

**VISHAL V. JAJU**

*Advocate, High Court,*

*B. Com., LL.B.*

Office No. 702, Satra Plaza Premises Co. Op. Society Ltd., Plot No. 19 & 20, Sector – 19D, Vashi, Navi Mumbai – 400703.  
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## TITLE CUM SEARCH REPORT

### TO WHOMSOEVER IT MAY CONCERN

**Ref.:** In respect of Plot No. 08, Sector – 35F, Kharghar, Navi Mumbai, hereinafter referred to as the “SAID PLOT”.

I, under the instructions of my client, M/S. STAR RIGHT LK BUILDERS, a partnership firm registered under the provisions of Partnership Act, 1932, having office at 101, Building No. 01, “A” wing, Shraddha CHS., Ganesh Nagar Lane, Kalachowky, Mumbai – 400 033, investigated the title of the said M/s. Star Rights LK Builders in respect of Plot bearing No. 08, admeasuring about 1200.00 Sq. Mtrs., situated at Sector – 35F, Village- Owe, Kharghar, Navi Mumbai, hereinafter referred to as the “SAID PLOT” and the said Plot is more particularly described in the Schedule written hereunder.

1. The said Plot is in the limits of area of the City and Industrial Development Corporation of Maharashtra Ltd., (hereinafter referred to as the “CIDCO”), a company within the meaning of the Companies Act, 1956 having its registered office at 2<sup>nd</sup> Floor, Nirmal, Nariman Point, Mumbai and in the limits of revenue district of Thane and within the municipal area of Panvel Municipal Corporation.
2. The CIDCO has been declared as a New Town Development Authority under the provisions of sub-Section 3-A of section 113 of Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVIII of



1966 (hereinafter referred to as the said Act) for the New Town of New Bombay by Government of Maharashtra in exercise of its powers for the area designated as site for the New Town under Sub- Section (i) of Section 113 of the said Act.

3. By virtue of being the Development Authority, the CIDCO has been empowered under Section 118 of the said Act to dispose off any land acquired by it or vested in it in accordance with the proposal approved by the State Government under the said Act.

The following documents are produced before me by M/S. STAR RIGHT LK BUILDERS for my inspection.

- a) Agreement to Lease dated 25<sup>th</sup> October, 2013 in respect of Plot bearing No. 08, admeasuring about 1200 Sq. Mtrs, Sector – 35F, Village - Owe, Kharghar, Navi Mumbai.
- b) Tripartite Agreement dated 30<sup>th</sup> October, 2013 in respect of Plot bearing No. 08, admeasuring about 1200 Sq. Mtrs, Sector – 35F, Village - Owe, Kharghar, Navi Mumbai.
- c) CIDCO letter dated 01.11.2013, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2013.
- d) Rectification Deed dated 24<sup>th</sup> December, 2013 in respect of Plot bearing No. 08, admeasuring about 1200 Sq. Mtrs, Sector – 35F, Village - Owe, Kharghar, Navi Mumbai.
- e) Tripartite Agreement dated 3<sup>rd</sup> April, 2014 in respect of Plot bearing No. 08, admeasuring about 1200 Sq. Mtrs, Sector – 35F, Village - Owe, Kharghar, Navi Mumbai.
- f) CIDCO letter dated 04.04.2014, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2014.
- g) Tripartite Agreement dated 22<sup>nd</sup> January, 2015 in respect of Plot bearing No. 08, admeasuring about 1200 Sq. Mtrs, Sector – 35F, Village - Owe, Kharghar, Navi Mumbai.
- h) CIDCO letter dated 05.02.2015, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2015.



- i) CIDCO letter dated 22.09.2016, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2016/12497.
- j) Commencement Certificate dated 22.01.2018 bearing No. CIDCO/BP-15560/TPO(NM&K)/2017/2266

Except the above mentioned documents, no other documents are produced before me by M/S. STAR RIGHT LK BUILDERS.

