



• **Advocate High Court** •

Office 212, 2nd Floor, Prabhat Centre Annexe Building, Sector-1A, CBD Belapur, Navi Mumbai - 400 614.

Contact : 9987075575 | Email : adv.kavita.more@gmail.com

FORMAT -A
(Circular No. 28/2021)

To,

Maha RERA HQ,
Housefin Bhavan,
Plot No. C-21, E-Block,
Bandra Kurla Complex,
Bandra (East), Mumbai-400051.

LEGAL TITLE REPORT

- I] **SUBJECT** :- Title Clearance Report with respect of **Plot No. 35,** admeasuring area of **649.89 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai- 410 210.** (Hereinafter referred to as "the said Plot")

I have investigated the title of the said **Plot No. 35,** admeasuring area of **649.89 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai** on the request of which is develop by the M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha, having its office at C-6/6/2:1, Sector No.6,C.B.D. Belapur, Navi Mumbai 400 614 and following documents i.e. :-



Kavita More

1) DESCRIPTION OF THE PROPERTY:-

Plot No. 35, admeasuring area of 649.89 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai, Navi Mumbai.

2) THE DOCUMENTS OF ALLOTMENT OF PLOT :-

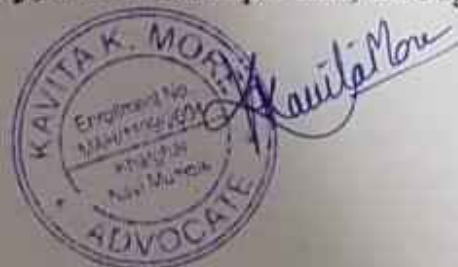
1. Intend Letter Ref. No. CIDCO/ Lands/Satyo/Kharghar-Owe/ 2006/490, dated 4th October 2006 through File No. 589 issued by the Corporation to Late Mahamad Esmail Mahamad Sadiq Patel.
2. Allotment Letter No CIDCO/ Lands/Satyo/Kharghar/ 589/2010, issued by the Corporation to Late Mahamad Esmail Mahamad Sadiq Patel through its legal heirs, 1) Smt. Ayeshabi Abdul Hamid Patel, 2) Smt. Rabusab Husainmiya Patel, 3) Smt. Khatunbibi Husainmiya Patel, 4) Smt. Mariambibi Husainmiya Patel, 5) Smt. Khatunbibi Mahammad Esmail Patel, 6) Smt. Sharbanu Mahammad Faruk Patel, 7) Mr. Mahammad Amin Mahammad Ibrahim Patel, 8) Mr. Mahammad Yasim Mahammad Ibrahim Patel, 9) Smt. Zubeda Abul Rehman Patel, 10) Smt. Hajira Yasim Patel, 11) Mr. Mahammad Noor Mahammad Ibrahim Patel, 12) Smt. Fatima Avesh Paloba, 13) Smt. Aasiya Mahammad Ali Divan, 14) Smt. Siddiqa Aabid Paloba, 15) Mr. Mahammad Aabaas Mahammad Ibrahim Patel, 16) Mr. Mahamad Zuber Mahamad Ibrahim Patel, 17) Smt. Zora Nasir Patel & 18) Smt. Sumati Summaya Zuber Patel, allotting to them Plot No. 35, admeasuring area of 649.89 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai.



