

N. R. Mahajan

B. Com., LL.B.

ADVOCATE HIGH COURT

Office : 401, Thane Vastushilpa,
Opp. Awaz Radio, Edulji Road,
Charai, Thane (W) 400 601.

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Email : mahajan_ninad@yahoo.co.in

Ref.: NRM/2019/15

R. P. A. D./U. P. C./HAND

Date : 17 SEP 2019

CERTIFICATE OF TITLE

Re. :- An immovable property situated at Revenue Village and Talathi Saja Diva, Taluka and District Thane and according to Revenue Records bearing following description -

Sr. No.	Survey No.	Area H - R - P	Assessment Rs.-Ps.
1.	69/1	0 - 12 - 40 0 - 01 - 00	2 - 44
2.	69/2	0 - 19 - 90 0 - 00 - 90	3 - 88
3.	69/3	0 - 07 - 80 0 - 00 - 80	1 - 56
		0 - 08 - 60 out of which 0 - 05 - 78	
		=====	
		Grand Total	0 - 39 - 98 i.e. 3998 sq. mtrs.

(hereinafter collectively referred to as the "**SAID LANDS**")

Smt. Anubai Keshrinath Joshi & ors. - **OWNERS**

TO

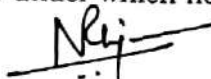
M/s. Ekveera Enterprises - **DEVELOPER**

TO WHOMSOEVER IT MAY CONCERN

THIS IS TO CONFIRM THAT I have investigated the title of the Owners to the Said Lands and on the basis of Public Notice dated 05.12.2018 in the Daily News-Paper "Thane Vaibhav", perusal of Revenue Records, search taken with the office of the Sub-Registrar of Assurances, Thane and on the basis of clarifications given by the Developer, I have observed as under :-

1. As per the provisions of Bombay Tenancy and Agricultural Lands Act, 1948, Shri Divdya Joshi became the owner, seized and possessed of and/or otherwise well and sufficiently entitled to the above referred Said Lands.

2. After the death of said Shri Divdya Joshi, as per Mutation Entry No.539, his grand-son - Shri Gangaram Nago Joshi became the owner of the Said Lands. Again as per the Mutation Entry No.961, after the death of said Shri Gangaram Nago Joshi, as per the Hindu Succession Act 1956 under which he was governed at the time of his



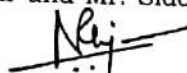
death, names his legal heirs i.e. wife - Smt. Bhagubai Gangaram Joshi, son - Shri Keshrinath Gangaram Joshi, married sister - Smt. Durgabai Jaywant Mhatre, daughter-in-law - Smt. Bamibai Vaikunth Joshi, two married grand-daughters - Mrs. Sumitra Baban Patil and Mrs. Sunanda Sharad Patil are entered into owner's column of Survey No.69/1 and 69/2 only and inadvertently not entered into owner's column of Survey No.69/3.

3. Meanwhile, Smt. Bhagubai Gangaram Joshi, wife of late Gangaram Nago Joshi died intestate on 28.12.1998, as per Mutation Entry No.1467 and her name was deleted from the 7/12 extract of Survey No.69/1 and 69/2.

4. After the sad demise of Shri Keshrinath Gangaram Joshi - son of late Gangaram Nago Joshi on 31.03.2005, names of his only legal heirs i.e. wife - Smt. Anubai Keshrinath Joshi, three sons - Shri Prakash Keshrinath Joshi, Shri Sanjay Keshrinath Joshi, Shri Gurunath Keshrinath Joshi and married daughter - Mrs. Sugandhi Balaram Pisekar are entered into owner's column of Said Lands, as per the Mutation Entry No.1400. And as per the same Mutation Entry No.1400, name of Smt. Bamibai Vaikunth Joshi - daughter-in-law of late Gangaram Nago Joshi was also deleted, due to her death on 17.08.2015.

5. By and under Release Deed dated 08.02.2018, which was duly registered in the Office of Sub-Registrar of Assurances, Thane at Serial No. TNN-1/2053/2018, Smt. Durgabai Jaywant Mhatre - married sister of late Gangaram Nago Joshi, Mrs. Sumitra Baban Patil and Mrs. Sunanda Sharad Patil - married grand-daughter of late Gangaram Nago Joshi and Mrs. Sugandhi Balaram Pisekar - married daughter of late Keshrinath Gangaram Joshi, who were co-owners of the Said Lands, released their undivided share in the Said Lands, out of love and affection and without consideration, to and in favour of remaining co-owners of the Said Lands i.e. Smt. Anubai Keshrinath Joshi, Shri Prakash Keshrinath Joshi, Shri Sanjay Keshrinath Joshi and Shri Gurunath Keshrinath Joshi, as per the Mutation Entry Nos.1475 and 1485.

