

Office :

3rd Floor, Basilius,
Rodas Enclave, Hiranandani Estate,
Near Commissioner Bungalow,
Ghod Bunder Road, Patlipada,
Thane (W) – 400 607.

☎ 2530 8032

S.M. KARNIK

B. A. LL.B

ADVOCATE

(Enrollment No. MAH/1569/1985)

AJAY YADAV

B.Com. LL.B.

ADVOCATE

(Enrollment No. MAH/4008/2011)

TO WHOMSOEVER IT MAY CONCERN

Property/Land Ref.: That piece and parcel of land or ground bearing Survey/Hissa No. 123/1B situate, lying and being at Revenue Village – Kavesar, Taluka and District Thane, within the limits of Thane Municipal Corporation, and in the Registration District and Sub-District Thane.

The search of the Index II of the above referred land has been taken by us with help of Search Clerk Mrs. Sharda P. Kadam in the office of Sub-Registrar of Assurances at Thane for 31 years i.e. from 1988 upto 26.04.2018. It is found in the said search that the transactions have taken place in respect of above mentioned land together with the other lands, observed no adverse entry recorded therein.

That the above referred land owned by Roma Builders Pvt. Ltd. a Company incorporated under the provisions of Companies Act, 1956, having its office at : 514, Dalamal Towers, Nariman Point, Mumbai – 400 021 (hereinafter referred to as the **Developers**).



- a) That One Shri. Kilabhai Gangadas Thanawala was the original Owner and otherwise well and sufficiently entitled inter alia the land referred above to.
- b) The said Kilabhai Gangadas Thanawala died long back living behind two sons namely 1) Shri. Tulsidas Kilabhai and 2) Shri. Purshottam Kilabhai as his only heirs and legal representatives.
- c) The said Tulsidas Kilabhai died intestate on 23.02.1967 leaving behind sons and daughters 1) Shri. Krishnalal Tulsidas, 2) Shri. Hariyantlal Tulsidas, 3) Shri. Laxmikant Tulsidas, 4) Shri. Anandilal Tulsidas, 5) Shri. Rajanikant Tulsidas, 6) Shri. Jayantilal Tulsidas, 7) Smt. Aruna Tulsidas (M.E.No.1269).
- d) Shri. Krishnalal Tulsidas died on 08.05.1981 leaving behind him Wife Smt. Manjula Krishnalal Thanawala, sons 1) Shri. Upendra Krishnalal Thanawala, 2) Shri. Umesh Krishnalal Thanawala and daughters 1) Smt. Neeta Mahesh Bangali, 2) Smt. Usha Nayan Shah, and 3) Smt. Jyoti Dipak Kapadiya as his only heirs and legal representatives (M.E.No.2527), the said Hariyantlal Tulsidas died on 21.02.2008 leaving behind him Wife Smt. Urmila Hariyantlal Thanawala, son Shri. Sharad Hariyantlal Thanawala and daughter Smt. Resham Vipul Shah. The said Laxmikant Tulsidas died on 03.09.2008 was unmarried, the said Jayantilal Tulsidas died on 29.08.2006 was unmarried, the said Rajanikant Tulsidas died on 11.05.2004 leaving behind him Wife Smt. Niranjana alias Niranjan Rajanikant, son Shri. Vipul Rajanikant Thanawala and daughter Smt. Sneha Bharat Parikh (As per M.E.No. 2527).
- e) The said Purushottam Kilabhai died long back leaving behind to him the only son Shri. Ratilal Purushottam Thanawala as his heir and legal representative (M.E.No. 1268).



The said Ratilal Purushottam Thanawala died on 01.09.1965 leaving behind him son Shri. Mahendra Ratilal Thanawala, daughters 1) Smt. Virmati Ramanlal Shet (since deceased), 2) Smt. Jayashree Manoharlal alias Manharlal Shroff and 3) Smt. Rajani Ratilal Thanawala and wife Kalavati Ratilal Thanawala also died long back leaving behind a son Mahendra Ratilal Thanawala and daughters 1) Smt. Virmati, 2) Jayashree and 3) Rajani. The said Smt. Virmati Ramanlal Shet died on 21.09.2007 leaving behind to her sons 1) Shri. Anil Ramanlal Shet, 2) Shri. Yatin Ramanlal Sheth. (As per M.E.No. 1268, 3075 and 3076).

f) In the circumstances as recited hereinabove, the Co-owners/heirs as above were jointly having undivided ownership right, title, interest, claim and share interalia in respect of the land referred above to.

