

शैलेन्द्र द. जल्लावार

दी. कोर्ट, एलएस. दी.

अॅडवोकेट हायकोर्ट

१०५, विकास हाईटस्, संतोषीनाथ रोड, कल्याण (प.).

फोन : २३२२५२६, २३२७४४७

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SHALENDRA D. JALLAWAR

B.Com. LL.B.

Advocate High Court

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Date : 21.08.2017

To
M/s Mahaveer Infrastructure Pvt.Ltd.,
through its Director
Shri Rajesh Omprakash Gupta

Report on Title

Reg: All that portion of land admeasuring **1374.16 sq.metres** (Plot 3-A) comprised in all those pieces and parcels of land lying being and situate at village Kolivali, Taluka Kalyan, District Thane, within the limits of the Kalyan Dombivali Municipal Corporation bearing

Survey No.	Area (sq.mts)	Owners
30/1/8	1590	Ananta Songya Lokhande & others
35/1/1	900	Ananta Songya Lokhande & others
29/11	2400	Ananta Songya Lokhande & others
29/13	560	Ananta Songya Lokhande & others
29/12	30	Ananta Songya Lokhande & others
30/1/12/1	70	Mahaveer Infrastructure Pvt. Ltd.
35/1/2/1	230	Mahaveer Infrastructure Pvt. Ltd.
Total →	5780	

Read:

1. Extracts of 7/12
2. Relevant Mutation Entries
3. Agreement dated 25.06.2008 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No. 5395/2008, Shri Anant Songya Mhatre and Others and M/s. Mahaveer Infrastructure Private Limited read with Power of Attorney dated 25.06.2008 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No. 288 / 2008 on 25.06.2008 read with Deed of Correction dated 15.07.2010 registered at the office of Sub-Registrar of Assurances under serial No. 6756/2010
4. Agreement dated 14.08.2012 registered at and office of Sub-Registrar of Assurances at Kalyan under serial No. 7126/2012 between Shri Ananta Songya Lokhande and Others and M/s. Mahaveer Infrastructure Private Limited.
5. Permission under section 43 of the Bombay Tenancy and Agricultural Lands Act, 1948 bearing No. TD / T-6 / KV / Kalyan / VP / SR-222/2011 dated 28.11.2011
6. Confirmation deed and Supplementary agreement dated 31.12.2013 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No. 02 on 01.01.2014 read with Power of Attorney registered at office of Sub-Registrar of Assurances under serial No. 03 on 01.01.2014 made and executed Shri Ananta Songya Lokhande and Others in favour of Mahaveer Infrastructure Private Limited.

7. Indenture of Exchange dated 04.02.2015 registered at the office of Sub-Registrar of Assurances at Kalyan the registered office of Sub- Registrar of Assurances at Kalyan under serial No.955/2015 in respect of land bearing Survey No. 30/1/12/1 admeasuring 70 sq. metres and Survey No. 35/1/2/1 admeasuring 230 sq. metres made and executed between Shri Tajesh Prabhul Velani and Others on one part and M/s. Mahaveer Infrastructure on the Other part.
8. Indemnity Bond dated 05.06.2017 registered at the office of Sub- Registrar of Assurances at Kalyan under serial No. 5488/2017 in favour of Kalyan Dombivali Municipal Corporation in respect of land admeasuring 2253.50 sq. metres.
9. Building Commencement Certificate granted by Kalyan Dombivali Municipal Corporation by and under its Building Commencement Certificate bearing No. KDMP / NRV / KV / 2016-17/78/102 dated 28.07.2017.