My observations and remarks in respect of the document made available to me for my inspection in respect of properties under Search are as under:-

1. It is revealed from the said Agreement to Lease dated 25<sup>th</sup> October, 2013 entered into and executed between City and Industrial Development Corporation of Maharashtra Ltd., therein referred to as the CIDCO of the One Part and Shri. Balaram Kamlya Mhatre (hereinafter referred to as the "Original Licensees") of the Other Part, the CIDCO has granted to the said Original Licensees, a lease of all that piece or parcel of land bearing Plot No. 08, admeasuring about 1200 Sq. Mtrs., in Sector – 35F, Village- Owe, Kharghar, Navi Mumbai (hereinafter referred to as the "Said Plot") containing by and as more particularly described in the schedule here under written with a right to Develop the same as permissible under General Development Control Regulations for Navi Mumbai, 1975. The said Agreement to Lease is registered before the sub-registrar of Assurance at Panvel 2 under serial No. 7007 – 2013 on 25.10.2013.
2. It is revealed from the said Tripartite Agreement dated 30<sup>th</sup> October, 2013 made and executed between the CIDCO of the First part, and Shri. Balaram Kamlya Mhatre the Original Licensee as the Second part and M/s. Surya Builders & Developers through its proprietor Deepak C. Menghani, of the Third Part, the CIDCO has granted to the said M/s. Surya Builders & Developers, a license to enter upon the said Plot No. 08, admeasuring about 1200 Sq. Mtrs., Sector – 35F, Village- Owe, Kharghar, Navi Mumbai with a right to



develop the same as permissible under General Development Control Rules for Navi Mumbai, 1975. The said Tripartite Agreement has been registered before the Sub Registrar of Assurances at Panvel-2 on 30/10/2013, under Sr. No. 7130-2013.

3. It is revealed from CIDCO letter dated 01.11.2013, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2013 that the CIDCO Ltd. has recorded the name of M/s. Surya Builders & Developers as a license in respect of the said Plot No. 08, admeasuring about 1200 Sq. Mtrs., Sector – 35F, Village- Owe, Kharghar, Navi Mumbai in its records.
4. It is revealed from the said Rectification Deed dated 24<sup>th</sup> December, 2013 made and executed between the CIDCO of the First part, and Shri. Balaram Kamlya Mhatre the Original Licensee as the Second part and M/S. SURYA BUILDERS & DEVELOPERS through its Proprietor Mr. Deepak C. Menghani, of the Third Part, that in the said Tripartite Agreement dated 30/10/2013, the date of Agreement to Lease is mistakenly written as 30/10/2013 instead of 25/10/2013 which needs to be rectified and to rectify the said mistake the said Deed of Rectification of Mistake is executed and registered. The said Rectification Deed is registered before the Sub – Registrar of Assurances at Panvel 2, at serial No. 8648 – 2013, on 24/12/2013.
5. It is revealed from the said Tripartite Agreement dated 3<sup>rd</sup> April, 2014 made and executed between the CIDCO of the First part, and M/S. SURYA BUILDERS & DEVELOPERS, through its Proprietor Mr. Deepak C. Menghani, as the Second Part and M/s. Vishwa Green Realtors Pvt. Ltd., of the Third Part that the CIDCO Ltd. has granted to the said M/s. Vishwa Green Realtors Pvt. Ltd, a license to enter upon the said Plot No. 08, admeasuring about 1200 Sq. Mtrs., Sector – 35F, Village- Owe, Kharghar, Navi Mumbai with a right to develop the same as permissible under General Development



Control Rules for Navi Mumbai, 1975. The said Tripartite Agreement has been registered before the Sub Registrar of Assurances at Panvel-2, on 3/04/2013, under Sr. No. 2543 - 2014.