3. Heirship Certificate dated 3-4-2007 on Civil M.A. No. 262/2005 granted by the court of the II ND JT. CIVIL JUDGE, J.D., Panvel.
4. Release Deed dated 17-04-2010 executed between 1) Smt. Ayeshabi Abdul Hamid Patel, 2) Smt. Rabusab Husainmiya Patel, 3) Smt. Khatunbibi Husainmiya Patel, 4) Smt. Mariambibi Husainmiya Patel, 5) Smt. Khatunbibi Mahammad Esmail Patel, 6) Smt. Sharbanu Mahammad Faruk Patel, 7) Mr. Mahammad Amin Mahammad Ibrahim Patel, 8) Mr. Mahammad Yasim Mahammad Ibrahim Patel, 9) Smt. Zubeda Abul Rehman Patel, 10) Smt. Hajira Yasim Patel, 11) Mr. Mahammad Noor Mahammad Ibrahim Patel, 12) Smt. Fatima Avesh Paloba, 13) Smt. Aasiya Mahammad Ali Divan, 14) Smt. Siddiqa Aabid Paloba, 15) Mr. Mahammad Aabaas Mahammad Ibrahim Patel, 16) Smt. Zora Nasir Patel & 17) Smt. Sumati Summaya Zuber Patel and Mr. Mahamad Zuber Mahamad Ibrahim Patel, duly stamped and registered. [Reg. No. PVL1-4886-2010]
5. Agreement to Lease executed on 24th January 2010 between the CIDCO and Mr. Mahamad Zuber Mahamad Ibrahim Patel, duly stamped and registered. [Reg. No. PVL3-0651-2010]
6. Tripartite Agreement executed on 5th October 2010 made between CIDCO and Mr. Mahammad Zuber Mahammad Ibrahim Patel and M/s. Sai Kripa Associates, a Partnership Firm, through its partners, duly stamped and registered. [Reg. No. PVL2-3834-2010].



7. CIDCO Ltd. vide its letter bearing No. CIDCO/ Estate / Satyo / Kharghar/ 589/2010 dated 11-10-2010, transferred the said Plot of Land in favour of the said the New Licensees i.e. M/s. Sai Kripa Associates, a Partnership Firm.
8. Tripartite Agreement executed on 06th February 2020 made between CIDCO and M/s. Sai Kripa Associates, a Partnership Firm, through its partners 1) Manoharlal Nembhwani, 2) Vishnu Dharamdas Nembhwani & 3) Murali Dharamdas Nembhwani, and M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha, duly stamped and registered. [Reg. No. PVL2-1772-2020]
9. Letter No. CIDCO/ESTATE/SATYO/Kharghar/589/2020/7686 dated 11-03-2020 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha.
10. NOC Letter from CIDCO on dated 03-01-2020, Ref. No. CIDCO/ESTATE/SATYO/Kharghar/2020/589/7212 to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha.
11. NOC for availing Additional FSI Letter No. CIDCO/MTS-II/ Kharghar/589/2022/1699 dated 28-01-2022 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners,



- 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi
3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha.

12. Assessment Order for Development Charges & other Charges No. 2022/9314 vide its letter Ref. No. CIDCO/BP-17701/ TPO(NM)/ 2020/9466 dated 16-06-2022 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, Mr. Rahulkumar Parbat Patel & 3 others.
13. Sanction of Building Permission and Commencement Certificate vide its letter Ref. No. CIDCO/BP-17701/ TPO(NM)/ 2020/9466 dated 16-06-2022 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, Mr. Rahulkumar Parbat Patel & 3 others for Development permission for Residential Building on Plot No. 35, at Sector 34B, Kharghar Node (12.5% Scheme), Taluka Panvel, District Raigad, Navi Mumbai.
14. CIDCO's Amended Commencement Certificate Ref. No. CIDCO/BP-17701/ TPO(NM)/ 2020/9466 dated 16-06-2022 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, Mr. Rahulkumar Parbat Patel & 3 others to develop the Residential [Resi+Comm] + Mercantile / Business (Commercial) [Resi+Comm] for construction of a building in 1 Ground floor + 5 Floor Net Built up Area [Residential] = 1275.23 Mercantile / Business (Commercial) = 164.55 Sq.M., Total BUA= 1439.780 square meters. Total Number of Residential Units:- 28, Mercantile / Business (Commercial) Units :-9.



2) 7/12 EXTRACT OR PROPERTY CARD:- NA

3) SEARCH REPORT:- (13 years from 2010 to 2022), I have caused Mr. Vijay Kalantre to take Search of the above plot for 13 years from 2010 to 2022 in the offices of the Sub Registrar of Assurances, located in the Panvel 1,2,3,4 & 5 and have issued separately our Search Report. Search Report and Search fee receipt is separately attached.