10. Search Reports.

It appears that Shri Ananta Songya Lokhande and Others are the Owners of all those pieces and parcels of land lying being and situate at village Kolivali, Taluka Kalyan, District Thane, within the limits of the Kalyan Dombivali Municipal Corporation bearing Survey No. 30 Hissa No. 1/8 admeasuring 1590 sq. metres, Survey No. 35 Hissa No. 1/1 admeasuring 900 sq. metres, Survey No. 29 Hissa No. 11 admeasuring 2400 sq. metres, Survey No. 29 Hissa No. 13 admeasuring 560 sq. metres, Survey No. 29 Hissa No. 12 admeasuring 560 sq. metres thus totally admeasuring 6010 sq. metres;

It appears also appears that M/s. Mahaveer Infrastructure Private Limited is entitled to all those pieces and parcels of land lying being and situate at village Kolivali, Taluka Kalyan, District Thane, within the limits of the Kalyan Dombivali Municipal Corporation bearing Survey No. 30 Hissa No. 1/12/1 admeasuring 70 sq. metres and Survey No. 35 Hissa No.1/2/1 admeasuring 230 sq. metres thus totally admeasuring 300 sq. metres;

It appears that all the above pieces and parcels of land being a contiguous and consolidated land admeasuring 6310 sq. metres is hereinafter collectively called and referred to as the entire property for the sake of brevity.

It appears that by and under the Agreement dated 25.06.2008 registered at the office of Sub-Registrar of Assurances at Kalyan under serial No. 5395/2008, the owners Shri Ananta Songya Mhatre and Others have the land admeasuring 6010 sq. metres to M/s. Mahaveer Infrastructure Private Limited and in pursuance to the said agreement, the Owners have also granted Power of Attorney in favour of M/s. Mahaveer Infrastructure Private Limited and the same is authenticated at the office of Sub-Registrar of Assurances at Kalyan under serial No. 288/2008 and further the parties to the said Agreement and Power of Attorney further executed a Deed of Correction on 15.07.2010 and the said



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registered at the office of Sub-Registrar of Assurances at Kalyan under serial No. 6756/2010. It further appears that under the Deed of Exchange the said M/s. Mahaveer Infrastructure Private Limited is entitled to the land admeasuring 300 sq. metres

It further appears that the Owners and M/s. Mahaveer Infrastructure Private Limited intere executed a Confirmation Deed and Supplementary Agreement on 31.12.2013 and in pursuance thereof the Owners have also executed the Power of Attorney and the said Deed and Power of Attorney are registered at the registered office of Sub-Registrar of Assurances at Kalyan under serial No.02/2014 and 03/2014 on 01.01.2014 respectively.

It appears that M/s. Mahaveer Infrastructure Private Limited submitted the building proposal on the land admeasuring 5780 sq. metres out of the above said properties for sanction and approval to the Kalyan Dombivali Municipal Corporation and the Kalyan Dombivali Municipal Corporation by and under its Building Commencement Certificate bearing No.KDMP/NRV/KV/2016-17/78/102 dated 28.07.2017

It appears that as per the sanctioned plan, the area of the plot as per possession admeasures 5211 sq. metres and further an area admeasuring 2253.50 sq.metres is affected by 18 metre wide and 15 metre wide Road, 66 sq. metres is affected by High School Reservation Site No.8 and after deducting such areas, the balance area of the plot is 2891.50 sq. metres and the said balance plot is apportioned in four portions i.e.

plot No. 1 admeasuring 160 sq. metres,

Plot No. 2 admeasuring 875.34 sq. metres,

Plot No. 3 admeasuring 1374.16 sq. metres

Plot No.4 admeasuring 182 sq. metres and
portion of land admeasuring 300 sq. metres

It appears that M/s. Mahaveer Infrastructure Private Limited has obtained the building commencement certificate from Kalyan Dombivali Municipal Corporation which permits and sanctions the construction on the Plot No. 3A admeasuring 1374.16 sq. metres comprising of Stilt (part), Ground (part) plus Seven upper floor (residential and commercial).

I have investigated the title of the Owners to the above said property and I am of the opinion that the title of the Owners to the above referred property is clear and free from reasonable encumbrances and doubts and M/s. Mahaveer Infrastructure Private Limited in terms of the above referred agreements and approvals and permissions is entitled to develop the said property and to sell the flats to the intending purchasers.

I have also gone through the search reports and the search reports does not reveal any entries which may fall in the category of encumbrances over the said property.

S. D. Jallawar

Advocate