

ANNEXURE D: TITLE CERTIFICATE

**KANTILAL UNDERKAT & CO.**  
ADVOCATES & SOLICITORS

K. G. Underkat

UNAKAT TERRACE, 1ST FLOOR,  
27, ANJU SHOPPING CENTRE,  
TILAK ROAD, SANTACRUZ (W),  
MUMBAI 400 034.  
TEL : 2605 2458 / 2605 2460  
FAX : 2605 1000

Ref. No. KGU/NCB-117/ 470 /2006

Date 10<sup>th</sup> July, 2006

M/s. Kapstone Constructions Private Limited,  
Ideal Farm,  
Dahisar (W),  
Mumbai - 400 068.

Dear Sirs,

Re: ALL THOSE pieces or parcels of land or ground situated lying and being at Mouje Majiwada Village in Taluka North Salsette, District Thane and in the Registration Sub-District and District Thane and more particularly written in the Schedule hereunder written.

1. In the above matter we have caused Search to be taken from the Sub Registrar of Assurances at Thane from 1951 to 2002 and Sub Registrar of Assurances at Bombay from 1949 to 2002 and perused the same.

2. We have also perused copies of the documents referred to herein.

3. From such Searches the following position emerges:-

a) By a Consent Decree dated 1<sup>st</sup> February, 1949 and registered with the Sub Registrar of Assurances at Bombay (now Mumbai) at No.2633 of 1949 one Raja Singh Varma was confirmed as the Owner of the above property and was directed to pay a sum of Rs.18,000/- (Rupees Eighteen Thousand Only) with interest and cost in Suit No.375 of 1948 as above property more particularly described in the Schedule hereunder written was charged for the said sum of Rs.18,000/- Thus the said Raja Sigh Varma was the Owner of the said property.

POST OFFICE :

84, JANMABHOOMI MARG, 1ST FLOOR, FORT, MUMBAI 400 001. - TEL : 2204 5739  
Correspondence, Communication, Services only at Santacruz Office

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- b) It appears that the said property was owned by Raja Singh Varma for and on behalf of his joint Hindu Undivided Family known as Raja Singh Girdhari Singh Varma H.U.F.
- c) By an Agreement for Sale dated 15<sup>th</sup> September 1966 late Rajasingh Girdhari Singh Varma, for self and on behalf of and as Karta and manager of the HUF agreed to sell and transfer the said property as described in the First Schedule hereunder written to a partnership firm known as "Messrs United Leach Corporation" on certain terms and conditions as mentioned therein;
- d) At the material time i.e. at the time of entering the said Agreement for Sale dated 15<sup>th</sup> September 1966, the HUF being Rajasingh Girdhari Singh Varma (HUF), consisted of late Rajasingh Girdhari Singh Varma, his wife Parvatibai and his two sons Udaisingh and Vijaysingh;
- e) Pursuant to the said Agreement for Sale dated 15<sup>th</sup> September 1966, United Leach Corporation paid the entire consideration to Rajasingh Varma (HUF) in respect of the said property and had been placed in possession of the said property. Rajasingh Varma (HUF) having received the entire consideration from United Leach Corporation in respect of the said property and having handed over possession of the said property to United Leach Corporation, ceased to have any share, right, title, interest, claim or demand of any nature whatsoever in respect of the said property or any part thereof;
- f) On 12<sup>th</sup> December 1971, the said Mr. Rajasingh Varma died and after his death, late Udaisingh Rajasingh became and/or acted as karta and manager of the HUF;

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- g) By an Agreement dated 23<sup>rd</sup> July 1980, United Leach Corporation (i) granted development rights to and permitted and authorized late Dharnidhar K. Shah and his nominees and assigns to develop, sell and transfer the said property and (ii) assigned and transferred all their right, title, interest and benefit under the said Agreement dated 15<sup>th</sup> September 1966 to late Dharnidhar K. Shah and his nominees and assigns and (iii) agreed to sell and transfer the said property to late Dharnidhar K. Shah and his nominees and assigns, for the consideration and on the terms and conditions therein contained.
- h) By a Supplemental Agreement dated 15<sup>th</sup> July 1985 entered into between the United Leach Corporation and the late Dharnidhar K. Shah, certain terms and conditions of the said Agreement dated 23<sup>rd</sup> July, 1980 were modified.
- i) Pursuant to the abovementioned Agreement dated 23<sup>rd</sup> July 1980 and Supplemental Agreement dated 15<sup>th</sup> July 1985 (i) the late Shri. Dharnidhar K. Shah had been placed in possession of the said property by United Leach Corporation and (ii) an irrevocable Power of Attorney dated 4<sup>th</sup> December 1985 was executed in favour of Mr. D. K. Shah. United Leach Corporation having granted the Development Rights in respect of the said property and transferred and assigned all their rights, title, interest and benefit under the said Agreement for Sale dated 15<sup>th</sup> September 1966 and having handed over possession of the said property to late Dharnidhar K. Shah, United Leach Corporation ceased to have any right, title, interest, claim or demand of any nature whatsoever in respect of the said property or any part thereof;
- (2)

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]] On 12<sup>th</sup> April 1985, late Mr. Udaisingh Rajasingh Vārma died and after his death, Ashok Udaisingh Varma became and/or acted as the karta and manager of the said HUF;

[k] By an Agreement dated 1<sup>st</sup> October 1986 and Additional Agreement dated 1<sup>st</sup> October 1989 made and entered into between late Dharnidhar K. Shah of the one part and Transcon Properties Pvt. Ltd. of the other part, late Dharnidhar K. Shah inter alia (i) granted development rights in respect of the said property to Transcon Properties Pvt. Ltd. and its assigns and nominees and (ii) assigned and transferred all his rights, title, interest and benefits under the said Agreement dated 23<sup>rd</sup> July, 1980 and the said Supplemental Agreement dated 15<sup>th</sup> July 1985 to Transcon Properties Pvt. Ltd. and its assigns and nominees for the consideration and on the terms and conditions therein contained;

]] Certain litigation namely Suit No.230/1987 in the Court of Civil Judge (S.D.) Thane had been filed by Vijay Singh inter alia for a declaration that the said property was the separate self acquired property of Rajasingh and not of HUF and therefore he had share therein under Hindu Succession Act, 1956 and in the alternative Vjaysingh had undivided 8/28 share in the said property and in the further alternative for a declaration that Vijay Singh is partner of M/s. United Leach Corporation and other reliefs and for the interim and ad interim reliefs as prayed for thereunder. In the said Special Suit No. 230 of 1987, Parvatibai Rajasingh Varma filed the Written Statement and Counter Claim. The said Suit is settled and Consent Terms were filed in Court on 27<sup>th</sup> day of April, 2004;

