 / 77** dated **17/10/2012**.
- xii) N.A. Permission bearing Mahsul / KX : **1 / T - 7 / NAP / Chole-Kalyan / SR (159 / 2012) 143 / 2013** dated **4th March, 2014**.
- xiii) Revised Building permission and or construction letter No. **KDMC / NRV / BP / Dom / 2012-13 / 77/108** dated **05/07/2014**.
- xiv) Revised Building permission and or construction letter bearing No. **KDMC / NRV / BP / KV / 2012-13 / 77 / 345** dated **29/03/2016**.
- xv) Search Report dated **13/07/2010, 28/03/2018, 29/03/2012** and **16/01 2019** issued by one **G.H Jagtap** for the search carried out by him.
- xvi) Order bearing No: **ULC / ULN / 6 (1) / SR- 25.30, 31 and 32/Chole** dated **16.11.1996** of Competent Authority **Ulhasnagar Urban Agglomeration**.



**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.

Pallavi/4, Ganpati Chowk, Agra Road,

Kalyan (W) - 421 301. Tel.: 2204340

Cell : 9869420700

**किशोर शां. देशपांडे**

बी.ए.एलएल.बी.

अडव्होकेट, मुंबई उच्च न्यायालय

पल्लवी/४, गणपती चौक, आग्रा रोड,

कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०

मोबा.: ९८६९४२०७००

- xvii) Declaration cum affidavit / Deed dated **18/01/2014** and notarized on **18/01/2014**.
- xviii) TDR letter dated 01/01/2014 granted by Kalyan Dombivli Municipal Corporation under No. KDMP / NRV / HVH / 6208 dated 01/01/2014.
- xix) TDR letter dated 19/03/2016 granted by Kalyan Dombivli Municipal Corporation under no. KDMP / NRV / HVH / 5441 dated 19/03/2016.
- 2) Upon perusing and / or inspecting the aforesaid documents, my observations are as under :-
- The land bearing Survey No. 28/01/(P), 28/1(P) & 69/3 originally belonged to late Hari Babu Patil / Chaudhary.
  - Hari Babu Patil died leaving behind him his six sons **(1) Kalu, (2) Kapsha, (3) Nago, (4) Arjun, (5) Laxman and (6) Dharma** as his only heirs to inherit his property including the said land. Accordingly Mutation Entry No: **723** was certified.
  - Nago Hari Patil died leaving behind him his three sons **(1) Madhukar, (2) Vasant and (3) Mukund** as his only heirs.
- Kapshya Hari Patil died leaving behind him his sons **(1) Baliram (2) Krishna (3) Pandurang (4) Bharat (5) Shatrughna** and the heirs of Sudam Kapshya and Jaywant Kapshya as his heirs. Shantabai and Ashok are the heirs of deceased **Sudam** and **Sarsibai and Nagesh Jaywant Patil** are the heirs of deceased **Jaywant**.
- Dharma Hari Patil died leaving behind him his sons **(1) Vishwanath (2) Premnath (3) Suresh and daughters (4) Indira Tukaram Patil (5) Chandrabai Tulshiram Mhatre** as his only heirs.
- Laxman Hari Chaudhari died leaving behind him his son **Harishcandra**, daughter-in-law **Gulab Nilkanth** (wife of pre-deceased son) Chaudhari, daughter **Vijubai Sakham Kalan** and **Meena Namdeo Joshi** as his only heirs.
- Kalu Hari Choudhan died leaving behind him his sons **(1) Daji alias Dadaji and (2) Tukaram** as his only heirs to inherit his property.
- Arjun Hari Chaudhari died leaving behind him his sons **(1) Dwarkanath (2) Janardhan (3) Ratan (4) Anil (5) Tarabai Sadashiv and (6) Rajesh Sadashiv** (heirs of deceased son Sadashiv) and daughter **Gaurabai Deoram Mahatre** as his only



**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.

Pallavi/4, Ganpati Chowk, Agra Road,

Kalyan (W) - 421 301. Tel.: 2204340

Cell: 9869420700

**किशोर शां. देशपांडे**

बी.ए.एल.बी.

अॅडव्होकेट, मुंबई उच्च न्यायालय

पल्लवी/४, गणपती चौक, आग्रा रोड,

कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०

मोबा.: ९८६९४२०७००

heirs. For all the aforesaid deaths, the Mutation Entry No: **3335** was certified and the names of the heirs, of all the aforesaid deceased persons came to be entered upon VII-XII extract of the said land.

Tukaram Kalu Chaudhari died on **12.02.1997** leaving behind him his **ten heirs**. Accordingly Mutation Entry No: **3448** was certified for the purpose of the said land.