6. Though Said Lands are owned by the Owners herein, one Mr. Sumit Subhash Bhoir and Mr. Siddhant Subhash Bhoir are in actual possession of the Said Lands for many years and said actual fact is accepted by the Owners herein. Therefore by and under registered Development Agreement dated 20.03.2019, which was duly registered in the Office of Sub-Registrar of Assurances, Thane at Serial No.TNN-1/4496/2019, Owners i.e. Smt. Anubai Keshrinath Joshi, Shri Prakash Keshrinath Joshi, Shri Sanjay Keshrinath Joshi and Shri Gurunath Keshrinath Joshi, jointly with the confirmation from said Mr. Sumit Subhash Bhoir and Mr. Siddhant Subhash Bhoir, have assigned



the development rights in respect of Said Lands to and in favour of one M/s. Ekveera Enterprises i.e. Developer herein, for the consideration and on the terms and conditions contained therein. The Owners have also executed Power of Attorney dated 20.03.2019, which was duly registered in the Office of Sub-Registrar of Assurances, Thane at Serial No.TNN-1/4497/2019, which authorised the Developer to do various acts relating to development of the Said Lands to sale of flat/shop/premises in the new building/s to be constructed on the Said Lands;

7. The Collector, Thane by and under order dated 11.09.2019, revoked the condition of Bhogavatadar Varg-2 and converted into Bhogavatadar Varg-1, under which the Owners are exempted to obtain permission under Section 43 of Bombay Tenancy and Agricultural Lands Act, 1948 to develop the Said Lands by the Developer.

8. **IN VIEW OF THE ABOVE, IN MY OPINION:**

- a) The title of the Owners to the Said Lands is clear, marketable and free from encumbrances.
- b) The Developers are legally entitled to construct the building/s on the Said Lands, as per the sanctioned plans or its further amendments or modifications as which are to be approved by Sanctioning Authority and subject to the terms and conditions of the abovesaid Development Agreements, to sell the flats/shops/premises therein to the prospective buyers.

Thane, dated on this 17th day of September 2019.


(N. R. Mahajan)
Advocate

N. R. Mahajan

B. Com., LL.B.

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Survey No.	Area H - R - P	Assessment Rs.-Ps.
69/3	0 - 07 - 80 0 - 00 - 80 ----- 0 - 08 - 60 out of which 0 - 02 - 81	1 - 56 i.e. 281 sq. mtrs

(hereinafter referred to as the "**SAID LANDS**")

Smt. Anubai Keshrinath Joshi & ors.

OWNERS

TO

M/s. Ekveera Enterprises

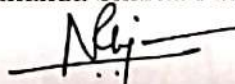
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2. After the death of said Shri Divdya Joshi, as per Mutation Entry No.539, his grand-son - Shri Gangaram Nago Joshi became the owner of the Said Lands. Again as per the Mutation Entry No.961, after the death of said Shri Gangaram Nago Joshi, as per the Hindu Succession Act 1956 under which he was governed at the time of his death, names his legal heirs i.e. wife - Smt. Bhagubai Gangaram Joshi, son - Shri Keshrinath Gangaram Joshi, married sister - Smt. Durgabai Jaywant Mhatre, daughter-in-law - Smt. Bamibai Vaikunth Joshi, two married grand-daughters - Mrs. Sumitra Baban Patil and Mrs. Sunanda Sharad Patil are entered into owner's column of



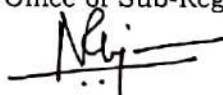
Survey No.69/1 and 69/2 only and inadvertently not entered into owner's column of Survey No.69/3.

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6. Though Said Lands are owned by the Owners herein, one Mr. Sumit Subhash Bhoir and Mr. Siddhant Subhash Bhoir are in actual possession of the Said Lands for many years and said actual fact is accepted by the Owners herein. Therefore by and under registered Development Agreement dated 20.03.2019, which was duly registered in the Office of Sub-Registrar of Assurances, Thane at Serial No.TNN-1/4494/2019, Owners i.e. Smt. Anubai Keshrinath Joshi, Shri Prakash Keshrinath Joshi, Shri Sanjay Keshrinath Joshi and Shri Gurunath Keshrinath Joshi, jointly with the confirmation from said Mr. Sumit Subhash Bhoir and Mr. Siddhant Subhash Bhoir, have assigned the development rights in respect of Said Lands to and in favour of one M/s. Ekveera Enterprises i.e. Developer herein, for the consideration and on the terms and conditions contained therein. The Owners have also executed Power of Attorney dated 20.03.2019, which was duly registered in the Office of Sub-Registrar of Assurances, Thane at Serial



No.TNN-1/4495/2019, which authorised the Developer to do various acts relating to development of the Said Lands to sale of flat/shop/premises in the new building/s to be constructed on the Said Lands;

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(N. R. Mahajan)
Advocate