



ADVOCATE

**J. D. Patil**

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## SEARCH & TITLE REPORT

In respect of Plot No. A-8, area admeasuring 2899.82 Sq. Mtrs. situated at Sector – 39A, at Taloja (Kharghar), Navi Mumbai, Taluka - Panvel, Dist - Raigad, more particularly described in the schedule hereunder written (hereinafter refer to as “the said plot”)

I have investigated the title of M/S. SHRI GAMI INFOTECH PVT. LTD. a company duly incorporated under the provisions of Companies Act 1956, through its directors 1) MR. SAVJI BHANJI GAMI AND 2) MR. PRAVIN BHANJI GAMI, having its office at – Gami Group. 101, Real Tech Park, 1<sup>st</sup> Floor, Plot No. 39/2, Sector No. 30 A, Vashi, Navi Mumbai – 400 703, in respect of above mentioned plot. And I state that, the title of Owner/New Licensee M/S. SHRI GAMI INFOTECH PVT. LTD. through its directors 1) MR. SAVJI BHANJI GAMI AND 2) MR. PRAVIN BHANJI GAMI, is derived as under.

For the purpose of investigation & inspection of title of the said plot I have perused the records & documents regarding said plot made available to me by M/S. SHRI GAMI INFOTECH PVT. LTD. through its directors 1) MR. SAVJI BHANJI GAMI AND 2) MR. PRAVIN BHANJI GAMI, are as under :-

- 1) I perused the Xerox Copy of Letter of Allotment dated 24-02-2011 issued by CIDCO to
  - 1) Kesharinath Mahadu Chaudhri and 2) Nivrutti Mahadu Chaudhri,. It is stated therein that, since the land owned by the said farmers is acquired for Navi Mumbai Project, it is decided that, subject to terms and condition of 12.5% scheme, the plot bearing Plot No. A8, situated at Taloja (Kharghar), Sector No. 39A, Area 2899.82 Square Meter is to be allotted to said farmers on the Lease basis.

*Handwritten signature*

- 2) I perused the Xerox Copy of Lease Agreement dated 20<sup>th</sup> July, 2011 executed between CITY AND INDUSTRIAL CORPORATION MAHARASHTRA LTD. referred to as "Corporation" therein, of the first part & 1) Kesharinath Mahadu Chaudhri and 2) Nivrutti Mahadu Chaudhri, referred to as "the Licensee" of the other part. The CIDCO has handed over the possession of the said plot to the said farmers on the term and condition as set out therein. The said Lease Agreement is registered at the Office of the Sub Registrar of Assurances at PANVEL 1 at Sr. No. PVL - 11534/2011 dated 07/09/2011.
- 3) I perused the Xerox Copy of Probate Certificate dated 23-04-2015 and Letter dated 28/12/2016, issued by CIDCO to Mr. Sandesh Machindra Choudhari & Mr. Nitin Machindra Choudhari. It is stated therein that, as per the request of the applicant and in accordance with the order passed by the Hon'ble Civil Judge Panvel, in Civil MA No. 53/2015, the names of Mr. Sandesh Machindra Choudhari & Mr. Nitin Machindra Choudhari were recorded as a legal heirs of late. Kesarinath Mahadev Chaudhri, in CIDCO record.
- 4) I perused the copy of Tripartite Agreement dated 23/01/2017 executed between the CITY AND INDUSTRIAL CORPORATION MAHARASHTRA LTD. referred to as "Corporation" therein, of the first part & 1) Mr. Sandesh Machindra Choudhari, 2) Mr. Nitin Machindra Choudhari and 3) Mr. Nivrutti Mahadu Chaudhari, referred to as "Original Licensee" of the Second part. & M/S. SHRI GAMI INFOTECH PVT. LTD. a company duly incorporated under the provisions of Companies Act 1956, through its directors 1) MR. AMBALAL BHANJI GAMI AND 2) MR. JAYESH NANJI CHOUDHARY, referred to as "New Licensee" of the third part. It is revealed from the said Tripartite Agreement that, the CIDCO, and the original licensees transferred and assigned the leasehold right of the said plot in the name of M/S. SHRI GAMI INFOTECH PVT. LTD. a company duly incorporated under the provisions of Companies Act 1956. The said Tripartite Agreement is registered at the Office of Sub Registrar of Assurances at Panvel 2 at Sr. No 1111/2017 dated 06/02/2017.



