

Prashant G. Kadam

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ADVOCATE

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R.P.A.D./UCP / By Hand

Date 04.02.2015²⁰

To,
M/S. SONALI DEVELOPERS,
403, Shivneri Building,
Opp. Gaodevi Maidan,
Naupada, Thane -400 602.

Sir,

TITLE CLEARANCE CERTIFICATE

Reg: - Investigation of Title in respect of the all that pieces and parcels of the land bearing Survey No. 75 Hissa No. 5, situated at - Village Naupada, Thane, Taluka & District Thane, Registration District and Sub-District Thane and within the limits of Thane Municipal Corporation and bearing corresponding City Survey numbers as detailed below:-

Sr. No.	City Survey No.	Area
1.	104	34.6 sq. mtrs.
2.	105	34.6 sq. mtrs.
3.	106	32.0 sq. mtrs.
4.	107	18.4 sq. mtrs.
5.	108	833.5 sq. mtrs.
Total		953.1 sq. mtrs.

I have perused copies of the following documents submitted by you :-

1. Registered Supplementary Agreement dated 10.12.2014 executed between Shri. Moreshwar Nathuram Raut & others and M/s. Sonali Developers.
2. Power of attorney dated 10.12.2014 executed by Shri. Moreshwar Nathuram Raut & others in favour of M/s. Sonali Developers.
3. Registered Development Agreement dated 16th July 2011 executed between Shri. Moreshwar Nathuram Raut & others and M/s. Sonali Developers.
4. Agreement dated 20.12.2011 executed between M/s. Sonali Developers and Shri. Pritam Vasant Thakur and Smt. Snehalata Vasant Thakur.
5. Property Card extract in respect of subject land.
6. Village form No. 6 in respect of subject land.

7. Search report dated 03.12.2012 of Shri. Sandesh Kante.
8. Order dated 01.01.2014 issued by the Collector, Thane.

On perusal of the above referred document it is observed that :

- A) Originally one Vithabai Nathuram Raut (Since deceased) was the absolute owner and fully seized and possessed of and otherwise well and sufficiently entitled to the land bearing Survey No. 75 Hissa No. 5, situated at - Village Naupada, Thane, Taluka & District Thane, Registration District and Sub-District Thane and within the limits of Thane Municipal Corporation and now bearing corresponding City Survey numbers 104, 105, 106, 107 and 108 (the abovesaid pieces and parcels of the land are hereinafter jointly referred to as the Said Land).
- B) It appears from the documents that the said Vithabai Nathuram Raut died intestate on 31.01.1983 leaving behind her only son Shri. Moreshwar Nathuram Raut as her only legal heir and representative. The name of Shri. Moreshwar Nathuram Raut was recorded as owner of the said Land in the record of rights vide Mutation Entry No. 3080.
- C) The documents reveal that the structures standing on said land is occupied by Shri. Moreshwar Nathuram Raut and his family members, their tenants and Shri. Pritam Vasant Thakur & Smt. Snehalata Vasant Thakur.
- D) By a Development Agreement dated 16th July 2011 executed between (1) Shri. Moreshwar Nathuram Raut, (2)(a) Shri. Sharad Moreshwar Raut, (b) Smt. Rohini Sharad Raut, (c) Shri. Anup Sharad Raut, (d) Mrs. Swapnali Samit Rumde, (3)(a) Shri. Pramod Moreshwar Raut, (b) Smt. Sharada Pramod Raut, (c) Shri. Amit Pramod Raut, (d) Shri. Sumit Pramod Raut, (4)(a) Shri. Dipak Moreshwar Raut, (b) Smt. Rajani Dipak Raut, (c) Shri. Siddhesh Dipak Raut, (d) Ms. Ankita Dipak Raut, (5)(a) Smt. Shobha Hemant Raut (b) Ms. Sonali Hemant Raut (c) Smt. ashwini Hemant Raut and (6) Smt. Kishori Vilas Chaudhary therein referred to as the "Owners" of one part and M/s. Sonali Developers, a Proprietary concern of Mrs. Bhavana Chandrakant Chheda, therein referred to as the 'Developer' of the other part, the said Shri. Moreshwar Nathuram Raut and other have agreed to grant, transfer and assign all the rights of development of the said Land unto and in favour of M/s. Sonali Developers, for the consideration and upon the terms and conditions more particularly stated therein. The

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Development Agreement dated 16th July 2011 is lodged for registration with the Sub-Registrar, Thane-5 on 18.07.2011 under document No. 6808/2011.