Baliram Kapshya Patil died on **09.03.2005** leaving behind him his sons **(1) Sunil and (2) Balu, and daughters (3) Smt. Usha Prabhakar Gavali and (4) Sudha Baliram Patil** as his only heirs. Accordingly Mutation Entry No: **3518** was certified.

Sudam Kapshya Patil died leaving behind him his wife **(1) Shantabai, Sons (2) Ashok (3) Deepak (4) Nitin (5) Rajesh and daughter (6) Karuna** as his only heirs. Accordingly Mutation Entry No: **3460** was certified.

Gaurabai Deoram Mhatre (heir of Arjun Hari Choudhari) died on **30.04.99** leaving behind her, her son **(1) Ravindra and daughter (2) Neeta Balaram Patil (3) Machindrarath Deoram Mahtre and (4) Kavita Devraom Mahtre** as her only heirs. Accordingly Mutation Entry No. **3442** was certified.

It seems that after the death of **Mukund Nago** and his son **Prakash** the names of their respective heirs came to be entered upon VII-XII extract of the said land by getting certified a Mutation Entry No: **3465**.

- iv) By an agreement for grant of development rights dated **26.12.2007** and Registered on **26.12.2007** at Serail No: **8180/2007** in the Sub-Registry at Kalyan, Madhukar Nago Patil and 40 others (some of the owners of the said land) have granted the development rights in respect of the said land to M/s. Kalyan Development Corporation. The said owners also executed a Power of Attorney dated **26.12.2007** registered on the same day at Serial No: **8181/2007** in favour of M/s. Kalyan Development Corporation in pursuance of the aforesaid development agreement.
- v) It seems that as the names of some of the owners of the said land have remained to be incorporated in the said agreement and power of attorney, they have by their separate confirmation deeds and consequential deeds of power of attorney ratified and/or confirmed the said development agreement. The details of the said confirmation deeds and power of attorneys are as follows :-

*10/15*

**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.  
 Pallavi/4, Ganpati Chowk, Agra Road,  
 Kalyan (W) - 421 301. Tel.: 2204340  
 Cell : 9869420700

**किशोर शां. देशपांडे**

बी.ए.एलएल.बी.

अडव्होकेट, मुंबई उच्च न्यायालय  
 पल्लवी/४, गणपती चौक, आग्रा रोड,  
 कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०  
 मोबा.: ९८६९४२०७००

| Sr. No. | Particulars and / or details of confirmation deed and power of attorney                                                                                             | The Name of the Owners who have executed the confirmation deed and power of attorney |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1       | Confirmation Deed & Power of Attorney dated 07/06/2010 and Confirmation Deed is Registered at Serial No. : 4618/2010 and Power of Attorney at Serial No. 173/2010   | Gulab Nilkanth Chaudhary                                                             |
| 2       | Confirmation Deed & Power of Attorney dated 18.05.2010 and 17.05.2010 respectively and those have been registered respectively at Serial No : 4001/2010 & 152/2010. | Krishna Kapshya Patil                                                                |
| 3       | Confirmation Deed & Power of Attorney dated 30.04.2008 and Confirmation Deed is Registered at Serial No: 3317/2008 and Power of Attorney at Serial No. 3318/2008.   | Sunil Balaram Patil & 3 others                                                       |

| Sr. No. | Particulars and / or details of confirmation deed and power of attorney                                                                                                                                  | The Name of the Owners who have executed the confirmation deed and power of attorney |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 4       | Confirmation Deed & Power of Attorney dated 25.07.2008 and Confirmation Deed is Registered at Serial No. 5731/2008 and Power of Attorney dated 2.6.2008 at Senal No: 5732/2008 Registered on 25.07.2008. | Kundan Mukund Patil & Smt: Bayabai Mukund Patil                                      |
| 5       | Confirmation Deed & Power of Attorney dated 02.06.2008 and Confirmation Deed is Registered at Serial No. 5873/2008 and Power of Attorney at Serial No. 5874/2008 on 31.07.2008.                          | Shlipa Mukund Patil through her C.A. Deepak Disilva                                  |
| 6       | Confirmation Deed & Power of Attorney dated 05.05.2008 and Confirmation Deed is Registered at Serial No: 3384/2008 and Power of Attorney at Serial No: 3385/2008.                                        | Prabhavati Uttam Patil & 2 others                                                    |



**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.

Pallavi/4, Ganpati Chowk, Agra Road,

Kalyan (W) - 421 301. Tel.: 2204340

Cell: 9869420700

**किशोर शां. देशपांडे**

बी.ए.एलएल.बी.