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- 5) I perused the copy of Agreement for Assignment dated 06-02-2017 executed between the Original Licensees and the M/S. SHRI GAMI INFOTECH PVT. LTD., the said Original Licensees have agreed to transfer and assign in favour of M/S. SHRI GAMI INFOTECH PVT. LTD. all their rights, title and interest in respect of the said plot, for such consideration and upon such terms and conditions as mentioned therein. The said Agreement for Assignment is registered with the Sub-Registrar of Assurances under Serial No. 1112-2017 dated 06-02-2017.
- 6) I perused the copy of final Letter of CIDCO dated 08/02/2017. It is revealed from the said letter that the leasehold right of the said plot was transferred in the name of M/S. SHRI GAMI INFOTECH PVT. LTD. a company duly incorporated under the provisions of Companies Act 1956, by tripartite agreement dated 23/01/2017. Hence on the production of certified copy of the said tripartite agreement, their names were recorded as Licensee in CIDCO record.
- 7) I perused the copy of Letter of CIDCO dated 09/06/2018 regarding Development Permission/ Commencement Certificate. It is revealed from the said letter that, the CIDCO has granted the Development Permission/Commencement Certificate for the development for residential building on the said plot to the M/S. SHRI GAMI INFOTECH PVT. LTD.
- 8) I perused the Xerox copy of an Indenture of Mortgage dated 16-08-2018 executed between the M/S. SHRI GAMI INFOTECH PVT. LTD. (as the Borrower/ Mortgagor), M/s. Shri Gami Enterprises Private Limited (as the Co-Borrower/ Co-Mortgagor) and Vistra ITCL (India) Limited (as the Security Trustee). M/S. SHRI GAMI INFOTECH PVT. LTD. have secured the mortgage debt created under the Loan Agreement dated 31-03-2018 executed with LIC Housing Finance Limited in respect of Plot No. 25, Sector- 8, Ghansoli, Navi Mumbai, containing by measurement 4812.39 Square meters or

thereabouts by giving the said Vistra ITCL (India) Limited an exclusive mortgage over the said plot no. 25, Sector- 8, Ghansoli, Navi Mumbai, containing by measurement 4812.39 Square meters or thereabouts along with present and future Structures constructed / to be constructed thereon (as the Primary Security) together with the said plot along with present and future Structures constructed/ to be constructed thereon (as an Additional Security) upon such terms and conditions as mentioned in the said Indenture. The said Indenture of Mortgage is registered with Sub Registrar of Assurances under Serial No. TNN 1 - 12326 - 2018 dated 16-08-2018.

- 9) I perused the Xerox copy of Deed of Confirmation cum Rectification dated 26/09/2018 executed between M/S. SHRI GAMI INFOTECH PVT. LTD. referred to as Borrower or Mortgagor therein and M/S. SHRI GAMI ENTERPRISES PVT. LTD. referred to as Co-Borrower or Co-Mortgagor therein and VISTRA ITCL (India) LIMITED referred to as Security Trustee therein. By perusing the said documents it is revealed that, the Co-Borrower erroneously missed out on execution of Mortgage Deed dated 16/08/2018 and further the Co-Borrower also could not admit the execution of said deed. The said error was rectified by the Deed of Confirmation cum Rectification dated 26/09/2018.
- 10) I perused the copy of Search Report, which is issued by the Property Investigator Mr. Vinay Mankame, in respect of the said plot. Investigator has submitted his Report, vide his letter dated 15-09-2017 in respect of the said plot, the copy whereof is annexed hereto.
- 11) I perused the Xerox copy of Civil Revision Application No. 366/2018 filed before Hon'ble High Court of Bombay against the order of rejection of plaint passed by Civil Judge Senior Division Pravel, in Civil Suit No. 310/2017. The said CRA is still pending for adjudication.
- 12) I perused the Xerox copy of AO No. 495/2018 filed before Hon'ble Bombay High Court against the order of rejection of injunction application at Exh. 5 passed by Civil Judge



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Senior Division Panvel, in Civil Suit No. 358/2017. The said AO is still pending for adjudication.

13) Public Notice: It is clarified that no public notice has been issued for the issuance of this report.

14) On perusal & inspection of all the documents produced before me for my inspection as stated above. I express my personal opinion & observation as under:

The title of M/S. SHRI GAMI INFOTECH PVT. LTD, through its directors 1) MR. SAVJI BHANJI GAMI AND 2) MR. PRAVIN BHANJI GAMI as New Licensee in respect of said Plot No. A - 8, area admeasuring 2899.82 Sq. Mtrs. situated at Sector - 39 A, at Taloja (Kharghar), Navi Mumbai, Taluka - Panvel, Dist - Raigad is clear, marketable subject to observation made in Para No. 8 to 12 mentioned herein above.

#### Description of Property

All that piece and parcel of Plot bearing Plot No. A - 8, area admeasuring 2899.82 Sq. Mtrs. situated at Sector - 39 A, at Taloja (Kharghar), Navi Mumbai, Taluka - Panvel, Dist - Raigad, and bounded as under:

Towards the North :	Plot No. A-4 & A-7
Towards the South By :	Plot No. A-9
Towards the East By :	15.0 Meter wide road.
Towards the West By :	channel

Place:- Panvel

Date:- 22/11/2018

  
Adv. J. D. Patil



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