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- m) On 23<sup>rd</sup> May 1994, Shri Dharnidhar K. Shah died. Prior thereto he left his last Will and Testament dated 14<sup>th</sup> February 1994 and Codicil dated 22<sup>nd</sup> April 1994. Under the said last Will and Codicil of late Dharnidhar K. Shah, Manish Shah his son and Mr. Navinchandra K. Shah, his brother have been appointed as the Executors. Manish Shah herein are the beneficiaries under the said Will and Codicil of late D. K. Shah. Manish Shah and Mr. Navinchandra K. Shah as such executors have filed a Petition being 88 of 2002 in the Hon'ble High Court at Bombay for obtaining probate in respect of the said last Will and Testament dated 14<sup>th</sup> February 1994 and Codicil dated 22<sup>nd</sup> April 1994 of late Dharnidhar K. Shah. The said Petition is pending;
- n) After the death of late Dharnidhar K. Shah his heirs and legal representatives have confirmed all the agreements and arrangements between late Dharnidhar K. Shah and Transcon Properties Pvt. Ltd. in respect of the said property including agreement and arrangement contained in the said Agreement dated 1<sup>st</sup> October 1986 and Additional Agreement dated 1<sup>st</sup> October 1989;
- o) All the concerned parties have settled all their disputes and claims in respect of the said property and arrived at a settlement as set out in the said Consent Terms dated 27<sup>th</sup> April, 2004 filed in said suit being Special Suit No. 230 of 1987;
- p) The remaining proceedings i.e. suit being Special Suit No. 733 of 1990 and the Appeal from Order No. 794 have been settled and withdrawn.
- q) As per the Consent Terms, Transcon Properties Pvt. Ltd. KMD Enterprises and Vijay Singh Varma are in joint possession of the said property.
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- By Development Agreement 31<sup>st</sup> March, 2006 and registered with the Sub Registrar of Assurances at Thane at TNN-5 at No.2095 of 2006 the Owners and Mr. Vijaysingh Rajasingh Varma, for self and on behalf of and as the Karta and Manager of Vijaysingh Rajasingh Varma (HUF), a Joint and Undivided Hindu Family consisting of himself i.e. Vijaysingh Rajasingh Varma, Mrs. Secma Vijaysingh Varma, Vishal Vijaysingh Varma, Amar Vijaysingh Varma, Ruchita Vijaysingh Varma, therein referred to as the "Vijay Singh" of the Second Part And Transcon Properties Private Limited, therein referred to as "Transcon" of the Third Part And KMD Enterprise, therein referred to as "KMD" of the Fourth Part And 1) Smt. Lilavati D. Shah w/o Late Shri. Dharnidhar K. Shah, (2) Shri. Manish D. Shah s/o Late Shri. Dharnidhar K. Shah and (3) Mrs. Bindu M. Shah, w/o Mr. Manish Shah, therein referred to as "Manish Shah" of the Fifth Part And 1) Mrs. Vishinkumari Udaisingh Varma, (2) Mr. Ashok Udaisingh Varma, (3) Mr. Sanjay Udaisingh Varma, (4) Ms. Manju Udaisingh(1), Mrs. Vishinkumari Udaisingh Varma, (2) Mr. Ashok Udaisingh Varma, (3) Mr. Sanjay Udaisingh Varma, (4) Ms. Manju Udaisingh Varma, (5) Geetanjali Amarjeet Singh Lal, nee Geetanjali Udaisingh Varma, (6) Mrs. Sunita Ashok Varma, (7) Mrs. Nandini Sanjay Varma, (5) Geetanjali Amarjeet Singh Lal, nee Geetanjali Udaisingh Varma, (6) Mrs. Sunita Ashok Varma, (7) Mrs. Nandini Sanjay Varma, therein for the sake of brevity referred to as "the First Confirming Party" of the Sixth Part And (1) Smt. Mala Vijay Doshi d/o of Late Shri. Dharnidhar K. Shah, (2) Smt. Ishani Kausal Shah d/o of Late Shri. Dharnidhar K. Shah and (3) Smt. Dharini Sagar Shah d/o Late Shri. Dharnidhar K. Shah therein referred to as "daughters of late D. K. Shah" AND Navinchandra K. Shah therein referred to as "the brother of late D. K. Shah" of the Seventh Part And M/s. United Leach Corporation therein referred to as "The Third Confirming Party" of the Eighth Part And (1) Mrs. Parvatibai Rajasingh

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Varma (2) Pramila Abhaysingh and (3) Anita Mangatsingh therein collectively referred to as the "Fourth Confirming Party" of the Ninth Part And (1) Mrs. Secma Vijaysingh Varma, (2) Vishal Vijaysingh Varma; (3) Amar Vijaysingh Varma and (4) Ruchita Vijaysingh Varma for self and as members of Vijay Singh HUF, therein collectively referred to as the "Fifth Confirming Party" of the Tenth Part have given you right and authority and empowered you to develop the said property and you have agreed to pay certain percentage of sale proceeds as provided in the said Agreement as and by way of consideration. You have also agreed to construct in the First Phase area of 10,50,000 built up;

4. We had caused to be issued Public Notice which appeared in the issue of Janmabhoomi (Gujrati) dated 13<sup>th</sup> November 2003, Navshakti (Marathi) dated 13<sup>th</sup> November 2003, Free Press Journal (English) dated 13<sup>th</sup> November 2003, Economic Times (English) dated 13<sup>th</sup> November 2003, Thane Vaibhav (Marathi) dated 14<sup>th</sup> November, 2003.

5. In pursuance of the aforesaid Public Notice dated 13<sup>th</sup> and 14<sup>th</sup> November, 2003 we had received claims of certain persons which were settled and ultimately you have entered into the above Development Agreement.

6. Thereafter you came across some advertisement by Smt. Sushila Mahavirsingh Bhardwaj, sarita Devi w/o. Karam Singh, Sangita devi w/o. Shri Jasvinder Singh, Yaspal Sing, Kirtipal Singh, Parvatibai Rajasingh Varma, Pramila Abhaysingh and Anita Mangatram Rana claiming to have some share in the said property. We had therefore issued Public Notice which appeared in the issue of Free Press Journal (English) dated 27<sup>th</sup>

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August, 2005, Navshakti (Marathi) dated 29<sup>th</sup> August, 2005 and Janmabhoomi (Gujrati) dated 27<sup>th</sup> August, 2005.

7. Similarly you have received certain objections from certain cultivators claiming to be the cultivators. You have settled with all the alleged 33 cultivators and entered into Agreements with each of them whereby they have declared themselves that they are not the cultivators. They have filed a Suit No. 65/87 in Court of Joint Civil Judge, S.D. Thane and the same is also settled. You have informed us that accordingly the same will be withdrawn within a short time.