g) By and under Agreement for Sale dated 18.08.2010, duly registered with the Sub-Registrar of Assurances, Thane – 5 under document No. TNN-5/8989/2010, Smt. Manjula Krushnalal Thanawalla and 14 others have agreed to sell, convey, assign and transfer and otherwise granted the development rights for and in respect of their ½ undivided rights, title and interest interalia the land referred above to, and in pursuance of the said Agreement dated 18.08.2010 the said Smt. Manjula Krushnalal Thanawalla and 14 others have executed registered Power of Attorney dated 18.08.2010 in favor the Developers together with its nominees and assignees interalia allowing to carry out all acts, deeds, matters and things authorizing the Attorneys privileges, rights and authorities which are in details contained therein.

h) Further, by and under Agreement for Sale dated 29.10.2010, which has been duly registered with the Sub-Registrar of Assurances, Thane – 5 under document No. TNN-



5/11272/2010, Smt. Jayashri Manoharlal alias Manharlal Shroff and 3 others have agreed to sell, convey, assign and transfer and otherwise agreed, to grant development rights for and in respect of their undivided share rights, title and interest interalia in respect of the land referred above to, and in pursuance to the said Agreement dated 29.10.2010 the said Smt. Jayshri Manoharlal alias Manharlal Shroff and 3 others have executed registered Power of Attorney dated 29.10.2010 in favor of the Developers and its nominees and assignees to carry out all acts, deeds, matters and things, privileges, rights and authorities which are in details contained therein.

i) By and under Agreement for Sale dated 16.12.2010, duly registered with the Sub-Registrar of Assurances, Thane – 5 under document No. TNN-5/12877/2010, Shri.Mahendra Ratilal Thanawalla has agreed to sell, convey, assign and transfer and otherwise agreed to grant development rights for and in respect of his undivided share, rights, title and interest interalia in respect of the land referred above to, and in pursuance to the said Agreement dated 16.12.2010 Shri.Mahendra Ratilal Thanawalla have executed registered Power of Attorney dated 16.12.2010 in favor of the Developers and its nominees and assignees to carry out all acts, deeds, matters and things, privileges, rights and authorities which are in details contained therein.

j) The said Thanawala as aforesaid through their duly appointed constituted attorney have entered into Deed of Conveyance dated 12.06.2012, which is duly registererd with the Sub-Registrar of Assurances Thane -2 under Document No. TNN-2/5501/2012 in favor of the Developers, interalia in respect of the land above referred to, thus the Developers being the Purchasers thereof have become the owners of interalia land bearing Survey/Hissa No. 123/1B, and the name of the Developers have recorded on the 7x12



extract and such other revenue records in the kabjedar column as the owners thereof (M.E.No. 2974).

In view thereof, we record that the **Developers** as aforesaid are fully, freely authorized and entitled to deal with and dispose of the Development on the land referred above to (constructed and/or otherwise) in the manner and for the consideration and upon the terms and conditions as the Developers may think fit, proper and to receive, recover and appropriate the consideration and all other benefits thereto.

It is observed by us that, Thane Municipal Corporation, Thane vide its Amended sanction of Development Permission/ Commencement Certificate bearing V. P. No. 2004/27 TMC/TDD 14 dated 03.05.2017 for the lay-out comprising of interalia building being No. 11 popularly known as "**GLENDALE**" in the project popularly known as '**LAKE ENCLAVE**' at Hiranandani Estate, Thane and being constructed on the portion out of the land referred above to. Ms. Sharmistha Mukerjee-Shinde, Architect of the Developers has issued a certificate to that effect on 17.04.2018.

Further, on investigating the documents made available to us for inspection from the **Developers**, including relevant orders wherever applicable, revenue records and Search Reports and further I/we have gone through 'Public Notice' dated 29.05.2006 in daily 'Thane Vaibhav' published by Sub-Divisional Officer, Thane, Division Thane wherein given property description interalia village- Kolshet/Kavesar wherein mentioned about acquisition of land by the Govt. under Indian Forest Act, 1927, and Maharashtra Private Forest Act, 1975 for acquisition of lands and letter dated 11.12.2012 issued by Range Forest Officer, Thane Forest Division, Thane referred the land mentioned therein



excluding the land above referred to, listed Survey nos. of Kolshet/Kavesar villages are deemed to be 'Reserved Forest' as per the provisions of Maharashtra Private Forest Act (Acq) 1975. In the above said facts and circumstances, in our opinion the title of said **Developers** to the land referred above to is clear and marketable and free from all the reasonable doubts subject to obtaining non-agricultural permission from the concerned authority in respect of the land above referred to.

Thane.

Date: 28.04.2018



S. M. KARNIK
ADVOCATE



AJAY S. YADAV
ADVOCATE