II] On perusal of the above mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha is clear, marketable and without any encumbrances.

Owners of the Land/Plot:

As mentioned above M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha are the leasee of the Plot No. 35, admeasuring area of 650 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai.

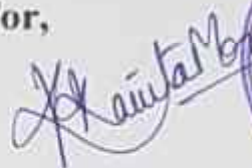


III] The report reflecting of the flow of the title of the M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha on the said land is enclosed herewith as annexure.

Encl: Annexure

Date: 22nd June 2022

For,



**Mrs. Kavita K. More
(Advocate, High Court)**



• **Advocate High Court** •

Office 212, 2nd Floor, Prabhat Centre Annexe Building, Sector-1A, CBD Belapur, Navi Mumbai - 400 614.

Contact : 9987075575 | Email : adv.kavita.more@gmail.com

FORMAT -A
(Circular No. 28/2021)

FLOW OF THE TITLE OF THE SAID LAND/PLOT

I. 7/12 EXTRACT / PR CARD :- NA

LEASEHOLD LAND:- State Govt. has acquired the lands held privately in the township of Navi Mumbai under the provisions of the Land Acquisition Act and thus, upon acquisition of such lands, such lands stand vested free of all encumbrances. The State Govt. has further vested such lands into the Corporation for disposal and hence, the land in question is free from all encumbrances. Since the lands are acquired to setting up new town of Navi Mumbai, no separate N. A. permission is required.

II. MUTATION ENTRY:- NA

III. SEARCH REPORT:- I have caused Mr. Vijay Kalantre to take Search of the above plot for 12 years from 2010 to 2022 in the offices of the Sub Registrar of Assurances, located in the Panvel 1,2,3,4 & 5 and have issued separately our Search Report. Search Report and Search fee receipt is separately attached.



IV. MY OBSERVATION:

1. The City and Industrial Development Corporation of Maharashtra Limited (hereinafter referred to as "the CIDCO") is Govt. Company wholly owned by the State Govt. incorporated under the Companies Act, 1956 (1 of 1956) having its Registered office at " Nirmal ", 2nd floor, Nariman Point, Mumbai, 400 021 and is also New Town Development Authority declared for the area designated as a site of the new town of Navi Mumbai by the State Govt. in exercise of its powers under Sub-sections (1) and (3-A) of Section 113 of the Maharashtra Regional and Town Planning Act, 1966. (hereinafter referred to as the "MRTP Act").
2. By its Intend Letter Ref. No. CIDCO/ Lands/Satyo/Kharghar-Owe/ 2006/490, dated 4th October 2006 through File No. 589 issued by the Corporation to Late Mahamad Esmail Mahamad Sadiq Patel, intend to allot Plot No. 35, admeasuring area of 649.89 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai.
3. By its Biometric system Allotment Letter the Corporation had allotted by its Allotment Letter No CIDCO/ Lands/Satyo/Kharghar/ 589/2010, issued by the Corporation to Late Mahamad Esmail Mahamad Sadiq Patel through its legal heirs, 1) Smt. Ayeshabi Abdul Hamid Patel, 2) Smt. Rabusab Husainmiya Patel, 3) Smt. Khatunbibi Husainmiya Patel, 4) Smt. Mariambibi Rabusab Husainmiya Patel, 5) Smt. Khatunbibi



Mahammad Esmail Patel, 6) Smt. Sharbanu Mohammad Faruk Patel, 7) Mr. Mohammad Amin Mahammad Ibrahim Patel, 8) Mr. Mahammad Yasim Mahammad Ibrahim Patel, 9) Smt. Zubeda Abdul Rehman Patel, 10) Smt. Hajira Yasim Patel, 11) Mr. Mahammad Noor Mahammad Ibrahim Patel, 12) Smt. Fatima Avesh Paloba, 13) Smt. Aasiya Mahammad Ali Divan, 14) Smt. Siddiqa Aabid Paloba, 15) Mr. Mahammad Aabaas Mahammad Ibrahim Patel, 16) Mr. Mahamad Zuber Mahamad Ibrahim Patel, 17) Smt. Zora Nasir Patel & 18) Smt. Sumati Summaya Zuber Patel, allotting Plot No. 35, admeasuring area of 649.89 square meters, being and lying at Sector 34B, Village Kharghar, Taluka Panvel, District Raigad, Navi Mumbai.