8. In the premises, in our view, title of the above property is clear and marketable and free from all encumbrances.

The Schedule Above Referred To

ALL THOSE piece or parcels of land or ground situated lying and being at Mouje Majiwada Village in Taluka North Salsette, District Thane and in the Registration Sub-District and District Thane bearing the following Survey Numbers and Hissa Numbers assessment and area as under

Survey No.	Hissa No.	Area in Sq. Mtrs.
12	1	
12	2	
12	3	
12	4	
	Total	12570
13	1	
13	2	
13	3	
	Total	2170
15	1	



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Survey No.	Hissa No.	Area in Sq. Mtrs.
15	2	
15	3	
15	4	
15	5	
	Total	11630
16	1pt	
16	2pt	
16	3	
16	4	
16	5	
16	6	
	Total	10140
17	3	
17	4pt	
17	5	
17	6pt	
	Total	10520
18	3pt	
18	4pt	
18	6pt	
	Total	6980
19	1pt	
19	2pt	
19	3pt	
19	4pt	
19	5pt	
	Total	11450
20	1	
20	2	
20	3	
20	4	
	Total	6680
22	NIL	2380
35	1	
35	2	

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Survey No.	Hissa No.	Area in Sq. Mtrs.
35	3	
35	4	
35	5	
35	6	
35	7	
35	8	
	Total	11150
36	1	
36	2	
36	3	
36	4	
36	5	
36	6	
36	7	
	Total	10850
37	1	
37	2	
37	3	
37	4	
37	5pt	
37	6	
37	7pt	
37	9pt	
	Total	20210
38	1pt	
38	2	
	Total	3440
41	1	
41	2	
41	3	
41	4	
41	5	
41	6	
41	7	
41	8	
41	9	
	Total	29390

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Survey No.	Hissa No.	Area in Sq. Mtrs.
42	1	
42	2	
42	3	
42	4	
42	5	
42	6	
42	7	
	Total	9890
43	1	
43	2	
43	3	
43	4	
43	5	
43	6	
43	7	
43	8	
43	9	
43	10	
43	11	
43	12	
	Total	19270
44	1	
44	2	
44	3	
44	4	
44	5	
44	6	
	Total	10370
45	1	
45	2pt	
45	3	
45	4pt	
45	5pt	
45	7pt	
45	8pt	
45	9	
45	10	
	Total	23770

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KANITILAL UNDERKAT & CO.  
ADVOCATES & SOLICITORS

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Continuation Sheet

Survey No.	Hissa No.	Area in Sq. Mtrs.
46	1pt	
46	2	
46	3pt	
46	4pt	
46	6pt	
46	7pt	
46	8	
	Total	14090
47	1pt	
47	3pt	
47	4	
47	5	
47	6	
47	7	
47	8	
	Total	14750
48	1	
48	2	
48	3	
48	4	
48	5	
48	6	
48	7	
48	8	
	Total	11860
49	1	
49	2	
49	3	
	Total	2330
50	1	
50	2	
50	3	
	Total	8900
51	1	
51	2	
51	3	
51	4	

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**WILAL-UNDERKAT & CO.**  
ADVOCATES & SOLICITORS

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Survey.No.	Hissa No.	Area in Sq. Mtrs.
51	5	
51	6	
51	7	
51	8	
51	9	
	Total	31180
54	1	
54	2	
54	3	
54	4	
	Total	3700
55	1	
55	2	
55	3	
55	4	
55	5	
	Total	5240
84pt		3410
89		3160
327	2/1	
327	2/2	
327	2/3	
327	2/4	
327	2/5	
327	2/6	
327	2/7	
327	2/8	
327	2/9	
327	C	
	Total	36830
328	3/1	
328	3/2	
328	3/3	
328	3/4	
328	3/5	
328	3/6	

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Survey No.	Hissa No.	Area in Sq. Mtrs.
328	3/7	
328	3/8	
328	3/9	
	Total	27190
329	1/1	
329	2	
329	3	
329	4	
329	5pt	
329	6pt	
	Total	19680
345	1	
345	2	
345	3	
345	4	
345	5	
345	6	
345	7	
345	8	
345	9	
345	10	
345	11	
345	12	
345	13	
345	14	
345	15	
345	16	
345	17	
	Total	35690
423 A	1	
423 A	2	
423 A	3	
423 A	4	
423 A	5	
423 A	6	
423 A	7	
423 A	8	
423 A	C	
(423)	Total	28270

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Survey No.	Hissa No.	Area in Sq. Mtrs.
424A	1	
424A	2	
424A	3	
424A	4	
424A	C	
(424)	Total	26670
383		24410
	Grant Total	515280
Less Area under Reservation		46000
Net Area available for Development		469000

For M/s. Kantilal Underkat & Co.  
Advocates and Solicitors

*J.R. Underkat*

Proprietor

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ADVOCATES & SOLICITORS

K. G. Underkat

UNADKAT TERRACE, 1ST FLOOR,  
27, ANJU SHOPPING CENTRE,  
TILAK ROAD, SANTACRUZ (W),  
MUMBAI 400 054.  
TEL : 2805 2458 / 2805 2460  
FAX : 2805 4009  
E-mail: kantilal\_underkat@rediffmail.com

Ref. No.

FURTHER TITLE CERTIFICATE

Date

KGU/NCB-117/ 465<sup>th</sup> /2008

19<sup>th</sup> July, 2008

Kapstone Constructions Private Limited,  
Ideal Farm,  
Dahisar (W),  
Mumbai - 400 068.

Dear Sirs,

Re: ALL THOSE piece or parcels of land or ground situated lying and being at Mouje Majiwada Village in Taluka North Salsette, District Thane and in the Registration Sub-District and District Thane and more particularly written in the Schedule hereunder written.

1. In the above matter we had issued our Title Certificate dated 10<sup>th</sup> July, 2006 bearing Ref No.KGU/NCB-117/480/2006.

2. In para 7 of the said Title Certificate at the end through oversight we had mentioned that they have filed the said Suit No.65/87. However the same is filed by you. You have informed us that the Consent Terms have been tendered to the Court but the Order has remained pending in terms thereof.

"They have filed a Suit No. 65/87 in Court of Joint Civil Judge, S.D. Thane and the same is also settled."

3. In para 6 of the said Title Certificate we have referred to the claim of Smt. Sushila Mahavirsingh Bhardwaj, Sarita Devi w/o.

POST OFFICE

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2008



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Karam Singh, Saugita devi W/o. Shri Jasvinder Singh, Yaspal Singh, Kirtipal Singh, Parvatibai Rajasingh. Varma, Pramila, Abhaysingh and Anita Mangatram Rana. You have informed us that you had filed Suit against them being Special Suit No.204 of 2005 in the Court of Civil Judge (S.D.) Thane at Thane. You have also informed us that the same is decreed with cost by an Order dated 3<sup>rd</sup> March, 2008. You have produced the Order dated 14<sup>th</sup> March, 2008 for our perusal.

