

# *Siddharth Naik*

*Advocate, High Court*

Office : Shop No. 2, Ramdev Chaitanya, Near Padmavati Complex, 150 Ft. Road, Bhayandar (West), Thane - 401 101.  
M : 9930071009 • E : advnaik@ymail.com

## **TO WHOMSOEVER IT MAY CONCERN**

THIS IS TO CERTIFY that I have investigated the title to the land bearing Survey No. 104, admeasuring 14210 sq. meters and Survey No. 88, Hissa No. 2, admeasuring 150 sq. meters situate, lying and being at Village Ghodbandar, Taluka and District Thane and in the Registration District and Sub-District of Thane, owned by Shri Narayan Sitaram Patil, Shri Janardhan Narayan Patil, Shri Chandrakant Rajaram Patil, Shri Prabhakar Sitaram Patil, Smt. Sunanda Manumant Mhatre, Smt. Parvatibai Rajaram Patil, Smt. Champabai Tukaram Patil, Smt. Malti Raghunath Mhatre, Smt. Devyani Tukaram Patil alias Devyani Krishna Vartak, Hema Tukaram Patil, Smt. Gulab Ramchandra Bhoir, Smt. Champabai Narayan Patil, Shri Nandkumar Narayan Patil, Shri Navnath Narayan Patil, Shri Vijay Narayan Patil, Smt. Yashodhabai Bhaskar Patil, Shri Radhakishan Bhaskar Patil, Shri Gajanath Bhaskar Patil, Smt. Nalini Chandrakant Patil, Smt. Jaya Arun Patil, Smt. Devkabai Prabhakar Patil and Smt. Bhagyashree Sudam Gavli and have to state as hereunder :

1. Shri Sitaram Budhaji Patil was the owner of land bearing Survey No. 104, admeasuring 14210 sq. meters and Survey No. 88, Hissa No. 2, admeasuring 150 sq. meters situate, lying and being at Village Ghodbandar, Taluka and District Thane, in the Registration District and Sub-District Thane and now within the limits of Mira Bhayandar Municipal Corporation (hereinafter referred to as the "Said Larger Property" for the sake of brevity and convenience).

2. Shri Sitaram Budhaji Patil died intestate in or about the year 1978 leaving behind his four sons namely Shri Rajaram Sitaram Patil, Shri Narayan Sitaram Patil, Shri Bhaskar Sitaram Patil, Shri Prabhakar Sitaram Patil, a daughter by name Smt. Gulabbai Ramchandra Bhoir, widow by name Smt. Gangabai Sitaram Patil (since deceased) and Smt. Champabai Tukaram Patil, Smt. Malti Raghunath Mhatre, Smt. Devyani Tukaram Patil and Smt. Hema Tukaram Patil, being the heirs of the predeceased son by name Shri Tukaram Sitaram Patil as his heirs and legal representatives entitled to the estate of the deceased including the said larger property. By a Mutation Entry No. 1091, dated 1<sup>st</sup> October, 1986, the names of the Shri Rajaram Sitaram Patil, Shri Narayan Sitaram Patil, Shri Bhaskar Sitaram Patil, Shri Prabhakar Sitaram Patil, Smt. Gulabbai Ramchandra Bhoir, Smt. Gangabai Sitaram Patil, Champabai Tukaram Patil, Malti Raghunath Mhatre, Devyani Tukaram Patil and Hema Tukaram Patil came to be recorded in the 7/12 extract of the said larger property as the heirs of late Shri Sitaram Budhaji Patil.

3. Shri Rajaram Sitaram Patil also died intestate leaving behind him Shri Chandrakant Rajaram Patil, Smt. Parvatibai Rajaram Patil and Smt. Sunanda Manumant Mhatre as his heirs and legal representatives entitled to the undivided share of the deceased in the said larger property.

4. Shri Bhaskar Sitaram Patil died intestate leaving behind Smt. Yashodhabai Bhaskar Patil, Shri Radhakishan Bhaskar Patil, Shri Gajanath Bhaskar Patil, Smt. Nalini Chandrakant Patil, Smt. Jaya Arun Patil as his heirs and legal representatives entitled to the undivided share of the deceased in the said larger property.

# *Siddharth Naik*

*Advocate, High Court*

Office : Shop No. 2, Ramdev Chaitanya, Near Padmavati Complex, 150 Ft. Road, Bhayandar (West), Thane - 401 101.  
M : 9930071009 • E : advnaik@ymail.com

5. By an Agreement for Sale, dated 10<sup>th</sup> August, 1992, Shri Narayan Sitaram Patil and others agreed to sell the said larger property to Mr. Gulam Rasool Mohammed Ali Shaikh, Mr. Abdul Razak Sambad, Mr. Rafeeqe Abdul Sheikur Shekhani and Mr. Mansurali Mohammed Ali Virani at the price and on the terms and conditions stipulated therein. In pursuance of the said Agreement for Sale, dated 10<sup>th</sup> August, 1992, Shri Narayan Sitaram Patil and others had also executed an Irrevocable General Power of Attorney in favour of Mr. Gulam Rasool Mohammed Ali Shaikh, Mr. Abdul Razak Sambad, Mr. Rafeeqe Abdul Sheikur Shekhani and Mr. Mansurali Mohammed Ali Virani, conferring upon them several powers inter-alia power to sell the said larger property to the person or persons of their choice.

