



P. Hari

B. Com., (HONS), L.L.B. PGD-HRD., BM., IMP-EX
ADVOCATE, HIGH COURT

"LEGAL POINT"
- Enduring Legal Expertise -

FORMAT - A

To,
MahaRERA.

LEGAL TITLE REPORT

Sub : Title Clearance Certificate in respect of all that pieces and parcels of land or ground bearing **Survey No. 70C, Hissa No. 2**, [originally Survey No. 70, Hissa No. 6], admeasuring 1,520 sq. mtrs., of Revenue Village – Chulne, Taluka – Vasai, District – Palghar, now falling within the local limits of Vasai Virar City Municipal Corporation.

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As per the instructions of Nutan Construction Co., having address at 1/1, Akash Ganga, Devchand Nagar, Station Road Bhayandar (West), District – Thane 401 101, I have investigated the title of the abovesaid property, based on the documents described hereunder:-

Description of property:-

All that pieces and parcels of land or ground bearing **Survey No. 70C, Hissa No. 2**, admeasuring 1,520 sq. mtrs., of Revenue Village – Chulne, Taluka – Vasai, District – Palghar, now falling within the local limits of Vasai Virar City Municipal Corporation.

a) **The document pertaining to the title of the abovesaid property:-**

- i) Duly registered Deed of Conveyance dated 7th October 2003 made and executed by Mr. Marian Paul Luna & Others in favour of Nutan Construction Co. and one Geeta Construction Co.
- ii) Duly registered Deed of Conveyance dated 31st March 2016

made and executed by Geeta Construction Co. in favour of (1) Valerian Lawerance Dias & (2) Shaila Joseph Lobo, the partners of Homage Developers.

- iii) Agreement dated 7th January 2014, made and executed by and between Nutan Construction Co. and the partners of Homage Developers, inter-alia, confirming and recording that land bearing Survey No. 70, Hissa No. 6 [now Survey No.70C, Hissa No. 2], admeasuring 1,520 sq. mtrs., belongs to and owned by the said Nutan Construction Co.
- b) 7/12 Extract issued by Talathi, Village – Chulne.
- c) Title Certificate dated 12th October 2021 issued by Adv. P. Hari and Search Report dated 19th October 2021
- d) Name in the 7/12 Extracts : (1) Nutan Construction Co., (2) Valerian Lawerance Dias & (3) Shaila Joseph Lobo, i.e. the partners of Homage Developers.

On the perusal of the abovementioned documents and all other relevant documents relating to the title of the abovesaid property, I am of the opinion that the title in respect of the abovesaid property, are clear and marketable and without any encumbrances.

Owners of Properties Hereinabove, As Per 7/12 Extracts:-

- (1) Nutan Construction Co.,
- (2) Valerian Lawerance Dias,
- (3) Shaila Joseph Lobo.

Bhayandar,
20th October 2021

Encl.:-

- 1) Copy of Title Certificate dated 12th October 2021.
- 2) 7/12 Extracts.
- 3) Search Report.


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FLOW OF THE TITLE OF THE SAID LAND

- 1) Deed of Conveyance dated 7th October 2003.
- 2) Deed of Conveyance dated 31st March 2016.
- 3) Agreement dated 7th January 2014.
- 4) 7/12 Extracts as on the date of application for registration.
- 5) Search for 30 years i.e. from 1st January 1991 to 30th September 2021.


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Certificate of Title

I am instructed by one **Nutan Construction Co.**, a partnership firm, duly constituted under the provisions of The Indian Partnership Act 1932, having its place of business at 1/1, Akash Ganga, Devchand Nagar, Station Road, Bhayandar (West), District – Thane 401 101, to give my report on title in respect of the landed property, which is described hereunder:-

- 1) Originally by and vide a Sale Deed dated 7th July 1986 made and executed by one Mr. Brazil Pascol Fernath & others in favour of one Mr. Marian Paul Luna & 4 others, the said Mr. Marian Paul Luna & 4 others were absolutely seized and possessed of and/or otherwise well and sufficiently entitled to lands bearing details as under:-

Sr. No.	Old Survey No.	Hissa No.	Area [Sq. Mtrs.]
1.	70	2	300
2.	70	6	1540
3.	70	8	610
4.	70	10	1,090
5.	70	11	1,290
6.	70	12	230
		Total →	5,060

all situate at, lying and being at Revenue Village – Chulne, Taluka – Vasai, District – Palghar, which are currently falling within the local limits of Vasai Virar City Municipal Corporation, hereinafter referred to as **"The said Larger Original Land"**.

