

*Ajay D. Gaikwad*

B.L.S., LL.B., D.C.L.



ADVOCATE, HIGH COURT

Off:- Mahavir Bhakti CHS., Shop No.41, Sector-15, Plot No.93, Opp. D-Mart, Kopar Khairane, Navi Mumbai, 400 709

Mob:- 8082325559/8767335559, Email :- Adv.ajaygaikwad@gmail.com

Ref:-

Date:- 23/08/2016

**TITLE CLEARANCE CERTIFICATE**  
**TO WHOMSOEVER IT MAY CONCERN**

**Ref: Plot of land bearing Plot No.111, totally  
Admeasuring 199.88 Sq. mtrs., in Sector-5,  
Situated at -Karanjade, Tal.Panvel, Dist. Raigad.**

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This is to certify that, I have investigated the title of M/s. SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH, age-adult, Occ. Business, carrying out its business of land development and building constructions having its office at -Shop No.15 & 16, Pushpa Ganga, Plot No.04, Sector - 9, Kamothe, Navi Mumbai, in respect of **Plot of land bearing Plot No. 111, totally admeasuring 199.88 Sq. mtrs., in Sector-5, situated at -Karanjade, Tal.Panvel, Dist. Raigad.**

1. The City Industrial Development Corporation (hereinafter referred to as the "CORPORATION") incorporated under the companies Act, and declared as the New Development authority for the area of New Town of Navi Mumbai by the Government of Maharashtra in exercise of its Power under Sub-Section (1) and (3A) of Section 113 of the Maharashtra Regional Town Planning Act, 1956, has acquired the lands through state of Maharashtra for the purpose of development of Township known as "Navi Mumbai".
2. That by virtue of being the development authority, 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.

3. By an Agreement to Lease dated 30.03.2015 (hereinafter called "THE SAID AGREEMENT TO LEASE") entered into between THE CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LIMITED (therein and hereinafter referred to as "THE CORPORATION") of the one part and to 1) SMT.GANGUBAI DINKAR PATIL, 2)SHRI.JANARDHAN MUKUND KHARKE, 3)SMT.GUNABAI BABURAO KHARKE, 4)SHRI.ROHIT BABURAO KHARKE, 5)MRS.MANISHA DIPAK GAIKWAD, 6)MRS.SHARMILA KARAN THAKUR, 7)SMT.VATSALA RAMCHANDRA CHAUDHARI, 8)SMT.PADMA SADASHIV THAKUR @ JAYSHREE SADANAND PAWAR, therein jointly and collectively referred to as "THE LICENSEES and hereinafter referred to as 'THE ORIGINAL LICENSEES'") of the other part, the Corporation agreed to grant a lease of a plot of land bearing Plot No. 111, totally admeasuring 199.88 Sq. mtrs., in Sector-5, 12.5% Scheme, situated at -Karanjade, Tal.Panvel, Dist. Raigad In favour of the said Original Licensees at or for the consideration as mentioned in the said Agreement to Lease and on performing and complying with all terms and conditions of the said Agreement to Lease, the Corporation placed the said plot in possession of the said Original Licensees. The said Agreement to Lease duly registered before the Sub- Registrar of Assurances under its Serial No. Sr. No. PVL-4-4079-2015 on dt.30/03/2015 with the Registration Receipt No.4583.
4. By virtue of the Tripartite Agreement dated 13/07/2015, the right, title, interest and benefits of the said plot of land has been transferred and assigned in favour of M/s. **SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH**, (therein and hereinafter referred to as "THE NEW LICENSEE") as per the terms and conditions mentioned therein. The said Tripartite Agreement is duly registered before the Sub Registrar of Assurances under its Serial No.8650, dated 13/07/2015, Doc. No. -PVL4-8650-2015 AND CIDCO vide its letter bearing Reference Number CIDCO/Vasahat/Satyo/Karanjade/154/2015/508, dated 16/07/2015, has substituted the New Licensee M/s. **SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH**, instead and in place of the aforesaid Original Licensees for the said plot of land.

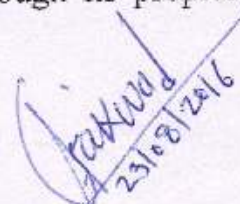
5. I have scrutinize the following documents :-

- a. Search Report on dt.14/03/2016, and Receipt No.3285
- b. Letter of Allotment of said Plot Dt.25/02/2015 in favour of Original Licensees;
- c. Agreement to lease dt. 30.03.2015, executed by the CIDCO, in favour of **SMT.GANGUBAI DINKAR PATIL & 7 Others.**
- d. Plot Transfer Final order dt. 16/07/2015 addressed by the New Licensee to the M/s. SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH, in respect of transfer of plot.
- g. Tri-partite Agreement dt. 13/07/2015, in favour of the New Licensee M/s. SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH.
- h. The CIDCO by its Letter under reference No.CIDCO/BP-15087/ TPO (NM&K)2016/0757 dated 20/07/2016 granted Commencement Certificate to **M/s.SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH** to development permission for residential building on the said Plot as per the terms and conditions as contained therein.
- h. The CIDCO by its Letter under reference No. CIDCO/BP-15087 /TPO (NM) 2016/2053 on dt. 11/08/2016 granted development permission is subject to pending Regular Civil Suit No.133/2012, in the court of Civil Judge (SD) Panvel. The order passed in the said Suit shall be

binding on M/s.SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH.

From all the above relevant papers and documents produced before me, I am of the opinion that, the TITLE of the land bearing Plot No. 111, totally admeasuring 199.88 Sq. mtrs., in Sector-5, situated at - Karanjade, Tal.Panvel, Dist. Raigad, in the said Plot Civil suit is pending. The order passed in the said Suit shall be binding on the M/s. SAMBHAV REALTORS, through its proprietor, SHRI.KIRTI H. SHAH, obtained development permission for residential building on the said Plot and construct the building as per the terms and conditions as contained therein. In the said plot there is no Status-quo or interim injunction restraining the Developer from creating third party rights or to sell/dispose the said Flats/Shops in the building that may be constructed on the said plot of land to any prospective purchaser.

Hence I have issued the Title Certificate on request of M/s.SAMBHAV REALTORS, through its proprietor, SHRI. KIRTI H. SHAH.



(AJAY D. GAIKWAD)

Advocate, High court

**AJAY D. GAIKWAD**  
Advocate High Court  
Off. Mahavir Bhakti CHS, Shop No-41,  
Plot No-93, Sector-15, Opp. D-Mart,  
Koperkhairane, Navi Mumbai-406709.  
Mob.: 8082325559, 8767305659