



K. T. JAIN

B.Com., LL.B.

Advocate High Court

Office & Corr. : 1st Floor, Swamiraj Apartment, Rambaug Lane No. 4, Near Gurudwara, Kalyan (W.) Mobile : 9820484898
Email - advktjain@gmail.com

Ref. No. :

Date : 23/2/16

TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

Ref:- All that piece and parcel of land bearing Survey No. 46, Hissa No. 1, admeasuring 0H-11R-1P, Survey no. 46, Hissa no. 2, adm. 0H-38R-9P, and Survey no. 47, Hissa no. 4, adm. 0H-78R-9P lying, being and situate at Revenue Village Varap, Tal. Kalyan, Dist. Thane.

I have perused the following documents in respect of the captioned property.

1. 7 X 12 Extracts.
2. Relevant Mutation entries.
3. Agreement for sale dated 20th February 2010, made and entered between Smt. Vithabai Baliram Mhatre and others as owners and Shri Omesh Suresh Kalani as purchaser, registered in the office of Sub-registrar of Assurances, Kalyan-2 at serial no. 1910/2010.
4. Power of attorney dated 20th February 2010, executed by Smt. Vithabai Baliram Mhatre and others in favour of Mrs. Jyoti Suresh Kalani authenticated by the Sub-registrar of Assurances, Kalyan -2 on 20/2/2010
5. Deed of Conveyance dated 26th July 2010, made and entered between Smt. Vithabai Baliram Mhatre and others through their constituted attorney Mrs. Jyoti Suresh Kalani as owners and Shri Omesh Suresh Kalani as purchaser, registered in the office of Sub-registrar of Assurances, Kalyan -2 at serial no. 7329.
6. Development Agreement dated 6th July 2013, made and entered between Shri Omesh Suresh Kalani as owner and Atlanta Landmark as developers. registered in the office of Sub-Registrar of Assurances, Kalyan -5 at serial no. 3766.

8. N.A permission dated 23rd July 2014, issued by the Collector Thane.

9. Search Report.

INVESTIGATION OF TITLE

From the perusal of the aforesaid documents, it appears that Shri Omesh Suresh Kalani is the owner of land bearing Survey No. 46, Hissa No. 1, admeasuring 0H-11R-1P, Survey no. 46, Hissa no. 2, adm. 0H-38R-9P, and Survey no. 47, Hissa no. 4, adm. 0H-78R-9P lying, being and situate at Revenue Village Varap, Tal. Kalyan, Dist. Thane [hereinafter called and referred as "said properties"]

It appears that originally Shri Shreekrishna Chintaman Vaid was the owner of the said properties and Shri Sitaram Bhau Kurle was the protected tenant in respect of the said properties.

It further appears from the mutation entry no. 239 that, Sitaram Bhau Kurle died intestate leaving behind him the following legal heirs:

1. Shri Shivaram Sitaram Kurle
2. Smt. Vithabai Baliram Mhatre
3. Smt. Kushibai Pandu Joshi
4. Smt. Shevantibai Vishnu Patil
5. Venubai Sitaram Kurle
6. Sonibai Sitaram Kurle
7. Smt. Sundribai Sitaram Kurle

It appears from the mutation entry no. 448 that Shivaram Sitaram Kurle died intestate leaving behind him the following legal heirs:

1. Smt. Indubai Shivram Kurle
2. Shri. Chander Shivram Kurle
3. Shri Navnath Shivram Kurle
4. Shri Madhukar Shivram Kurle
5. Shri Sudam Shivram Kurle
6. Draupada Shivram Kurle



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It further appears that Shri. Sitaram Bhaui Kurle has paid the amount of Rs. 1156/- and the charge of Shri Shreekrishna Chintaman Vaidya has been deleted from the 7 x 12 extracts vide mutation entry no. 458.

It further appears from the mutation entry no. 523 that Smt. Sundribai Sitaram Kurle died intestate and the names of her legal heirs are already on record.

It further appears from the mutation entry no. 732 Smt. Shevantabai Vishnu Patil died intestate leaving behind her the following legal heirs:

1. Shri Ramesh Vishnu Patil
2. Shri. Pralahad Vishnu Patil
3. Smt. Shakuntala Hanuman Patil
4. Smt. Kunda Ganesh Bhoir
5. Smt. Rajeshree Laxman Wayle (deceased)
6. Shri Hemant Laxman Wayle
7. Rekha Laxman Wayle
8. Reshma Laxman Wayle

It appears that by and under Agreement for sale dated 20th February 2010, registered in the office of Sub-registrar of Assurances, Kalyan-2 at serial no. 1910/2010, Smt. Vithabai Baliram Mhatre and others have agreed to sell the said properties unto Shri Omesh Suresh Kalani on the terms, conditions and consideration mentioned therein.

It appears that in pursuance of the aforesaid Agreement For sale, Smt. Vithabai Baliram Mhatre and others had executed a Power of attorney in favour of Mrs. Jyoti Suresh Kalani to do all acts, deeds and things set out inherein, the said Power of attorney is duly authenticated by the Sub-registrar

attorney Mrs. Jyoti Suresh Kalani had conveyed & transferred the said properties unto Shri Omesh Suresh Kalani on the terms and conditions mentioned therein.

It further appears that by mutation entry no. 767, the name of Shri Omesh Suresh Kalani had been mutated in the record of rights as owner of said properties.

It appears that by and under Development Agreement dated 6th July 2013, registered in the office of Sub-Registrar of Assurances, Kalyan -5 at serial no. 3766, Shri Omesh Suresh Kalani has granted Development rights in respect of the said properties along with other properties unto Atlanta Landmark on the terms, conditions and consideration mentioned therein.

It appears that in pursuance to the aforesaid development Agreement, Shri Omesh Suresh Kalani has executed a Power of attorney dated 6th July 2013, in favour of partners of Atlanta Landmark to do all acts, deeds and things set out therein. The said Power of attorney is duly registered in the office of Sub-Registrar of Assurances, Kalyan -5 at serial no. 3767 on even date.

It appears that the Assistant Director of Town Planning, Thane was pleased to approve and sanctioned building plans vide letter bearing no. विशेष/बांध/निवासी/मौजे वरप/ता. कल्याण/ससंठाणे - २५४४, dated 29/10/2013.

It appears that the Collector Thane, vide his order bearing outward no. महसुल/कक्ष-१/टे-७/एनएपी/वरप-कल्याण/एसआर-२१७/२०१३, dated २३/०७/२०१४, was pleased to pass an order of converting the tenure of the said properties from Agriculture to Non-Agriculture on the terms and conditions mentioned therein.

I am of the opinion that title of the owners in respect of the captioned property is clear, marketable and free reasonable doubts and encumbrances and by virtue of the aforesaid development agreement and power of attorney Atlanta Landmark have acquired right to carry out development on the said properties as per the sanctioned building plans.

On the perusal of the Search Report I have not come across any registered encumbrances on the captioned property.