6. It is revealed from CIDCO letter dated 04.04.2014, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2014 that the CIDCO Ltd. has recorded the name of M/s. Vishwa Green Realtors Pvt. Ltd. as a license in respect of the said Plot No. 08, admeasuring about 1200 Sq. Mtrs., Sector – 35F, Village- Owe, Kharghar, Navi Mumbai in its records.
7. It is revealed from the said Tripartite Agreement dated 22<sup>nd</sup> January, 2015 made and executed between the CIDCO of the First part, and and M/s. Vishwa Green Realtors Pvt. Ltd., as the Second Part and M/s. STAR RIGHTS LK BUILDERS, a partnership firm duly registered under the provisions of Partnership Act, through its partners 1) Shri. Sandeep Sitaram Ghandat, 2) Shri. Amit Mohan Ghandat, 3) Shri. Vishal Sandeep Ghandat, 4) Shri. Kamlesh Laxman Patel and 5) Shri. Pradeep Laxman Patel of the Third Part, the CIDCO has granted to the said M/s. STAR RIGHTS LK BUILDERS, a license to enter upon the said Plot No. 08, admeasuring about 1200 Sq. Mtrs., Sector – 35F, Village- Owe, Kharghar, Navi Mumbai with a right to develop the same as permissible under General Development Control Rules for Navi Mumbai, 1975. The said Tripartite Agreement has been registered before the Sub Registrar of Assurances at Panvel-2, on 22/01/2015, under Sr. No. 717 - 2015.
8. It is revealed from CIDCO letter dated 05.02.2015, bearing No. CIDCO / Vasahat / Satyo / Kharghar / 371 / 2015/2483 that the CIDCO Ltd. has recorded the name of M/s. STAR RIGHTS LK BUILDERS, a partnership firm duly registered under the provisions of Partnership Act, through its partner's 1) Shri. Sandeep Sitaram Ghandat, 2) Shri. Amit Mohan Ghandat, 3) Shri. Vishal Sandeep



Ghandat, 4) Shri. Kamlesh Laxman Patel and 5) Shri. Pradeep Laxman Patel as a license in respect of the said Plot No. 08, admeasuring about 1200 Sq. Mtrs., Sector – 35F, Village- Owe, Kharghar, Navi Mumbai in its records.

9. It is revealed from the said Letter dated 22.09.2016 bearing No. CIDCO/VASAHAT/SATYO/Kharghar/371/2016/12479 that the M/s. Start Right LK Builders have informed CIDCO Ltd. about change in the Partners of the firm and as such names of new partners with their profit sharing percentages have been recorded as 1) Shri. Sandeep Sitaram Ghandat (10%), 2) Shri. Amit Mohan Ghandat (10%), 3) Shri. Vishal Sandeep Ghandat (10%), 4) Shri. Kantilal Mavji Patel (30%) and 5) Shri. Kirit Mavji Patel (30%) and 6) M/s. Siddhi Magic Homes Pvt. Ltd. (10%) in the place of 1) Shri. Sandeep Sitaram Ghandat (23.33%), 2) Shri. Amit Mohan Ghandat (13.34%), 3) Shri. Vishal Sandeep Ghandat (13.33%), 4) Shri. Kamlesh Laxman Patel (25%) and 5) Shri. Pradeep Laxman Patel (25%).
10. It is revealed from the Commencement Certificate dated 22.01.2018 bearing No. CIDCO/BP-15560/TPO(NM&K)/2017/2266 that the CIDCO Ltd. has granted the permission to the said M/s. Star Right LK Builders U/s. 45 of Maharashtra Regional and Town Planning (MRTP) Act, 1966 to construct residential building of 1 ground Floor + 20 Floors with net built up area of 1,796.37 Sq. Mtrs. with 30 Residential units on the said Plot.

I had also taken the search of Index-II Register from 2013 to till date (6 Years) in the office of Sub – Registrar Saheb, Panvel – I, II, III, IV and V, through my search clerk Mr. Sameer Mokal and detailed Search Notes are as under :

TRANSACTION (Sub- Registrar office Panvel - 1)	
1	In Sub- Registrar office at Panvel – 1, all available records from



	the year 2013 till date are checked.
2	Records for the year 2015 till date were not ready.

	TRANSACTION (Sub- Registrar office Panvel - 2)
1	In Sub- Registrar office at Panvel - 2, all available records from the year 2013 till date are checked.
2	Records for the year 2017 till date were not ready.

	TRANSACTION (Sub- Registrar office Panvel -3)
1	In Sub- Registrar office at Panvel -3, all available records from the year 2013 till date are checked.
2	Records for the year 2017 till date were not ready.

	TRANSACTION (Sub- Registrar office Panvel -4)
1	In Sub- Registrar office at Panvel -4, all available records from the year 2013 till date are checked.
2	Records for the year 2017 till date were not ready.

	TRANSACTION (Sub- Registrar office Panvel -5)
1	In Sub- Registrar office at Panvel -5, all available records from the year 2013 till date are checked.
2	Records for the year 2017 till date were not ready.