4. Subject to the aforesaid, in our view title of the above property is clear, marketable and free from all encumbrances.

The Schedule Above Referred To

ALL THOSE piece or parcels of land or ground situated lying and being at Mouje Mejiwada Village in Taluka North Salsette, District Thane and in the Registration Sub-District and District Thane bearing the following Survey Numbers and Hissa Numbers assessment and area as under

Survey No.	Hissa No.	Area in Sq. Mtrs.
12	1	
12	2	
12	3	
12	4	
	Total	12670
13	1	
13	2	
13	3	
	Total	2170
15	1	
15	2	
15	3	
15	4	

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Survey No.	Hissa No.	Area in Sq. Mtrs.
15	5	
	Total	11630
16	1pt	
16	2pt	
16	3	
16	4	
16	5	
16	6	
	Total	10140
17	3	
17	4pt	
17	5	
17	6pt	
	Total	10520
18	3pt	
18	4pt	
18	6pt	
	Total	6980
19	1pt	
19	2pt	
19	3pt	
19	4pt	
19	5pt	
	Total	11460
20	1	
20	2	
20	3	
20	4	
	Total	6580
22	NIL	2380
35	1	
35	2	
35	3	
35	4	
35	5	

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Survey No.	Hissa No.	Area in Sq. Mtrs.
35	6	
35	7	
35	8	
	Total	11150
36	1	
36	2	
36	3	
36	4	
36	5	
36	6	
36	7	
	Total	10850
37	1	
37	2	
37	3	
37	4	
37	5pt	
37	6	
37	7pt	
37	9pt	
	Total	20210
38	1st	
38	2	
	Total	3440
41	1	
41	2	
41	3	
41	4	
41	5	
41	6	
41	7	
41	8	
41	9	
	Total	29390
42	1	
42	2	
42	3	

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Survey No.	Hissa No.	Area in Sq. Mtrs.
42	4	
42	5	
42	6	
42	7	
	Total	9890
43	1	
43	2	
43	3	
43	4	
43	5	
43	6	
43	7	
43	8	
43	9	
43	10	
43	11	
43	12	
	Total	19270
44	1	
44	2	
44	3	
44	4	
44	5	
44	6	
	Total	10370
45	1	
45	2pt	
45	3	
45	4pt	
45	5pt	
45	7pt	
45	8pt	
45	9	
45	10	
	Total	23770
46	1pt	
46	2	
46	3pt	

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Survey No.	Hissa No.	Area in Sq. Mtrs.
46	4pt	
46	6pt	
46	7pt	
46	8	
	Total	14090
47	1pt	
47	3pt	
47	4	
47	5	
47	6	
47	7	
47	8	
	Total	14750
48	1	
48	2	
48	3	
48	4	
48	5	
48	6	
48	7	
48	8	
	Total	11860
49	1	
49	2	
49	3	
	Total	2330
50	1	
50	2	
50	3	
	Total	8900
51	1	
51	2	
51	3	
51	4	
51	5	
51	6	
51	7	

ANNEXURE D: TITLE CERTIFICATE

KANTILAL UNDERKAT & CO.  
ADVOCATES & SOLICITORS

7

Continuation Sheet

Survey No.	Hisar No.	Area in Sq. Mtrs.
51	8	
51	9	
	Total	31130
54	1	
54	2	
54	3	
54	4	
	Total	8700
55	1	
55	2	
55	3	
55	4	
55	5	
	Total	5240
84pt		3410
89		3160
327	2/1	
327	2/2	
327	2/3	
327	2/4	
327	2/5	
327	2/6	
327	2/7	
327	2/8	
327	2/9	
327	C	
	Total	36830
328	3/1	
328	3/2	
328	3/3	
328	3/4	
328	3/5	
328	3/6	
328	3/7	
328	3/8	
328	3/9	

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ANNEXURE D: TITLE CERTIFICATE

KANTILAL UNDERKAT & CO.  
ADVOCATES & SOLICITORS

Continuation Sheet

Survey No.	Hissa No.	Area in Sq. Mtrs.
	Total	27190
329	1/1	
329	2	
329	3	
329	4	
329	5pt	
329	6pt	
	Total	19680
345	1	
345	2	
345	3	
345	4	
345	5	
345	6	
345	7	
345	8	
345	9	
345	10	
345	11	
345	12	
345	13	
345	14	
345	15	
345	16	
345	17	
	Total	35690
423 A	1	
423 A	2	
423 A	3	
423 A	4	
423 A	5	
423 A	6	
423 A	7	
423 A	8	
423 A	C	
(423)	Total	28270
424A	1	
424A	2	

*Cur*

ANNEXURE D: TITLE CERTIFICATE

KANTILAL UNDERKAT & CO.  
ADVOCATES & SOLICITORS

Continuation Sheet

Survey No.	Block No.	Area in Sq. Mtrs.
424A	3	
424A	4	
424A	C	
(424)	Total	26670
383		24410
	Grant Total	515280
Less		
Area under Reservation		46000
Net Area available for Development		469000

For M/s. Kantilal Underkat & Co.  
Advocates and Solicitors

*K. G. Underkat*  
Proprietor



ANNEXURE D: TITLE CERTIFICATE  
(1 of 1)

**C.D. BHIDE**

M.Com. (Hons.) L.L.B. (Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph.: 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane:-**

306, Tulsishyam CHS.,  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No. S. 2230

**TITLE CERTIFICATE**

Date: 16.11.2010

**TO WHOMSOEVER IT MAY CONCERN**

**CHINTAMAN KASHINATH BHOIR & ..... OWNERS  
OTHERS**

**TO**

**KAPSTONE CONSTRUCTION ..... BUILDER/  
PVT LTD DEVELOPERS**

**READ :**

1. **EXTRACT OF 7/12.**
2. **MUTATION ENTRIES.**
3. **ORDER** issued by Competent Authority **ULHASNAGAR URBAN AGGLOMERATION THANE** under their No. ULC / TA /TENANCY NO.1/MAJIWADE/SR-31 dated 19.12.2005.
4. **COPY OF RELEASE DEED** dated 06.06.2004, between Smt. Sakhubai Ravji Patil as "RELEASOR" and Chintaman Kashinath Bhoir & Others as "RELEASEE" (TNN 2/8995 dated 05.11.2004).
7. **AGREEMENT FOR SALE**, dated 21.12.2006 executed between **SHRI CHINTAMANI KASHINATH BHOIR & OTHERS** as "VENDORS" and **M/S. TABISH CONSTRUCTION** through its proprietor **SHOIB BASHIR CHEULKAR** as "CONFIRMING PARTY" and **KAPSTONE CONSTRUCTIONS PVT LTD** as "BUILDERS/DEVELOPERS". (TNN-1 / SR. NO. 662/2007)
8. **POWER OF ATTORNEY** executed by **SHRI CHINTAMANI KASHINATH BHOIR & OTHERS** in favour of **KAPSTONE CONSTRUCTIONS PVT LTD**, which is duly Authenticated before S.R.O Thane -I under No.97/2007.
9. **SEARCH REPORT :**



# C.D. BHIDE

M Com. (Hons.) L.L.B. (Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Ceme Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph.: 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane:-**

306, Tulshiyam CHS.,  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No

Date : \_\_\_\_\_

IN this matter, the necessary searches have been taken by Adv. R D. Dhayarkar, at the office of Sub-Registrar of Assurances, Thane and the search report does not reveal any entry, which may come in the category of encumbrances over the property described in the SCHEDULE hereunder written.