अॅडव्होकेट, मुंबई उच्च न्यायालय

पल्लवी/४, गणपती चौक, अग्रा रोड,

कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०

मोबा.: ९८६९४२०७००

|    |                                                                                                                                                                  |                                           |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 7  | Confirmation Deed & Power of Attorney dated 05.02.2008 and Confirmation Deed is Registered at Serial No: 902/2008 and Power of Attorney at Serial No: 903/2008.  | Nagesh Jayawant Patil                     |
| 8  | Confirmation Deed & Power of Attorney dated 15.04.2008 and Confirmation Deed is Registered at Serial No: 2855/2008 and Power of Attorney at Serial No: 2856/2008 | Prakash Mukund Patil & 3 others           |
| 9  | Confirmation Deed & Power of Attorney dated 05.02.2008 and Confirmation Deed is Registered at Serial No: 900/2008 and Power of Attorney at Serial No.: 901/2008  | Shatrughana Kapshya Patil & 1             |
| 10 | Confirmation Deed & Power of Attorney dated 25.06.2010 and Confirmation Deed is Registered at Serial No: 5220/2010 and Power of Attorney at Serial No: 198/2010. | Harishchandra Laxman Chaudhary & 2 others |

It seems that there were some typographical minor mistakes and/or errors in the aforesaid documents in the description of land relating to name of its Revenue Village, Survey Numbers Hissa Numbers and/or area and M/s. Kalyan Development Corporation through its Partner **Shri. Mangesh Gaikar** has made a declaration cum rectification deed dated **30.03.2012** and registered on the same day at Serial No: **2184** in the Sub-Registry at Kalyan in order to rectify the said errors / mistakes. **Index — II** has been accordingly issued by the Sub-Registrar in respect of the said declaration.

vi) **That land bearing Survey No. 28/2 area admeasuring 3300 sq. meters is owned by Kisan Ganpat Mhatre and others** by an agreement for grant of development rights dated **14.12.2010** and registered on **14.12.2010** at Serial No: **11881/2010** in the Sub-Registry at Kalyan- 2, **the owners Shri Vithal Shankar Mhatre & others** themselves have granted the development rights in respect of half of the area of the said land bearing Survey No. 28/2, ie 1650 sq. meter to **M/s. Kalyan Development Corporation** and accordingly granted Power of attorney in favour of **M/s. Kalyan Development Corporation**.

vii) **That** By an agreement for grant of development rights dated **28.04.2011** and registered on **28.04.2011** at Serial No: **4361/2011** in the Sub-Registry at Kalyan 2, the owners **Shri Kisan Ganpat**

1045

**KISHOR S. DESHPANDE**

B.A.L.L.B.

Advocate, High Court, Mumbai.

Pallavi/4, Ganpati Chowk, Agra Road,

Kalyan (W) - 421 301. Tel.: 2204340

Cell : 9869420700

**किशोर शां. देशपांडे**

बी.ए.एलएल.बी.

अॅडव्होकेट, मुंबई उच्च न्यायालय

पल्लवी/४, गणपती चौक, आग्रा रोड,

कल्याण प. - ४२१ ३०१. दूरध्वनी : २२०४३४०

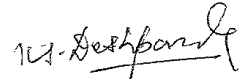
मोबा.: ९८६९४२०७००

**Mhatre & others** themselves have granted the development rights in respect of remaining half of the area of the said land bearing Survey No. 28/2, i.e. 1650 sq. meter to **M/s. Kalyan Development Corporation** and accordingly granted Power of attorney in favour of **M/s. Kalyan Development Corporation**.

viii) A search report dated **13.07.2010, 28/03/2018, 29.03.2018** and **16.01.2019** carried out by one Mr. Jagtap does not disclose any encumbrance on the said land. The copy of the upto date search report shall be filed alongwith this title certificate.

ix) As the development rights in respect of all the four pieces of land constituting the said land have been granted by a development agreement as aforesaid to M/s. Kalyan Development Corporation, a composite title certificate is issued for the purpose constructing proposed building to be built on the pieces of said land approved from Kalyan Dombivli Municipal Corporation.

Subject to the aforesaid observations and solely on the basis of the documents furnished to me as aforesaid by M/s. Kalyan Development Corporation I am of the opinion that the title of Shri. Madhukar Nago Patil and others (who have executed the agreement, confirmation deeds and power of attorneys as aforesaid) and **Mr. Kisan Ganpat Mhatre and others** to the said land is clear, marketable and without any encumbrance for the purpose of getting the plan of the proposed building to be built on the said land approved subject to development control rules and the provisions of several Acts such as MRTP Act.

  
**K. S. DESHPANDE**  
 ADVOCATE