The transaction details which found in the Search are mentioned as under :

**1. Agreement to Lease**

Village	Kharghar Node
Sub- Registrar office	PVL- 2



Property	Plot No. 08, Sector No. 35-F.
Area	1200 sq. meter
Name of the Executing	Mr. Balaram Kamalya Mhatre.
Name of Claiming	CIDCO LTD.
Date of Execution	25/10/2013
Date of Registration	25/10/2013
Document Serial No.	7007/2013

## **2. Tripartite Agreement**

Village	Kharghar Node
Sub- Registrar office	PVL- 2
Property	Plot No. 08, Sector No. 35-F.
Area	1200 sq. meter
Name of the Executing	Mr. Balaram Kamalya Mhatre & CIDCO LTD.
Name of Claiming	M/s. Surya Builders & Developers through Prop. Mr. Deepak C. Meghani.
Date of Execution	25/10/2013
Date of Registration	30/10/2013
Document Serial No.	7130/2013

## **3. Tripartite Agreement**

Village	Kharghar Node
Sub- Registrar office	PVL- 2
Property	Plot No. 08, Sector No. 35-F.
Area	1200 sq. meter





Name of the Executing	M/s. Surya Builders & Developers through Prop. Mr. Deepak C. Meghani & CIDCO LTD.
Name of Claiming	M/s. Vishwagreen Realtors Pvt. Ltd. through Mr. Sidhharth Sunil Khanna.
Date of Execution	03/04/2014
Date of Registration	03/04/2014
Document Serial No.	2543/2014

#### **4. Tripartite Agreement**

Village	Kharghar Node
Sub- Registrar office	PVL- 2
Property	Plot No. 08, Sector No. 35-F.
Area	1200 sq. meter
Name of the Executing	M/s. Vishwagreen Realtors Pvt. Ltd. through Mr. Sidhharth Sunil Khanna & CIDCO LTD.
Name of Claiming	M/s. Star Right L K Builders through Partner Mr. Sandeep Sitaram Gandat & other 4
Date of Execution	22/01/2015
Date of Registration	27/01/2015
Document Serial No.	717/2015

#### **Note:**

We have taken search of Index-II Register in respect of the said Plot pertaining to the period of last 6 years from 2013 to 2018 (till date) lying in the offices of Sub-Registrar Saheb of Assurances at Panvel I, II, III, IV and V, and after perusal of all relevant title, records available "On as is where is basis", I have not found any entry recording any transaction of sale, gift,



exchange, lease, assignment, Mortgage, Charge or otherwise in respect of the said Plot as mentioned hereinabove.

It is conveyed by the said M/s. Star Right LK Builders that Balaram Kamlya Mhatre has filed the Special Civil Suit No.16/2017 before Ld. Civil Judge (S.D.) Panvel Dist Raigad and no adverse order has been passed affecting the said Plot and/or rights of Start Right LK Builders in it.

Therefore, in my opinion, the title of the present Owner M/S. STAR RIGHT LK BUILDERS in respect of the Plot bearing No. 08, admeasuring about 1200.00 Sq. Mtrs., situated at Sector – 35F, Village- Owe, Kharghar, Navi Mumbai, is free from all encumbrances & Charges, beyond reasonable doubts and the said M/S. STAR RIGHT LK BUILDERS, is well and sufficiently entitled to the said Plot, subject to the terms and conditions laid in the said Agreement to Lease subject to the out come of the said Special Civil Suit No. 16/2017.

Dated:- 27th March, 2018

Place : Vashi



*Vishal*  
27.03.18

**Adv. Vishal V. Jaju**

(Advocate High Court)

### **THE SCHEDULE ABOVE REFERRED TO**

ALL THAT piece and Parcel of Plot bearing No. 08, Sector – 35F, in village- Owe, Kharghar, of 12.5% (Erstwhile Gaothan Expansion Scheme), containing by measurement about 1200.00 Sq. Mtrs., or thereabout and bounded as follows that is to say:-

On or towards the North by	:	Plot No. 9, Garden
On or towards the South by	:	Plot No. 6 & 7
On or towards the East by	:	Plot No. 1 CISF
On or towards the West by	:	Road