IT appears that, the property in question was belonging to one RAMRAO PANDURANG NAIK.

IT appears from Mutation entry No.497 that the said RAMRAO PANDURANG NAIK sold the property in question unto SHRI KASHINATH DAMA BHOIR vide Deed of Conveyance dated 08.03.1943 and the said SHRI KASHINATH DAMA BHOIR mutated his name in the revenue and other records.

SHRI KASHINATH DAMA BHOIR, died intestate, Leaving behind him POSHIBAI KASHINATH BHOIR AND OTHERS as the Legal heirs and who started enjoying the said property as Co-Owner thereof.

FURTHER POSHIBAI KASHINATH BHOIR died intestate on 4.01.1986 leaving behind her SHRI. CHINTAMAN KASHINATH BHOIR & OTHERS as the legal heirs, who mutated their names in the revenue and other records vide mutation entry No.1983.

Further it appears from the mutation entry No.1984 that one of the co-owner SHRI HARISHCHANDRA KASHINATH BHOIR died intestate on 15.07.1985 leaving behind him Tulsibai Harishchandra Bhoir and Others as the legal heirs.

ONE of the CO-OWNER CHANDRAKANT KASHINATH BHOIR died intestate on 05.05.91 leaving behind him Bebibai Chandrakant Bhoir and others as the legal heirs, who mutated their name vide mutation entry no. 2089.

SMT. SAKHUBAI RAVJI PATIL, one of the co-owner released her undivided right, Title and/or interest in favour of Chintaman Kashinath Bhoir and others, and therefore her name was deleted vide mutation entry no. 2437.



**C.D. BHIDE**

M.Com. (Hons.) L.L.B. (Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph.: 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane:-**

306, Tulshiyam CHS.,  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No. \_\_\_\_\_

Date .. \_\_\_\_\_

By an Agreement for sale dated 21.12.2006 the said SHRI. CHINTAMAN KASHINATH BHOIR AND OTHERS agreed to sell the property in question unto KAPSTONE CONSTRUCTIONS PVT LTD the BUILDERS/DEVELOPERS herein and the said Agreement for sale is duly registered at the office of S.R.O. Thane -1 under their number 662/2007.

SHRI. CHINTAMAN KASHINATH BHOIR AND OTHERS have also granted the requisite Power of Attorney unto the BUILDER / DEVELOPER in respect of the property in question for the purpose of development.

ON perusal of the above referred documents and on the basis of the searches taken at the office of Sub-registrar of Assurances, THANE by Adv. R. D. Dhayarkar, I hereby certify that the title of the "OWNERS" to the property in question is clear, marketable, free from reasonable doubts and encumbrances, and KAPSTONE CONSTRUCTIONS PVT LTD has sufficient rights to commence, carry out and complete the development on the said property described in the SCHEDULE hereunder written.

**SCHEDULE**

ALL THAT PIECE AND PARCEL OF LAND lying and situated at Village Majiwde, Tal. And Dist. Thane, within the limits of THANE MUNICIPAL CORPORATION, within registration District and sub-registration district Thane bearing :

S. No.	H. No.	Area H-R-P	Assessment Rs. Ps
30	2	0-40-0	3.19

Together with all easementary rights etc.,



**C.D. BHIDE.**  
(Advocate)

*C. D. Bhide*

M. Com(Hons.) LL.B. (Advocate)

THANE : 306, Tulishyam CHS, Teen Hat Naka, Above Punjab & Sindh Bank, Thane (W) - 400 604. Tel. : 022 - 26826018

KALYAN : Sitavallabh Society, 1st Floor, Near Wel-come Hotel, Shhwaji Chowk, Kalyan (W) - 421 301. Tel.: 0251 - 2211393  
Telifax : (0251) 2204717 Email : cdbhide@gmail.com

Ref. \_\_\_\_\_

Date: 31.5.2012

TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

CHINTAMAN KASHINATH BHOIR & ..... OWNERS  
OTHERS

TO

M/S. KAPSTONE CONSTRUCTION ..... BUILDER/  
PVT LTD DEVELOPERS

I have perused the copies of following documents :

1. EXTRACTS OF 7/12.
2. MUTATION ENTRIES.
3. Deed of Conveyance dated 03.05.1941 executed between SHRI. HARISHCHANDRA DHARMA BHOIR as "OWNER/VENDOR" and SMT. POSHIBAI KASHINATH BHOIR as "PURCHASER".  
(THANE / SR. NO.223/1941 dated 6.05.1941)
3. ORDER issued by Competent Authority ULHASNAGAR URBAN AGGLOMERATION THANE under their No. ULC / TA /TENANCY NO.1/MAJIWADE/SR-31 dated 19.12.2005.
4. NOTARIZED DEVELOPMENT AGREEMENT, dated 02.05.2005 executed between SHRI CHINTAMANI KASHINATH BHOIR & OTHERS as "VENDORS" and M/S. TABISH CONSTRUCTION through its proprietor SHOIB BASHIR CHEULKAR "BUILDERS/DEVELOPERS".  
(TNN-2 / SR. NO. 4546/2008, dated 15.05.2008)
5. NOTARIZED POWER OF ATTORNEY executed by SHRI CHINTAMANI KASHINATH BHOIR & OTHERS in favour of proprietor of M/S. TABISH CONSTRUCTION.