4. By the Release Deed dated 17-04-2010 executed by 1) Smt. Ayeshabi Abdul Hamid Patel, 2) Smt. Rabusab Husainmiya Patel, 3) Smt. Khatunbibi Husainmiya Patel, 4) Smt. Mariambibi Husainmiya Patel, 5) Smt. Khatunbibi Mahammad Esmail Patel, 6) Smt. Sharbanu Mahammad Faruk Patel, 7) Mr. Mohammad Amin Mahammad Ibrahim Patel, 8) Mr. Mahammad Yasim Mahammad Ibrahim Patel, 9) Smt. Zubeda Abul Rehman Patel, 10) Smt. Hajira Yasim Patel, 11) Mr. Mahammad Noor Mahammad Ibrahim Patel, 12) Smt. Fatima Avesh Paloba, 13) Smt. Aasiya Mahammad Ali Divan, 14) Smt. Siddiqa Aabid Paloba, 15) Mr. Mahammad Aabaas Mahammad Ibrahim Patel, 16) Smt. Zora Nasir Patel & 17) Smt. Sumati Summaya Zuber Patel in favour of Mr. Mahamad Zuber Mahamad Ibrahim Patel,



they are released their rights, interest & share in favour of Mr. Mahamad Zuber Mohamad Ibrahim Patel. The said Release Deed was registered under the registration Reg. No. PVL1-4886-2010 on dated 17-04-2010.

5. By an Agreement to Lease dated 24th June 2010 executed between the Corporation of the One Part and Shri Mahamad Zuber Mahamad Ibrahim Patel, of the Other Part (therein referred to as "the Original Licensee"), the Corporation agreed to grant lease of all that piece and parcel of land bearing Plot No. 35, admeasuring about 649.89 sq. mtrs., lying being and situated at Sector-34B, Kharghar, Taluka Panvel, District Raigad and more particularly described in Schedule I below (hereinafter referred to as "the said Plot ") to therein collectively referred to as the Original Licensee of the Other Part, which duly stamped as per the Bombay Stamped Act, 1958 and registered under the provisions of the Indian Registration Act, 1908, under document registration No PVL-3-06251/2010 on 24-06-2010 in the office of the Assistant Sub Registrar of Assurances, Panvel 3, the Corporation had agreed to grant to him a lease of the said land upon performance and observance by them of the obligations contained in the said Agreement to Lease and granted them permission or license to enter upon the said land for the purpose of constructing a building.
6. Thereafter, by a Tripartite Agreement dated 5th October 2010 entered between the Corporation of the One Part, Shri Mahamad



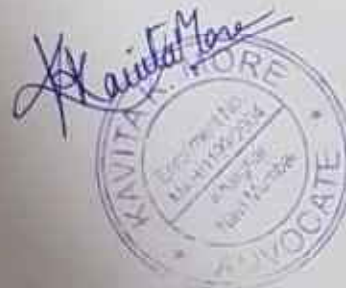
Zuber Mahamad Ibrahim Patel, the Original Licensee of the Second Part and M/S. Saikripa Associates, through its partners 1) Manoharlal Nembhwani, 2) Vishnu Dharamdas Nembhwani & 3) Murali Dharamdas Nembhwani, of the Third Part (therein referred as "the New Licensee"), duly registered with the Sub-Registrar of Assurances PVL, under Serial No. PVL2-9894/2010 & Receipt No. 10314, the Corporation granted permission to the Original Licensee to transfer and assign all his right title and interest in the said Plot No.35 to the New Licensee for the consideration and upon the terms and conditions contained therein.