6. By a Supplemental Agreement, dated 26<sup>th</sup> September, 1994, registered in the Office of Sub-Registrar, Thane under Sr. No. P/486/94, dated 26<sup>th</sup> September, 1994, Shri Narayan Sitaram Patil and others also confirmed and ratified the said principle Agreement, dated 10<sup>th</sup> August, 1992, executed by and between the parties thereto in respect of the said larger property. In pursuance of the said Supplemental Agreement, dated 26<sup>th</sup> September, 1994, Shri Narayan Sitaram Patil and others had also executed an another Irrevocable General Power of Attorney in favour of the said Mr. Gulam Rasool Mohammed Ali Shaikh, Mr. Abdul Razak Sambad, Mr. Rafeeqe Abdul Sheikur Shekhani and Mr. Mansurali Mohammed Ali Virani, conferring upon them several powers inter-alia power to develop the said larger property.

7. By an Agreement for Sale cum Development, dated 31<sup>st</sup> July, 2005, Shri Gulam Rasool Mohammed Ali Shaikh and others had agreed to sell the land bearing Survey No. 88, Hissa No.2, admeasuring 157.19 sq. meters and an area admeasuring 8369.33 sq. meters, forming the portion of land bearing Survey No. 104, situate, lying and being at Village Ghodbandar, Taluka and District Thane (hereinafter referred to as the "Said First Plot" for the sake of brevity and convenience) to M/s. Esteem Developers at the price and on the terms and conditions stipulated therein. In pursuance of the said Agreement for Sale cum Development, dated 31<sup>st</sup> July, 2005, Shri Gulam Rasool Mohammed Ali Shaikh and others had also executed an Irrevocable General Power of Attorney in favour of partners of M/s. Esteem Developers, conferring upon them several powers inter-alia power to sell the said first plot to the person or persons of their choice.

8. By an Agreement, dated 1<sup>st</sup> March, 2006, the said M/s. Esteem Developers in its turn agreed to grant the development rights of the said first plot to Shri Shailesh Sevantilal Shah and Shri Vishal Dilip Shah proprietor of M/s. Sankalp Construction at the price and on the terms and conditions stipulated therein. In pursuance of the said Agreement, dated 1<sup>st</sup> March, 2006, the said M/s. Esteem Developers had also executed an Irrevocable General Power of Attorney, dated 20<sup>th</sup> March, 2006 in favour of the said Shri Shailesh Sevantilal Shah and Shri Vishal Dilip Shah conferring upon them several powers inter-alia power to develop the said first plot.

# *Siddharth Naik*

*Advocate, High Court*

Office : Shop No. 2, Ramdev Chaitanya, Near Padmavati Complex, 150 Ft. Road, Bhayandar (West), Thane - 401 101.  
M : 9930071009 • E : advnaik@ymail.com

9. Shri Shailesh S. Shah had given up his undivided right, title and interest in the said first plot in favour of the said Shri Vishal Dilip Shah, Proprietor of M/s. Sankalp Construction by executing a writing to that effect.

10. By an Agreement for Sale cum Development, dated 23<sup>rd</sup> April, 2006, Mr. Gulam Rasul Mohammadali Shaikh and others had agreed to sell land bearing Survey No.88, Hissa No.2, admeasuring 157.19 sq. meters, an area admeasuring 6246.33 sq. meters, (Residential Zone) forming the portion of land bearing Survey No.104 and an area admeasuring 2123 sq. meters (Area reserved for D. P. Road) forming the portion of land bearing Survey No.104, situate at Village Ghodbundar, Taluka and District Thane and in the Registration District and Sub-District of Thane and now within the limit of Mira Bhayandar Municipal Corporation (hereinafter collectively referred to as the "Said Second Plot" for the sake of brevity and convenience) to M/s. Esteem Developers at the price and on the terms and conditions therein contained. In pursuance of the said Agreement for Sale cum Development, dated 23<sup>rd</sup> April, 2006, Mr. Gulam Rasul Mohammadali Shaikh and others had executed substituted Irrevocable General Power of Attorney in favour of M/s. Esteem Developers, conferring upon them several powers inter-alia power to sell the said second plot to the person or persons of its choice.

11. An area admeasuring 6246.33 sq. meters, forming the portion of land bearing Survey No.104, situate at Village Ghodbundar, Taluka and District Thane is shown as Residential Zone in the Development Plan of the Mira Bhayandar Municipal Corporation and an area admeasuring 2123 sq. meters, forming the portion of land bearing Survey No.104, situate at Village Ghodbundar, Taluka and District Thane is reserved for

D. P. Road in the Development Plan of the Mira Bhayandar Municipal Corporation and an area admeasuring 6209.5 sq. meters forming the portion of land bearing Survey No.104, situate at Village Ghodbundar, Taluka and District Thane is shown for Playground and High School in the Development Plan of the Mira Bhayandar Municipal Corporation.