ANNEXURE D: TITLE CERTIFICATE

*C. D. Bhide*

M. Com(Hons.) LL.B. (Advocate)

THANE : 306, Tulshiyam CHS, Teen Hat Naka, Above Punjab & Sindh Bank, Thane (W.) - 400 604. Tel. : 022 - 25826018

KALYAN : Sitavallabh Society, 1st Floor, Near Wel-come Hotel, Shiwaji Chowk, Kalyan (W) - 421 301. Tel.: 0251 - 2211393  
Telifax : (0251) 2204717 Email : cdbhide@gmail.com

Ref : \_\_\_\_\_

Date : \_\_\_\_\_

6. RELEASE DEED dated 06.06.2004, between Smt. Sakhubai Ravji Patil as "RELEASOR" and Chintaman Kashinath Bhoir & Others as "RELEASEE"  
(TNN 2/8995 dated 05.11.2004).
7. DEVELOPMENT AGREEMENT, dated 15.05.2008 executed between SHRI CHINTAMANI KASHINATH BHOIR & OTHERS as "VENDORS" and M/S. TABISH CONSTRUCTION through its proprietor SHOIB BASHIR CHEULKAR as "CONFIRMING PARTY" and M/S. KAPSTONE CONSTRUCTIONS PVT LTD as "BUILDERS/DEVELOPERS".  
(TNN-2 / 4546/2008, dated 15.05.2008)
8. POWER OF ATTORNEY executed by SHRI CHINTAMANI KASHINATH BHOIR & OTHERS in favour of Directors of M/S. KAPSTONE CONSTRUCTIONS PVT LTD.
9. SEARCH REPORT :

IN this matter, the necessary searches has been taken by Adv. R D. Dhayarkar, at the office of Sub-Registrar of Assurances, Thane and the search report does not reveal any entry, which may come in the category of encumbrances over the property described in the SCHEDULE hereunder written.

IT appears that, the property in question was belonging to one POSHIBAI KASHINATH BHOIR .

The said POSHIBAI KASHINATH BHOIR, purchased the said property from SHRI HARISHCHANDRA DHARMA BHOIR, vide Deed of Conveyance dated 03.05.1941.

The said Deed of Conveyance is duly registered at the Office of Sub-Registrar of Assurances, Thane under No.223 of 1941.



ANNEXURE D: TITLE CERTIFICATE

*C. D. Bhide*

M. Com(Hons.) LL.B. (Advocate)

THANE : 306, Tulshiyam CHS, Teen Hal Naka, Above Punjab & Sindh Bank, Thane (W.) - 400 604. Tel. : 022 - 25826018

KALYAN : Sitavallabh Society, 1st Floor, Near Wel-come Hotel, Shriwaji Chowk, Kalyan (W) - 421 301. Tel.: 0251 - 2211393  
Telfax : (0251) 2204717 Email : cdbhide@gmail.com

Ref: \_\_\_\_\_

Date: \_\_\_\_\_

ON the basis of the said Conceyance the said POSHIBAI KASHINATH BHOIR , mutated her name in the revenue and other records vide Mutation Entry No. 1553 and started enjoying the said property as absolute Owner thereof.

POSHIBAI KASHINATH BHOIR died intestate on 4.01.1986 leaving behind her SHRI. CHINTAMAN KASHINATH BHOIR & OTHERS as the legal heirs, who mutated their names in the revenue and other records vide mutation entry No.1983.

Further it appears from the mutation entry No.1984 that one of the co-owner HARISHCHANDRA KASHINATH BHOIR died intestate on 15.07.1985 leaving behind him Tulsibai Harishchandra Bhoir and Others as the legal heirs.

ONE of the CO-OWNER CHANDRAKANT KASHINATH BHOIR died intestate on 05.05.91 leaving behind him Bebibai Chandrakant Bhoir and others as the legal heirs, who mutated their names, vide mutation entry no. 2089.

SMT. SAKHUBAI RAVJI PATIL, one of the co-owner released her undivided right, Title and/or interest in favour of Chintaman Kashinath Bhoir and others, who mutated their name and deleted the name of SMT. SAKHUBAI RAVJI PATIL vide mutation entry no. 2437.

FURTHER by Development Agreement dated 15.05.2008, the said SHRI. CHINTAMAN KASHINATH BHOIR AND OTHERS sold the development rights of the property bearing Survey No.30, Hissa No. 3 area admeasuring about 4280 Sq. mtrs, unto M/S. KAPSTONE CONSTRUCTIONS PVT LTD the BUILDERS/DEVELOPERS herein and the said Development Agreement is duly registered at the office of S.R.O. Thane -2 under their number 4546/2008 dated 15.05.2008.



## ANNEXURE D: TITLE CERTIFICATE

*C. D. Bhide*

M. Com(Hons.) LL.B. (Advocate)

THANE : 306, Tulashyam CHS, Teen Hat Naka, Above Punjab &amp; Sindh Bank, Thane (W.) - 400 604. Tel. : 022 - 25826018

KALYAN : Sitavallabh Society, 1st Floor, Near Wel-come Hotel, Shiwaji Chowk, Kalyan (W) - 421 301. Tel.: 0251 - 2211393  
Telfax : (0251) 2204717 Email : cdbhide@gmail.com

Ref. : \_\_\_\_\_

Date : \_\_\_\_\_

SHRI. CHINTAMAN KASHINATH BHOIR AND OTHERS have also granted the requisite Power of Attorney unto the BUILDER / DEVELOPER in respect of the aforesaid property for the purpose of development.

IT further appears that there is one Miscellaneous Application No. 168/2008 is pending before Civil Judge (J.D.) at Thane for restoration of Suit No. 308/1988 which was withdrawn at the instance of M/S. SHREE SAINATH ENTERPRISES AND OTHERS i.e Plaintiff itself.


I therefore certify that subject to what is stated hereinabove the title of the "OWNERS" to the property in question is clear, marketable, free from reasonable doubts and encumbrances, and M/S. KAPSTONE CONSTRUCTIONS PVT LTD has sufficient rights to develop the said property described in the SCHEDULE hereunder written

## SCHEDULE

ALL THAT PIECE AND PARCEL OF LAND lying and situated at Village Majiwde, Tal. And Dist. Thane, within the limits of THANE MUNICIPAL CORPORATION, within registration District and sub-registration district Thane bearing:

S. No.	H. No.	Area H - R - P	Assessment Rs. Ps
30	3	0 - 42 - 8	3. 44

Together with all easementary rights etc.,

  
(C. D. BHIDE)  
Advocate

ANNEXURE D: TITLE CERTIFICATE

SEEMA PADHYE  
B.COM.L.L.B. Mob. 09967914638  
ADVOCATE BOMBAY HIGH COURT 203, Pandurang Niwas,  
Vishnunagar, Naupada,  
Thane (W).  
Ref. \_\_\_\_\_ Date : 23/10/2009

TITLE CERTIFICATE

Property Ref:- All that piece and parcel of plot of land, bearing Survey No. 327 Hissa No. 1 admeasuring 1010 sq.mts., Survey No. 328 Hissa No. 1 admeasuring 200 sq.mts. and Survey No. 328 Hissa No. 2 admeasuring 280 sq.mts. thus in aggregate admeasuring 1490 sq.mts., lying, being and situated at Village Majiwade, Thane, Tahuka and District Thane, Registration District and Sub-Registration District of Thane and within the limits of Thane Municipal Corporation.