- 2) By and vide an Agreement dated 21st August 1987 and lodged for registration, the abovesaid Mr. Marian Paul Luna & Others had agreed to sell, transfer, assign and convey the said Larger Original Land in

favour of the abovesaid Nutan Construction Co. and one Geeta Construction Co., a partnership firm, at and on the terms and conditions and for consideration which are more particularly described in the said Agreement dated 21st August 1987.

- 3) Subsequently, the abovesaid Mr. Marian Paul Luna & 4 others, by and vide duly registered Deed of Conveyance dated 7th October 2003 [Regn. No. Vasai-1-5510-2003], have conveyed the said Larger Original Land in favour of the abovesaid Nutan Construction Co. and the Geeta Construction Co.
- 4) In the premises, as aforesaid, the abovesaid Nutan Construction Co. and the Geeta Construction Co., become the joint owners of the said Larger Original Land, having 50% undivided share and rights each.
- 5) By and vide a duly registered Deed of Conveyance dated 31st March 2016 [Regn. No. VASAI-6-2902-2016], the said Geeta Construction Co., has sold, transferred, assigned and conveyed its 50% undivided share and rights in the said Larger Original Land in favour of (1) Valerian Lawerance Dias & (2) Shaila Joseph Lobo, the partners of Homage Developers, for valid consideration.
- 6) Subsequently, save and except the land at Sr. No. 1 in para No. 1, the survey numbers in respect of the remaining 5 nos. pieces of lands are allotted new survey numbers and hissa numbers.
- 7) By and vide a duly registered Agreement dated 5th March 2020 [Vasai-2-3488-2020], the abovesaid Nutan Construction Co. and the partners





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-3-

of the said Homage Developers have handed over the below mentioned portions of the said Larger Original Land falling under D.P. Road in favour of Vasai Virar City Municipal Corporation ["VCCMC"], as per the sanctioned development plan of VCCMC.

Sr. No.	Survey No.	Hissa No.	Area [Sq. Mtrs.]
1.	70C	1	80
2.	70C	3	1,620
3.	70C	4	300
		Total →	2,000

- 8) The remaining portions of the said Larger Original Land admeasuring 3,060 sq. mtrs., hereinafter collectively referred to as **"The said Entire Land"**.
- 9) By and vide an agreement dated 7th January 2014, the abovesaid Nutan Construction Co. and the partners of Homage Developers have mutually agreed to apportion the said Entire Land, in the manner as described hereunder:-

Sr. No.	Survey No.	Hissa No.	Area As Per Agreement [Sq. Mtrs.]	Area As Per 7/12 Extract [Sq. Mtrs.]	Party
1.	70	2	300	300	Homage Developers
2.	70C	5	1,238	1,240	-do-
3.	70C	2	1,524.81	1,520	Nutan Construction Co.
		Total →	3,062.81	3,060	

- 10) Accordingly, the abovesaid Nutan Construction Co. become entitled to

an area of 1,520 sq. mtrs., of land bearing Survey No. 70C [New], Hissa No. 2, more particularly described in the **Schedule** written hereunder, hereinafter referred to as **"The Said Land"**.

- 11) A portion of the Said Land admeasuring 79.32 sq. mtrs. is encroached upon and remaining areas admeasuring 1,440.68 sq. mtrs. is hereinafter referred to as **"Net/Remainder Land"**.
- 12) After obtaining all necessary requisite and necessary permission, the abovesaid Nutan Construction Co., has constructed a building on a portion admeasuring 308.01 sq. mtrs., out of the Remainder Land, which is known as **"Ganesh Residency"**, hereinafter referred to as **"The Said Building"**.
- 13) The abovesaid Nutan Construction Co. has sold the entire premises of the Said Building except the commercial premises on 1st Floor, in favour of prospective purchasers and upon obtaining of Occupation Certificate, the premises of the Said Building is occupied and the co-operative housing society is already formed and registered.
- 14) A search of the Said Land is caused to be carried out and during such search, save and except the abovesaid entries and the entries pertaining to the sale of the premises of the Said Building, no other transaction in respect of the Said Land is detected, disclosed or revealed.
- 15) Upon the perusal of the aforesaid writings and also based on the report of search carried out, in my opinion, subject to the claim of the





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- Enduring Legal Expertise -

-5-

-5-

purchasers/owners of the premises of the Said Building, the title of the Remainder Land is clear and marketable and free from all encumbrances of whatsoever nature.

THE SCHEDULE HEREINABOVE REFERRED TO

ALL THAT PIECES AND PARCELS of land or ground bearing **Survey No. 70C, Hissa No. 2**, admeasuring 1,520 sq. mtrs., of Revenue Village -- Chulne, Taluka -- Vasai, District -- Palghar, now falling within the local limits of Vasai Virar City Municipal Corporation.

P. Hari

(Advocate, High Court, Bombay)

Bhayandar,

20th October 2021.

