

SUMANT B. DESAI

B.A.(Hons.), LL.B.

ADVOCATE, HIGH COURT

Residence:

302, Vasudev Appt. Coop Hsg. Socy. Ltd.,
(Sevashram), Liberty Garden Road No.1,
Malad (West), Mumbai 400064.

Tel. (R) 2888 0446 Mob: 098207 16157

FORMAT – A

(CIRCULAR NO. 28/2021)

To,

MAHARERA

Mumbai.

LEGAL TITLE CERTIFICATE

Sub: Title clearance certificate with respect to Leasehold Plot bearing No. 36 of Sewree Wadala North Estate and bearing Cadastral Survey No. 594 of Matunga Division admeasuring 559.37 sq. meters or thereabouts situate at Manikrao Lotlikar Marg, Matunga (East), Mumbai 400019, Taluka: Mumbai, District: Mumbai (hereinafter referred to as THE SAID LEASE PLOT)

I have investigated through Search Clerk the Title of the said Lease Plot on the request of M/s Alliance City Developers Realtors Pvt. Ltd. (Developer) and the following documents i.e.

1) Description of the Property:

Lease hold plot no. 36 of Sewree Wadala North Estate and bearing Cadastral Survey No. 594 of Matunga Division, situate at Manikrao Lotlikar Marg, Matunga (East), Mumbai 400019, Taluka: Mumbai, District: of Mumbai City.

2) The Documents of Allotment of Leasehold Plot:

Agreement to Lease dated 18th April, 1941 by the then Municipal Corporation for the City in favour of Jal Perozshaw Daruwala (Not traceable)

Indenture of Lease dated 14th May, 1949 registered with the Sub-Registrar of Bombay under Serial No. BOM/3380/1/14 OF 1949 executed between Boman Jal Daruwala and other Trustees under

WILL dated 11th January, 1946 (therein referred to as Assignors) and Shantilal Hemchand Sanghvi (therein called the Assignee.)

Hardship Certificate dated 22nd May, 2002 by the Court of Civil Judge, Senior Division at Morbi.

Gift Deed dated 29th April, 2017 registered with the Joint Sub-Registrar, Mumbai City III under Serial No. BBE 2573 of 2017. Development Agreement dated 12th November, 2021 registered with the Joint Sub-Registrar, Mumbai City-3 under Serial No. BBE-1-9205/2021

- 3) Separate Property Card not available for which Application with AO Lease (Estate), F/N Ward, M.C.G.M. is made.
- 4) Search Report dated 27/11/2021.

On perusal of the above-mentioned documents and all other relevant documents relating to the Title of the said property, I am of the opinion that subject to the correctness of execution of Lease Agreement dated 18th April, 1941 (which is not traceable) and subject to Deed of Declaration of Trust dated 25th November, 1947 which is not traceable and subject to the non-availability of separate Property Card which is not produced before me, I am of the opinion that the Title of i) Himanshu Rajnikant Sanghvi; and ii) Bhavesh Rajnikant Sanghvi to the said Lease-hold Property is clear, marketable and without any encumbrances.

The holder of the Lease-hold plot bearing no. 36 of Sewree Wadala North Estate and bearing Cadastral Survey No. 594 of Matunga Division

Qualifying Comment: Subject to the correctness of Lease Agreement dated 18th April, 1941 which is not traceable and not produced and subject to the Deed of Declaration of Trust dated 25th November, 1947 which is not traceable and not produced for my perusal and subject to the non-availability of separate Property Card, which is not produced before me, I am of the opinion that the title of 1) Himanshu Rajnikant Sanghvi and 3) Mr. Bhavesh Rajnikant Sanghvi to the said Lease-hold plot is clear, marketable and without any encumbrance.

The Report reflecting the flow of the Title of: 2) Himanshu Rajnikant Sanghvi; and 2) Bhavesh Rajnikant Sanghvi of the said lease-hold plot is enclosed herewith as Annexure.

Encl: Annexure

Dated 7th March, 2022


(SUMANT B. DESAI)
ADVOCATE

FORMAT – A

(CIRCULAR NO. 28/2021)

FLOW OF THE TITLE OF THE SAID LEASEHOLD PLOT

Sr.No.

1. Property Card not available
2. Hardship Certificate dated 22nd May, 2002 issued by the Court of Civil Judge, Senior Division at Morbi
3. Gift Deed dated 29th April, 2012
4. Agreement to Lease dated 18th April, 1941 not traceable
5. Indenture of Lease dated 14th May, 1949
6. Mutation Entry not available
7. Search Report dated 27/11/2021 for 41 years from 1981 to 2021 at Sub-Registrar Assurance Mumbai City, Old Custom House and Mumbai (I to v) Search from 1981 to 2021 (41 years)
8. Any other relevant Title (No)
9. Litigation, if any (No)

Date: 07/03/2022



(SUMANT B. DESAI)
ADVOCATE