On behalf of M/S. KAPSTONE CONSTRUCTIONS PVT. LTD., through its Director MR. BOMAN R. IRANI, I have investigated the title of the property above referred to :-

At the relevant time Shri Kashinath Dama Bhoir (hereinafter referred to as Said Kashinath) was the absolute Owner and fully seized and possessed of and otherwise well and sufficiently entitled to all that piece and parcel of the land bearing Survey No. 327 Hissa No.1 admeasuring 1010 sq.mts, Survey No.328, Hissa No.1 admeasuring 200 sq.mts. and Survey No.328 Hissa No.2 admeasuring 280 sq.mts. thus in aggregate admeasuring 1490 sq.mts. situated at - Village Majiwade, Tal. & Dist. Thane, Registration District and Sub-District Thane and within the limits of Thane Municipal Corporation (hereinafter referred to as the 'said Land').

The Said Kashinath died intestate on or about 20/11/1976 leaving behind his widow Smt.Poshibai Kashinath Bhoir and three sons viz. Harish Chandra, Chintaman & Chandrakant and one married daughter Sakhubai Ravji Patil to succeed to and inherit the Said Land. Smt. Poshibai, widow of Said Kashinath died intestate on or about 04/01/1986.



ANNEXURE D: TITLE CERTIFICATE

Smt. Mankibai Chintaman Bhoir Smt. Ranjana Ramesh Madhvi, Smt. Chandrabhaga Devram Bhoir, Smt. Saraswati Chintaman Bhoir, Smt. Kamal Sadashiv Mhatre, Smt. Damayanti Chintaman Bhoir, Smt. Rekha Chintaman Bhoir, Shri Yogesh Chintaman Bhoir are the family members of Mr. Chintaman, Harischandra, one of the sons of Srid Kashinath died intestate on or about 15/07/1985. Smt. Sakhubai Ravji Patil, the married daughter of Said Kashinath made and executed a Release Deed dtd. 05/11/2004 registered at Sr. No. 8995/2004 in the office of Sub-Registrar, Thane and thereby she released, relinquished, surrendered and gave her share, right, title, claim and interest in the said Land in favour of Mr. Chintaman Kashinath Bhoir, Smt. Bebibai Chandrakant Bhoir & Mr. Dilip Harishchandra Bhoir.

I have gone through the Deed of Conveyance dated 15<sup>th</sup> May 2008 lodged for registration under No. TNN2-04548-2008 dated 15.05.2008 (hereinafter referred to as 'said Deed of Conveyance') between Shri Chintaman Kashinath Bhoir, Smt. Mankibai Chintaman Bhoir Smt. Ranjana Ramesh Madhvi, Smt. Chandrabhaga Devram Bhoir, Smt. Saraswati Chintaman Bhoir alias Smt. Sumita Ranjan Keni, Smt. Kamal Sadashiv Mhatre, Smt. Damayanti Chintaman Bhoir, Smt. Rekha Chintaman Bhoir, Shri Yogesh Chintaman Bhoir, Smt. Laxmibai Alias Tulsibai Harishchandra Bhoir, Shri Dilip Harishchandra Bhoir, Shri Purushottam Harishchandra Bhoir, Shri Dashrath Harishchandra Bhoir, Shri Deepak Harishchandra Bhoir, Smt. Alka Yaduraj Kawale, Smt. Sulochana Sajjan Pawar, Smt. Babibai Chandrakant Bhoir, Smt. Yamini Chandrakant Bhoir, Smt. Trupti Chandrakant Bhoir, Shri Kedar Chandrakant Bhoir, Shri Sachin Chandrakant Bhoir (hereinafter referred to as the 'said Vendors') AND Smt. Sakhubai Rawji Patil (hereinafter referred to as the 'said Confirming Party') AND Kapstone Constructions Pvt. Ltd., (hereinafter referred to as the 'said Purchasers') the said Property is transferred and conveyed in favour of M/s. Kapstone Constructions Pvt. Ltd. The said entry is effected on records of rights as per mutation Entry No. 2634.

I have perused 7/12 Extract in respect of the said land, which is standing in the name of Kapstone Constructions Pvt. Ltd.

I have also investigated the mutation entries made available to me for inspection.

ANNEXURE D: TITLE CERTIFICATE

I have gone through the Public Notice issued by Advocate Shri Rainakar D. Rashinkar for the 'said Land' in the Daily News Paper "The Free Press Journal" dtd 4<sup>th</sup> April 2006 and in Daily News Papers "Thane Vaibhav" dtd 3<sup>rd</sup> March 2006 and invited objections from the Public if any for the said transaction.

I have gone through the Search Report of the said Land taken by Mr. Sanjay Shinde, Search Clerk, which was taken in the office of Sub-Registrar of Assurances Thane for the period of 29 years and no encumbrances/transactions are found have taken place in respect of the above Land as mentioned in the Search Report except entry of Deed of Release in the year 2004 mentioned hereinabove.

I have also checked Index II issued in favour of M/s. Kapstone Constructions Pvt. Ltd., through its Director Shri. Boman R. Irani through its Constituted Attorney Smt. Geeta Monkar dated 27.05.2008 of the said Deed of Conveyance.

I find that the title of the said M/s. Kapstone Constructions Pvt. Ltd., through its Director Shri. Boman R. Irani being the owner to the above referred property is free from the encumbrances and free from reasonable doubts and the said Owners have clear and marketable title to the above referred property.

Thane, dated on this 23<sup>rd</sup> day of October, 2009.

*S. Padhye*  
(Scema Padhye)  
Advocate.

Mrs. SEEMA D. MONKAR  
S. COURT  
ADVOCATE  
HIGH COURT THANE

**KISAN D. SUKRE**  
B.A., LL.B.

ADVOCATE - HIGH COURT

ANNEXURE D: TITLE CERTIFICATE

82/101, FIRST FLOOR,

SHREE GANESH TOWERS CO-OP. HSG. SOC. LTD.,

NEAR GAONDEVI BUS STOP, THANE (W) 400 602.

PHONE : 2538 3204 E-mail : kisan\_sukre@yahoo.co.in

TITLE CERTIFICATE

Description of the Property :-

ALL THAT piece and parcel of land admeasuring 1122.15 Sq. Meters, lying being and situated at Survey No. 21/1, situated at Village Majiwade, Taluka and District Thane, within the limits of Thane Municipal Corporation and within the registration sub-district and registration District Thane, bounded as under :-

On or towards East : Survey No. 386 Part  
On or towards West : Remaining land of S. No.21/1  
On or towards South : Survey No. 20/2  
On or towards North : Remaining land of S. No. 21/1  
& 30 M. RCMTR Line

(hereinafter referred to as 'The Said Property')

As per instructions of my clients M/s. Kapstone Constructions Pvt. Ltd., Having Office at : 6, Gurugovind Industrial Estate, Goregaon (East), Mumbai, I have investigated title of the said property. During the course of investigation I had an occasion to inspect the following documents :

- 1) The Village Form 7/12 Extract.
- 2) The Village. Form No. 6, Mutation entry Nos. 257, 1670, 1937, 2277, 2278.
- 3) The Development Agreement registered on 13/03/2003, registered under serial No. 1649/2003 with Sub-Registrar, Thane-1 executed between Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir, Smt. Anjali Janardan Mukadam, Smt. Devkibai Krishna Bhoir, Shri. Baliram Atmaram Bhoir and Shri. Mangalprabhat Gumanmal Lodha.

