



Office No. 214, 2nd Floor, Bhoomi Mall, Plot No.09, Sector-15, CBD Belapur, Navi Mumbai - 400 614.  
E-mail : advtambatandcompany@gmail.com / advsachin78@rediffmail.com

Ref. No. : TC/15/2022

**BY RPAD/UPC/HAND**

Date : 07/10/2022

**FORMAT – A**  
**( Circular No. 28/2021 )**

To,  
Maha RERA,  
Mumbai.

**TITLE CERTIFICATE**

**Sub:-** Title Clearance Certificate in respect of **Plot No. 46,**  
**Sector-35, at Kamothe , Tal-Panvel, Dist-Raigad.**

THIS IS TO CERTIFY that, on the request M/s. Asian Builders & Developers through its Partners 1.Shri. Shivji Amba Gami, 2. Shri. Mahesh Shivji Gami having address at- shop No1, Balaji Krupa, Plot No 169/170, Sector21, Kamothe Navi, Mumbai, I have Investigated the Title in respect of **Plot No. 46, Sector-35, at Kamothe, Tal-Panvel, Dist-Raigad, area adm. about 300 Sq. Mtrs.**(hereinafter referred to as the "Said Plot") & for that purpose I verified following documents :-



**1. Description of Property :**

a) Land Plot No. 46, Sector-35, at Kamothe, Tal-Panvel, Dist-Raigad, area adm. about 300 Sq. Mtrs. or thereabout and bounded as follows.

On or towards the North by	: Plot No. 21
On or towards the South by	: 11.00 Mtrs.wide Road
On or towards the East by	: Plot No. 47+48
On or towards the West by	: Plot No. 45(A)

**b) Detaila of owner of Said Plot**

CIDCO Ltd. is the owner of the entire land that belongs to Navi Mumbai Project acquired by State Government & transfer to CIDCO Ltd. & accordingly CIDCO Ltd. allot the plots for long term lease presently for 60 years period.

In case of Said Plot mentioned herein, CIDCO Ltd. vide Tripartite Agreement dated 22/02/2021 transferred the right, title & interest of the Said Plot in the name of M/s. Asian Builders & Developers as the Transferee & they exclusively possess the Said Plot for development as per the Terms & Conditions laid down by CIDCO Ltd.







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**2. List of Documents:**

- a. Agreement to Lease dated **22/08/2005** executed between **CIDCO Ltd. & Smt. Radhabai Khemchand Parmar** in respect of Said Plot which is duly registered before Sub registrar Panvel on **16/09/2005** vide **Registration Receipt No. 558 & Document Sr. No. PVL3-03115-2005.**
- b. Letter dated **16/11/2018** in respect of the Said Plot issued by **CIDCO Ltd. to Shri. Surendra Khemchand Parmar & other 4** vide **Ref No. CIDCO / VASAHAT / SATHYO / KAMOTHE /10/2018/29558.**
- c. Letter dated **11/11/2020** in respect of the Said Plot issued by **CIDCO Ltd. to Shri. Surendra Khemchand Parmar & other 4** vide **Ref No. CIDCO / VASAHAT / SATHYO / KAMOTHE /10/7982/2020.**
- d. Tripartite Agreement dated **22/02/2021** for transfer of Said Plot executed between **CIDCO Ltd., Shri. Surendra Khemchand Parmar & other 4 & M/s. Asian Builders & Developers** through its Partners **1.Shri. Shivji Amba Gami, 2. Shri. Mahesh Shivji Gami** which is duly registered on





BY RPADUPCHAND

22/02/2021 vide Registration Receipt No. 3818 & Document  
Sr. No. PVL2-3226-2021.

e. Final Letter dated 23/03/2021 in respect of the Said Plot issued  
by **CIDCO Ltd.** to **M/s. Asian Builders & Developers** vide  
Ref No. **CIDCO/VASAHAT/SATYO/KAMOTHE/10/2021/**  
**8949.**