7. By its letter No CIDCO/ LANDS/SATYO/ Kharghar/ 589/2010 dated 11-10-2010, the Corporation has transferred in its record the said land in the name of the M/S. Saikripa Associates, a Partnership firm, herein.
8. Thereafter by another Tripartite Agreement dated 6th February 2020 entered between the Corporation of the One Part, M/S. Saikripa Associates, through its partners, 1) Manoharlal Nembhwani, 2) Vishnu Dharamdas Nembhwani & 3) Murali Dharamdas Nembhwani, as the New Licensee of the Second Part and M/S. Aavishkaar Realty, a Partnership Firm registered under the Indian Partnership Act 1932, through its Partners 1] Mr. Rahulkumar Parbat Patel, 2] Mr. Prabhu Harkha Gandhi, 3] Mr. Mahesh Samji Choudhari & 4] Mr. Deepak Hiralal Sandha, as & of the Third Part (therein referred to as "the Subsequent New



Licensee"), duly registered with the Sub-Registrar of Assurances PVL-3, under Serial No. PVL2-1772/2020, bearing Receipt No. 2107 dated 6th February 2020, the Corporation granted permission to the New Licensee to transfer and assign all their right title and interest in the said Plot No. 35 to the Subsequent New Licensee for the consideration and upon the terms and conditions contained therein.

9. The Corporation by its Final Order dated 11-03-2020 bearing Ref. No. CIDCO/ESTATE/ SATYO/ Kharghar/ 589 /2020 / 7686 have confirmed that, the said Plot No. 35 has been transferred in the name of Present Licensee and having possession of the same.
10. The Corporation by its Commencement Certificate dated 04th December 2020 bearing No. CIDCO/BP-17701/ TPO (NM & K)/ 2020/7860 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha granted its permission to commence the construction on the said Plot Premises subject to the terms and conditions as contained therein.
11. The said Commencement Certificate is issued subject to condition mentioned in the NOC for availing Additional FSI Letter No. CIDCO/MTS-II/ Kharghar/589/2022/1699 dated 28-01-2022 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, 1) Mr. Rahulkumar



Parbat Patel, 2) Mr. Prabhu Harkha Gandhi 3) Mr. Mahesh Samji Choudhari and 4) Mr. Deepak Hiralal Sandha.

12. By the CIDCO's Amended Commencement Certificate Ref. No. CIDCO/BP-17701/ TPO(NM)/ 2020/9466 dated 16-06-2022 issued by CIDCO to M/s. Aavishkaar Realty, a Partnership Firm, through its partners, Mr. Rahulkumar Parbat Patel & 3 others to develop the Residential [Resi+Comm] + Mercantile / Business (Commercial) [Resi+Comm] for construction of a building in 1 Ground floor + 5 Floor Net Built up Area [Residential] = 1275.23 Mercantile / Business (Commercial) = 164.55 Sq.M., Total BUA= 1439.780 square meters. Total Number of Residential Units:- 28, Mercantile / Business (Commercial) Units :- 9.

13. By virtue of provisions contained in the said Agreement to Lease & Tripartite Agreements, the Developers is entitled to erect the building on the said plot and, with the permission of CIDCO, sell flats to his intending buyers and thereafter form and register a Co-operative Housing Society or any other legal entity of such buyers of flats. The Developers is entitled, with the previous permission of the Corporation, to transfer and assign to such Co-operative Housing Society or any other legal entity his rights, interest in the benefit under the said Agreement to Lease or his leasehold rights if acquired from the Corporation in respect of the said land and building erected thereon upon getting lease deed after obtaining occupancy certificate.



14. The Developers has given inspection to the Purchaser/s of the said Agreement to Lease and Tripartite Agreement recited herein before, building plans and designs, specifications, etc. sanctioned by the Corporation as required under the provisions of Maharashtra Ownership Flat (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963, and the Rules framed there-under read with the Real Estate (Regulation and Development) Act 2016 i.e. RERA and the Rules made there-under.

15. The title of the said plot is clear, marketable and free from encumbrances.

Encl: Annexure

Date: 22nd June 2022

For,



Mrs. Kavita K. More
(Advocate, High Court)