12. By a Deed of Conveyance, dated 19<sup>th</sup> January, 2010, registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-4/553/2010, dated 19<sup>th</sup> January, 2010, Shri Janardhan Narayan Patil, Shri Chandrakant Rajaram Patil, Shri Prabhakar Sitaram Patil, Smt. Sunanda Hanumant Mhatre, Smt. Parvatibai Rajaram Patil, Smt. Champabai Tukaram Patil, Smt. Malti Raghunath Mhatre, Smt. Devyani Tukaram Patil Alias Smt. Devyani Krishna Vartak, Smt. Hema Tukaram Patil, Smt. Gulab Ramchandra Bhoir, Smt. Champabai Narayan Patil, Shri Bhaskar Sitaram Patil, Shri Nandkumar Narayan Patil, Shri Navnath Narayan Patil, Shri Vijay Narayan Patil, Smt. Yashodabai Bhaskar Patil, Shri Radhakishan Bhaskar Patil, Shri Jagannath Bhaskar Patil, Smt. Nalini Chandrakant Patil, Smt. Jayakala Arun Patil, Smt. Devkabai Prabhakar Patil, Smt. Bhagyashree Sudam Gavli, Mr. Gulam Rasul Mohammadali Shaikh, Mr. Abdul Razaque Qasam Saheb Sambad, Mr. Rafeeqe Abdul Shekur Shekani and Mr. Mansurali Mohammadali Virani and M/s.Esteem Developers jointly sold, transferred and conveyed the said second plot to Shri Vishal Dilip Shah, proprietor of M/s. Sankalp Construction for the consideration mentioned therein.

# *Siddharth Naik*

*Advocate, High Court*

Office : Shop No. 2, Ramdev Chaitanya, Near Padmavati Complex, 150 Ft. Road, Bhayandar (West), Thane - 401 101.  
M : 9930071009 • E : advnaik@ymail.com

13. The Mira Bhayandar Municipal Corporation has sanctioned the plan of the buildings to be constructed in the layout of the said larger property including the said second plot vide V.P. No. MB/MNP/773/2011-2012, dated 31<sup>st</sup> May, 2011.

14. The Mira Bhayandar Municipal Corporation has issued the Commencement Certificate No. MB/MNP/773/2011-2012, dated 31<sup>st</sup> May, 2011, to proceed with the construction of the buildings in the layout of the said larger property including the said second plot.

15. By an Agreement for Development, dated 18<sup>th</sup> February, 2012, Shri Vishal Dilip Shah proprietor of M/s. Sankalp Construction had agreed to grant and assign the development rights of Building No. "B and C" Wings, admeasuring 47000 sq. feet of F.S.I. to be constructed in the layout of the said second plot to M/s. D. L. Builders Pvt. Ltd., at the price and on the terms and conditions stipulated therein.

16. I have also considered the Search Report from 1978 to till date taken in the Office of Sub-Registrar of Assurance, Thane in respect of the said larger property.

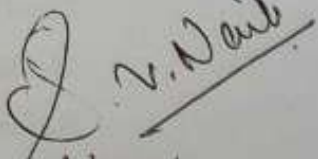
- i) Supplemental Agreement, dated 26<sup>th</sup> September, 1994, registered in the Office of Sub-Registrar, Thane under Sr. No. P/486/94, dated 26/9/1994 executed by Shri Narayan Sitaram Patil and others in favour of Mr. Gulam Rasool Mohammed Ali Shaikh, Mr. Abdul Razak Sambad, Mr. Rafeeqe Abdul Sheikur Shekhani and Mr. Mansurali Mohammed Ali Virani in respect of the said larger property.

- ii) Deed of Conveyance, dated 19<sup>th</sup> January, 2010, registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-4/553/2010, dated 19<sup>th</sup> January, 2010 executed by Shri Janardhan Narayan Patil and others in favour of Shri Vishal Dilip Shah proprietor of M/s. Sankalp Construction in respect of the said second plot.

17. On the whole from the searches taken by me in the Office of Sub-Registry of Thane from 1978 till date and also on the basis of documents produced before me as well as on the basis of information provided to me, I hereby state and certify that the title to the land bearing Survey No.88, Hissa No.2, admeasuring 157.19 sq. meters, an area admeasuring 6246.33 sq. meters, (Residential Zone) forming the portion of land bearing Survey No.104 and an area admeasuring 2123 sq. meters (Area reserved for D. P. Road) forming the portion of land bearing Survey No.104, situate at Village Ghodbundar, Taluka and District Thane and in the Registration District and Sub-District of Thane and now within the limit of Mira Bhayandar Municipal Corporation is clear, marketable and free from all encumbrances.

18. I also hereby state and certify M/s. D. L. Builders Pvt. Ltd., is entitled to construct a Building No. "B and C" Wings, admeasuring 47000 sq. feet of F.S.I. in the layout of the said second plot as per the permissions and sanctions granted by the authorities concerned.

Date : 2<sup>nd</sup> March, 2015.

  
Advocate