3. Search Receipt along with Search Report attached herewith & my  
findings are as under -

Year	Findings
2005	The Agreement to Lease dated 22/08/2005 is duly registered on 16/09/2005 and vide Registration Receipt No. 558 & Document Sr. No. PVL3-03115-2005.
2006-2020	Nil
2021	Tripartite Agreement dated 22/02/2021 is duly registered on 22/02/2021 vide Registration Receipt No. 3818 & Document Sr. No. PVL2-3226-2021.
20022	Nil

4) On perusal of the above mentioned and all other relevant documents related to Said Plot, I am is of opinion that the







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title of Said Plot is clear marketable and free from all encumbrance & M/s. Asian Builders & Developers a registered Partnership Firm having office at shop No1, Balaji Krupa, Plot No 169/170, Sector21, Kamothe Navi, Mumbai, possessed the exclusive development rights of Said Plot.

- 5) The report reflection the flow of title of Said Plot and the developer of the Said Plot is enclosed herewith as annexure.

Dated this 07..... day of October 2022.

**Sachin S. Tambat**  
Advocate





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**Format A**  
**(Circular No. 28/2021)**

**Sub- Flow of Title of Plot No. 46, Sector-35, at Kamothe ,  
Tal-Panvel, Dist-Raigad.**

- 1) As per Tripartite Agreement Dated 22/02/2021 the Said Plot stands in the name of **M/s. Asian Builders & Developers** as the transferee of the Said Plot & they exclusively possess the Said Plot.
- 2) As per the documents mentioned herein in Para. No. 2 submitted to me, I have found some relevant aspect to note and placed my observations in respect of flow of title of the Said Plot as under.
  - i) The City and Industrial Development Corporation of Maharashtra Limited, a Government company within the meaning of the Companies Act, 1956 (hereinafter referred to as **"THE CORPORATION"**) having its office at 'Nirmal', 2<sup>nd</sup> floor, Nariman Point, Mumbai - 400021, is the New Town Development Authority, under the provision of





subsection (3-a) of Section-113 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVIII of 1966) hereinafter referred to as the said Act.

- ii) The State Government in pursuant to Section 113 (1) of the said Act, acquired the land described therein and vesting such lands in the same Corporation for development and of such place of land so acquired by the State Government and subsequently vested by the State Government in the Corporation for being leased to its intending Lessees.
- iii) the Corporation under Gaothan Expansion Scheme/ 12.5% Scheme leased to **Smt. Radhabai Khemchand Parmar** residing at Panvel, Dist. Raigad, vide **Agreement to Lease** dated **22/08/2005** for a period of 60 years computed from the date of Agreement to Lease, a plot admeasuring about **300.00 Sq. Mtrs.** bearing **Plot No. 46, Sector-35, at Kamothe, Tal. Panvel, Dist. Raigad**, (hereinafter referred to as the '**SAID PLOT**') for the purpose of residential cum commercial use for proper premium of **Rs. 3750/- (Rupees Three Thousand Seven Hundred Fifty Only)** and has handed over the physical possession of the said plot to the Lessee. The said





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Agreement to Lease dated 22/08/2005 is duly registered on 16/09/2005 vide Registration Receipt No. 558 & Document Sr. No. PVL3-03115-2005.

- iv) Smt. Radhabai Khemchand Parmar has been died and thereafter her heirs filed a M.A No. 301/2011 before Hon'ble Panvel Civil Court and the Court has declared 1) Shri. Ashok Khemchand Parmar 2) Shri. Surendra Khemchand Parmar 3) Shri. Prakash Khemchand Parmar 4) Smt. Pankajaben Pratapchand Jain 5) Smt. Nirupama Dhanpal Sanghavi 6) Smt. Shama Rajendra Gandhi as the heirs of Late Smt. Radhabai Khemchand Parmar.
- v) Thereafter Shri. Ashok Khemchand Parmar died and family members has found Will executed by Smt. Radhabai Khemchand Parmar and therefore as per Will the family members has filed a Probate application i.e. M.A No. 356/2017 for grant of Probate and accordingly the Hon'ble Court has allowed the application and declared 1) Shri. Surendra Khemchand Parmar 2) Shri. Prakash Khemchand Parmar and 3) Late Shri. Ashok Khemchand Parmar through his Legal heirs i) Smt. Meena Ashok





