

KETAN A. CHOTHANI

B.Sc., LL.M.

*Advocate***CHAMBERS:****FOR CONSULTATION**

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RESIDENCE:**FOR CORRESPONDENCE**

802-A Madhukunj Apt.,
Opp. Ekta Bhoomi Garden,
Rajendra Nagar, Borivail (E),
Mumbai-400066

Mob: 9820199732

TITLE CERTIFICATE

Ref.: Land bearing Survey No. 276 (Part) Hissa No.7 (Part) bearing corresponding C.T.S. Nos.790, 790/1 to 790/5 totally admeasuring about 631 Sq. Mts. as per Property Register Card and 675 Sq. Mts. as per 7/12 Extract, situated at Village Dahisar, Taluka Borivali, Mumbai Suburban District, Rajaram Tawde Road, Dahisar (West), Mumbai-400068 and more particularly described in the Schedule of the property hereunder written.

THIS CERTIFICATE OF TITLE is issued in respect of property referred hereinabove and more particularly described in the schedule of the property hereunder written and hereinafter referred to as "the said Property" pursuant to the instructions and requests received for issuance of Certificate of Title from Mr. Nitin Vasudev Bhandarkar.

2. This Certificate of Title is issued after carefully going through and perusing the documents referred to hereinafter and/or based on representations made by the Client as contained and recorded hereafter.

3. It appears from the perusal of documents that one Narayan Govind Dangi by virtue of and in pursuance of a Deed Conveyance dated 30th March 1937 acquired the Property from its original owner one Shamrao Ganpatrao Pathare and thereafter constructed a building consisting of ground plus two upper floors called "Satya Niwas".

4. Upon demise of the said Narayan Govind Dangi on or about 5th March 1993, the right, title and ownership interest in the Property was succeeded by his wife Smt. Satyabhama Narayan Dangi, his son Shri Gajanan Narayan Dangi and his two daughters, viz. (i) Smt. Nirmala Sadgurunath Nadkarni and (ii) Smt. Sudha Gopal Zantye being his only legal heirs and next to kin in accordance with law by which he was governed at the time of his demise. Further upon demise of Satyabhama Narayn Dangi on 10th September 1996, the said son Shri Gajanan Narayan Dangi and two daughters Smt. Nirmala Sadgurunath Nadkarni Smt. Sudha Gopal Zantye succeeded to the said Property as the only legal heirs and next to kin. Upon demise of the said Shri. Gajanan Narayan Dangi on 12th October 2011 and his widow Kanti Gajanan Dangi subsequent in point of time i.e. on 29th March 014, his undivided right, title and interest was succeeded to by their son Shri. Govind Gajanan Dangi being the only legal heir.



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5. The said Smt. Nirmala Sadgurunath Nadkarni, Smt. Sudha Gopal Zantye and Shri. Govind Gajanan Dangi have sold, transferred and assigned their ownership right, title and interest unto and in favour of Shri. Nitin Vasudev Bhandarkar by virtue of and in pursuance of a Deed of Conveyance dated 11th September 2014 duly registered with the Sub-Registrar of Assurance, Borivali No.7, MSD under No.BRL-777405 of 2014 on 11th September 2014 and as such and since then Shri. Nitin Vasudev Bhandarkar is the owner and in use, occupation and possession of the Property as owner thereto.

6. The said Shri. Nitin Vasudev Bhandarkar as the Owner is developing the said Property and desirous of selling the flats/shops/units to prospective purchasers, by construing building under permission granted by the Municipal Corporation of Gr. Mumbai in the form of Intimation of Disapproval dated 7th May 2015 bearing No.CHE/WSII/0521/R2/337(NEW) of 2015-2016.

7. That search was got carried out by me through Mr. S. M. Patekar for the period 1955 to 2014 and for further period from 2014 upto 2016 and he has submitted two search reports dated 20th August 2014 in my name and 9th March 2016 addressed to "Prime Group" an LLP of Shri. Nitin Vasudev Bhandarkar. The search report dated 9th March 2016 discloses the Deed of Conveyance referred to hereto before. The search report dated 20th August 2014 discloses execution of an Agreement for Development dated 24th September 2014 by the above said three co-owners at the relevant time registered on 29th September 2014 under No.BDR-6/9521 of 2014 in favour of one M/s. Dattagiri Enterprises.

8. So far as the said Agreement for Development is concerned, it is pertinent to note that the original owners while selling the Property to Shri. Nitin Vasudev Bhandarkar in the Deed of Conveyance itself have disclosed and indicated that the said Agreement for Development is cancelled, revoked and terminated in the circumstances as more particularly recited in the Deed of Conveyance dated 11th September 2014. It is further represented and I am also aware that the said M/s. Dattagiri Enterprises has filed a suit belated against the said three original co-owners on 18th March 2015 i.e. after execution and registration of Deed of Conveyance dated 11th September 2014 bearing Suit No.1015 of 2015. The suit is filed without joining Shri. Nitin Vasudev Bhandarkar and/or without even challenging the Deed of Conveyance till date, though the said M/s. Dattagiri Enterprises has been appraised and put to notice about the Property having been purchased by Shri. Nitin Vasudev Bhandarkar and only further belatedly on 12th December 2015 the said M/s. Dattagiri Enterprises has only filed Chamber Summons bearing No.1139 of 2015 for joining Shri. Nitin Vasudev Bhandarkar, without still challenging the Deed of Conveyance and as such the said Deed of Conveyance is not subject matter of any litigation save and except mere filing and pendency of the above said Suit No.1015 of 2015.



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9. I had caused publication of public notices in English daily "Free Press Journal" and in Marathi daily "Nava Shakti" both dated 18th March 2016 inviting objections as more particularly mentioned in the said notices, before certifying title of Shri. Nitin Vasudev Bhandarkar. I have not received any objection of any nature.

10. In view of what is mentioned in the light of the facts stated hereinabove and based on the examination of documents and papers submitted to me, I am of the opinion that the said Shri. Nitin Vasudev Bhandarkar has clear and marketable title in respect of the Property described in the schedule hereunder written and the same is free from all encumbrances, which is however subject disclosure of the pendency of the above said Suit No.1015 of 2015, in which there is no preventive order and which however is not an impediment and/or encumbrance over the title of the said Property in the absence till date of any challenge to the Deed of Conveyance dated 11th September 2014 and/or ownership right, title and interest of Shri. Nitin Vasudev Bhandarkar.

SCHEDULE OF PROPERTIES REFERRED TO HEREINABOVE

All that piece or parcel of land bearing Survey No. 276 (Part) Hissa No.7 (Part) bearing corresponding C.T.S. Nos.790, 790/1 to 790/5 totally admeasuring about 631 Sq. Mts. as per Property Register Card and 675 Sq. Mts. as per 7/12 Extract, situated at Village Dahisar, Taluka Borivali, Mumbai Suburban District, Rajaram Tawde Road, Dahisar (West), Mumbai-400068 and bounded as follows:-

On or towards East by	CTS No.789 (Jaya-Smruti)
On or towards West by	Narayanrao Mhatre Road
On or towards South by	CTS No.791, Chamunda Vihar CHSL and CTS No.788, Dahisar Bhushan CHSL.
On or towards North by	Rajaram Tawade Road.

Dated this 7th day of April, 2016.


(KETAN A. CHOTHANI)
Advocate