

SMT. NEELAM B. RAUT

B.A., LL.B.

ADVOCATE HIGH COURT

12, Amita Apartment, 2nd Floor,
Next to 'C' Jumbo Darshan,
2nd Koldongri Lane,
Andheri (E), Mumbai - 69.
Phone: 9820201691

Mobile 9820201691

Ref No.

1

Dated: 27/04/2012

TITLE CERTIFICATE

SUB: Investigation of title of Mrs. Leela H. Nawalkar to all that piece or parcel of land admeasuring **708 Sq. yards** equivalent to **592 Sq. meters** or thereabouts bearing C.S. No. 266-266-B and 268-268-A, Mahim Div. IV being F.P. No. 170 of TPS IV, Mahim, lying, being and situate at N.C. Kelkar Road, Dadar (W), Mumbai - 400 028 within the Registration District of Mumbai City together with the residential and commercial tenements building known as "Nawalkar Building" standing thereon. The said land together with the said building standing thereon is hereinafter referred to as the **said property**.

Under instruction of my client M/S. Ramdev Constructions I have investigated the title of the owner i.e. Mrs. Leela H. Nawalkar to the said property described above.

1. I have caused the search to be taken at the offices of Sub-Registrar of Assurances at Bandra and Mumbai and issued public notices in Free Press Journal dated 01/07/2010 and Marathi Daily Navshakti dated 01/07/2010. I also perused the Revenue Records of the said property, Development Plan remark obtained from Municipal Corporation of Greater Mumbai and Town Planning Department. I have perused the last will and testament dated 15th June, 1962 of Dr. Shamrao Moroba Nawalkar and the probate of the said Will granted by the High Court of Bombay under Probate Petition No. 130 of 1974.

2. No adverse entry is found as a result by the search caused to be taken by me. In response to the public notices published by me as aforesaid I did not received any claim or demand or objection for the sale and transfer of the said property by its present owners Mrs. Leela H. Nawalkar to my clients.

*MS Raut
Hawalkar
25/4/2012*

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2

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3. From the perusal of records and other documents I observed that:
- a. The said property is bearing CS No. 266-266-B and 268-268-A of Mahim Division lying being and situate at N.C. Kelkar Road, Dadar (W), Mumbai - 400 028 within the registration District of Mumbai City. The said property is assessed to property tax by MCGM under account No. GN-05-0133-00-5-0000. The said property is now included as final plot no. 170 of TPS IV, Mahim and the area of the final plot as per TPS statement is 592.16 sq. meters.
 - b. The Nawalkar Building erected and standing on the said property is of ground and 3 upper floors. There are 4 Shop premises and one Gymnasium on the ground floor. Three upper floors have 17 residential tenements. The 17 residential tenements, 4 shop tenements and Gymnasium are in respective occupation and possession of 22 tenants of the Owner paying her an aggregate monthly rent of **Rs. 5827**.
 - c. The said property was originally held and possessed by Dr. Shamrao Moroba Nawalkar who died testate on or about 19th August, 1973 leaving behind his last will and testament dated 15th day of June, 1962. By the said will the late Shamrao appointed his wife Gajrabai, his son Hiranath and his nephew Mr. Harishchandra Laxmanrao Nawalkar to be the executors and trustees of his will. The High Court of Bombay granted Probate of the said Will under Probate Petition No. 130 of 1974 to the said Executors and Trustees.
 - d. The names of the said executors and Trustees were mutated in the CS Property Card of the said property. All the said executors and trustees are now dead.

nb Raut
Advocate
25/4/2012

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3

Dated: 05/04/2012

- e. Under the said Will of late Shamrao Nawalkar the said property more particularly described in the Schedule hereunder written was bequeathed absolutely to his son Mr. Hiranath Shamrao Nawalkar subject however to the monthly payments of Rs. 100/- p.m. to be made to the daughter of late Shamrao, i.e. Mrs. Malini, till her death and to her children till they attain age of 21 years. All the children of Malini are now more than 21 years.
- f. Therefore on the death of late Shamrao and under the Probated Will the said Hiranath became absolutely entitled to the said property subject however to the monthly payments as aforesaid to be paid to his sister Malini / her children. The said Hiranath died intestate on or about 02/03/2005.
- g. The Owner Mrs. Leela H. Nawalkar is the wife of the said Hiranath Shamrao Nawalkar. They had no children out of their marriage. Therefore on the death of Hiranath the said property and every part thereof devolved on the Owner subject of course to the monthly payments to be made to the said Malini and her children as provided under the said Will of late Shamrao.
- h. In view of the Will of Late Dr. Shamrao Nawalkar, probate granted for the said Will by the Hon'ble High Court of Bombay and the deaths of all the executors and trustees appointed under the said Will and the death of the sole legatee under the said Will i.e. Hiranath Shamrao Nawalkar and the fact that he was married to the present owner Mrs. Leela H. Nawalkar and they had no children, the said Mrs. Leela H. Nawalkar is the Sole legal heir of late Hiranath Shamrao Nawalkar and succeeds to the said property and is entitled to get mutated her name in the Revenue Records of the said property in place of her late husband and she has made an application to the concerned City Survey office for

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H. H. H. H. H.
25/12/2012

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4

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the same. Except her no other person whomsoever is entitled to succeed late Hiranath Shamrao Nawalkar.

- i. Mrs. Malini Vijay Mhatre, the daughter of late Shamrao Nawalkar was given a life interest of Rs. 100/- per month till her death under the said Will of late Dr. Shamrao Nawalkar. She has made a settlement of her life interest of Rs. 100/- per month in consideration of a lump sum amount of Rs. 5,00,000/- with my clients by execution of deed of settlement with them. She has received the full amount of Rs. 5.00 Lakhs from my clients payment and receipt whereof is admitted and acknowledged by her under the said deed of settlement and with effect from the date of the said deed of settlement the said Mrs. Malini has no right, title, interest or claim of any nature whatsoever in the said property.
- j. There is no litigation by or against the said Mrs. Leela H. Nawalkar concerning the said property or wherein the said property or any part thereof or any tenement therein is not a subject matter of any litigation.

4. In view of what is stated hereinbefore I find the title of Mrs. Leela Hiranath Nawalkar to the said property as clear and marketable but subject to the tenancy rights of the tenancy therein but otherwise free from all encumbrances and reasonable doubt and I certify accordingly.

NBRaut

Mrs. Neelam B. Raut
Advocate High Court
12, Amita Apartment, 2nd Floor,
Next to 'C' Jumbo Darshan,
2nd Koldongri Lane,
Andheri (E), Mumbai - 400 069.