**Parmar ii) Shri. Nikhil Ashok Parmar iii) Shri. Kalpesh Ashok Parmar, as the only heirs of Late Smt. Radhabai Khemchand Parmar, for the Said Plot. Accordingly CIDCO Deleted the name of others person and recorded the Names of above person in there record vide Letter Reference No. CIDCO / VASAHAT / SATHYO / KAMOTHE /10/2018/29558 dated 16/11/2018.**

**vi) During the meantime Shri. Prakash Khemchand Parmar also died and his only Legal heir Shri. Tushar Prakash Parmar filed a M.A No. 1085/2019 before Hon'ble Panvel Civil Court and the Court has granted the said application and accordingly the CIDCO authorities registered the name of Shri. Tushar Prakash Parmar as the Legal heir of Late Shri. Prakash Khemchand Parmar.**

**vii) By virtue of above documents name of 1) Shri. Surendra Khemchand Parmar 2) Smt. Meena Ashok Parmar 3) Shri. Nikhil Ashok Parmar 4) Shri. Kalpesh Ashok Parmar 5) Shri. Tushar Prakash Parmar has been registered as the Original Lessee of the Said Plot in the record of CIDCO and accordingly vide letter ref. no. CIDCO /**





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**VASAHAT / SATHYO / KAMOTHE /10/7982/2020** dated  
**11/11/2020** CIDCO authorities duly recognize the heirs.

viii) Due to some of their own reasons the **Shri. Surendra Khemchand Parmar & other 4** have sold, assigned & transferred all their rights, title and interest in respect of the said plot to **M/s. Asian Builders & Developers** through its Partners **1. Shri. Shivji Amba Gami, 2. Shri. Mahesh Shivji Gami** having address at - shop No1, Balaji Krupa, Plot No 169/170, Sector 21, Kamothe Navi, Mumbai and accordingly a **Tripartite Agreement** dated **22/02/2021** has been executed between CIDCO Ltd., the **Shri. Surendra Khemchand Parmar & other 4** and **M/s. Asian Builders & Developers** and there by CIDCO Ltd. has transferred the said plot in the name of **M/s. Asian Builders & Developers**. The said **Tripartite Agreement** dated **22/02/2021** is duly registered on **22/02/2021** vide **Registration Receipt No. 3818 & Document Sr. No. PVL2-3226-2021**.


ix) After registration of **Tripartite Agreement** dated **22/02/2021** CIDCO Ltd. finally transferred the Said Plot in the name of **M/s. Asian Builders & Developers** and such final **Letter**





Ref. No. CIDCO / VASAHAT / SATYO / KAMOTHE / 10 / 2021 / 8949 dated 23/03/2021 is issued by the CIDCO Ltd. to M/s. Asian Builders & Developers.

- x) The M/s. Asian Builders & Developers has submitted their plans for the construction of a **Residential** building on the said plot and subsequently the Panvel Municipal Corporation has issued **Commencement Certificate** on 02/09/2022 vide their letter bearing Ref. No. PMC/ TP/ Kamothe/ 35/ 46/ 21-22/ 16352/ 2269/ 2022 for commencing construction on the said plot as per the plans and specifications approved by the Town Planning Authorities.
- xi) By virtue of above Documents the Developer M/s. Asian Builders & Developers a registered Partnership Firm is duly entitle to develop the Said Plot & also entitle to sale the flats.
- 3) Any other relevant title : Nil
- 4) Litigation if any : Nil

  
Sachin S. Tambat  
Advocat