E) Shri. Moreshwar Nathuram Raut and others have also executed an irrevocable Power of Attorney dated 16th July 2011 duly authenticated and registered at Sr. No. 599/2011 in the office of Sub-Registrar Thane in favour of Mrs. Bhavana Chandrakant Chheda, Proprietor of M/s. Sonali Developers, and thereby constituted and appointed Mrs. Bhavana Chandrakant Chheda, the Proprietor of the M/s. Sonali Developers as their attorney to deal with and develop the said land.

F) By an Agreement dated 20.12.2011, executed between M/s. Sonali Developers, a Proprietary concern of Mrs. Bhavana Chandrakant Chheda, therein referred to as the 'Developer' of the one part and Shri. Pritam Vasant Thakur and Smt. Snehalata Vasant Thakur, therein jointly referred to as the 'Occupants' of the other part, the said Shri. Pritam Vasant Thakur and Smt. Snehalata Vasant Thakur have agreed to surrender their entire rights and handover possession of the structure known as 'Thakur House' to M/s. Sonali Developers for development of the said land in consideration of which M/s. Sonali Developers have agreed to allot to Shri. Pritam Vasant Thakur and Smt. Snehalata Vasant Thakur a Flat adm. 600 sq. ft. carpet area on 4th floor of the new building to be constructed on the said land on the terms and conditions mentioned therein. However, the said Agreement dated 20.12.2011 is neither duly stamped nor registered with the appropriate office of the Sub-Registrar.

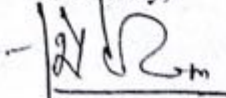
9. The documents reveal that the said Shri. Moreshwar Nathuram Raut and others through their Constituted attorney M/s. Sonali Developers, had made an appeal application to the City Survey Officer for rectification of the area of land bearing City Survey No. 108 and pursuant thereto the City Survey Officer conducted actual measurement of the land bearing City Survey No. 108 and found area of the land bearing City Survey No. 108 to be 833.5 sq. mtrs.. It appears from the documents that, the proposal sent by City Survey Officer for rectification in area of the land bearing City Survey No. 108 was approved by the District Superintendent Land Records, Thane under provisions of the Maharashtra Land Revenue Code, 1966. Thereafter, by an Order dated 01.01.2014 bearing No. N.Bhu.1/She.Du.S.R.230/2013 passed

by the Collector, Thane the area of the land bearing City Survey No. 108 was rectified and increased to 833.5 sq. mtrs..

10. Pursuant to the Order dated 01.01.2014, passed by the Collector of Thane, the property card in respect of City Survey No. 108 was rectified and corrected.
- G) That, a Supplementary Agreement dated 10.12.2014 was executed by and between Shri. Moreshwar Nathuram Raut & others and M/s. Sonali Developers, thereby confirming that in view of the Order dated 01.01.2014 passed by Collector of Thane, said M/s. Sonali Developers are entitled to develop the said land totally admeasuring 953.1 sq. mtrs.. The Supplementary Agreement dated 10.12.2014 was lodged for registration with the Sub-Registrar, Thane- 2 on 10.12.2014 under document No.TNN2-10133-2014. The said Shri. Moreshwar Nathuram Raut & others had also executed a General Power of Attorney dated 10.12.2014, which was duly authenticated and registered in the office of Sub-Registrar Thane- 2 at Sr. No. 10134/2014, in favour of Mrs. Bhavana Chandrakant Chheda, the Proprietor of M/s. Sonali Developers.

On scrutiny of the documents made available to me and on perusal of the Search Report as referred above and subject to whatever stated herein above, I am of the opinion that M/s. Sonali Developers have full right and authority to develop the captioned land by constructing buildings thereon as per the sanctioned plans and permissions granted by the Thane Municipal Corporation and subject to terms and conditions of the Development Agreement dated 16th July 2011, Agreement dated 20.12.2011 and Supplementary Agreement dated 10.12.2014. Further, save and except the flats and premises agreed to be allotted to the owners and Shri. Pritam Vasant Thakur & Smt. Snehalata Vasant Thakur and subject to rights of the tenants occupying their respective rooms from the structures standing on said land, M/s. Sonali Developers have the right and authority to sell the remaining flats/premises there from to any person on any terms and conditions that they may think fit.

Yours truly,



Advocate.