**KISAN D. SUKRE**  
B.A., LL.B.

ADVOCATE - HIGH COURT

ANNEXURE D: TITLE CERTIFICATE  
B-2/101, FIRST FLOOR,  
SHREE GANESH TOWERS CO-OP. HSG. SOC. LTD.,  
NEAR GAONDEVI BUS STOP, THANE (W) 400 602.  
PHONE : 2538 3204 E-mail : kisan\_sukre@yahoo.co.in

- 4) The Power of Attorney executed by Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir, Smt. Anjali Janardan Mukadam, Smt. Devkibai Krishna Bhoir, Shri. Baliram Atmaram Bhoir in favour of Shri. Mangalprabhat Gumanmal Lodha.
- 5) The Agreement (Exchange of Development Rights) dated 28/03/2006, registered on 25/05/2006, registered under serial No. 4134/2006 with Sub-Registrar, Thane-2, executed between Mr. Ashok Udaisingh Varma and M/s. Kapstone Construction Pvt. Ltd., and Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir, Smt. Anjali Janardan Mukadam, Smt. Devkibai Krishna Bhoir, Shri. Baliram Atmaram Bhoir and Mr. Mangalprabhat Gumanmal Lodha.
- 6) The Power of Attorney dated 25/05/2006 executed by Mr. Mangalprabhat Gumanmal Lodha in favour of M/s. Kapstone Construction Pvt. Ltd.
- 7) The certificate issued by Adv. Pradip Garach in respect of Land situated at Survey No. 21, Hissa No. area admeasuring 0.61.2.

After perusal of the above mentioned documents and after considering the representations made in the concerned documents by the concerned persons, I express my opinion about the title of the said property as under :-

- 1) It revealed that, Shri. Babu Narayan Bhoir, Shri. Krishna Narayan Bhoir & Shri. Baliram Atmaram Bhoir, were joint owners and in possession and occupation of the land bearing Survey No. 21/1, admeasuring 0-61-2 (H-R-P), lying being and situated at Village Majiwade, Taluka and District Thane.
- 2) The said Shri. Babu Narayan Bhoir is expired and after his demise Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir & Smt. Anjali Janardan Mukadam are the legal heirs Shri. Babu Narayan Bhoir. Shri. Krishna Narayan Bhoir is also expired and after his demise

**KISAN D. SUKRE**  
B.A., LL.B.

ADVOCATE - HIGH COURT

ANNEXURE D: TITLE CERTIFICATE

B2/101, FIRST FLOOR,

SHREE GANESH TOWERS CO-OP. HSG. SOC. LTD.,

NEAR GAONDEVI BUS STOP, THANE (W) 400 602.

PHONE : 2538 3204 E-mail : kisan\_sukre@yahoo.co.in

Smt. Devkibai Krishna Bhoir is the legal heir of the late Shri. Krishna Narayan Bhoir.

- 3) At present Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir, Smt. Anjali Janardan Mukadam, Smt. Devkibai Krishna Bhoir, Shri. Baliram Atmaram Bhoir, are the joint owners in respect of land bearing Survey No. 21/1, admeasuring 0-61-2 (H-R-P), lying being and situated at Village Majiwade, Taluka and District Thane.
- 4) Thereafter, by Development Agreement registered on 13/03/2003, registered under serial No. 1649/2003 with Sub-Registrar, Thane-1, executed by and between Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir, Smt. Anjali Janardan Mukadam, Smt. Devkibai Krishna Bhoir, Shri. Baliram Atmaram Bhoir being owners and Shri. Mangalprabhat Gumanmal Lodha being Developer, the owners have granted the Development rights in respect of the land bearing Survey No. 21/1, admeasuring 0-61-2 (H-R-P), lying being and situated at Village Majiwade, Taluka and District Thane, along with other property. The Said owners have also executed the Power of Attorney in favour of the Developer Shri. Mangalprabhat Gumanmal Lodha.
- 5) Thereafter, by Agreement (Exchange of Development Rights) dated 28/03/2006, registered on 25/05/2006, registered under serial No. 4134/2006 with Sub-Registrar, Thane-2, M/s. Kapstone Constructions Pvt. Ltd., have acquired development rights in respect of Land admeasuring 1122.15 Sq. Meters, lying being and situated at Survey No. 21/1, situated at Village Majiwade, Taluka and District Thane, from Mr. Mangalprabhat Gumanmal Lodha being Developer and Power of Attorney holder of Owners i. e. Shri. Kishore Babu Bhoir, Smt. Hausa Babu Bhoir, Smt. Anjali Janardan Mukadam, Smt. Devkibai Krishna Bhoir, Shri. Baliram Atmaram Bhoir.


**KISAN D. SUKRE**  
B.A., LL.B.

ADVOCATE - HIGH COURT

ANNEXURE D: TITLE CERTIFICATE  
B2/101, FIRST FLOOR,  
SHREE GANESH TOWERS CO-OP. HSG. SOC. LTD.,  
NEAR GAONDEVI BUS STOP, THANE (W) 400 602.  
PHONE : 2538 3204 E-mail : kisan\_sukre@yahoo.co.in

- 6) I have also caused a search to be taken through Akshar Consultancy in respect of the said property for 30 years from 1981 to 2010, in the records available in the office of Sub-Registrar, Thane. In the said Search Report I did not find any adverse entries for a period of 30 years preceding the date of Search.
- 7) In view to the above stated circumstances in my opinion the title of the present owners upon the said property appears to be clear, marketable and free from all encumbrances. In my opinion, the said Developers Kapstone Constructions Pvt. Ltd., have been lawfully appointed as the developers of the said property in terms of the said Agreements and Power of Attorney subject to the conditions stipulated therein.
- 8) In view to the above stated circumstances, and subject to necessary permissions from statutory authorities, I hereby certify that, Kapstone Constructions Pvt. Ltd., has acquired development rights in respect of Land admeasuring 1122.15 Sq. Meters, lying being and situated at Survey No. 21/1, situated at Village Majiwade, Taluka and District Thane and said property is clear and marketable.
- 9) Hence, this Title Certificate, which is being issued at the request of the developers Kapstone Constructions Pvt. Ltd.

Dated this 26<sup>th</sup> day of February 2011 at Thane.

  
Kisan D. Sukre  
Advocate

ANNEXURE D: TITLE CERTIFICATE

**C.D. BHIDE**

M.Com.(Hons.) L.L.B.(Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph. : 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane :-**

306, Tulshiyam CHS;  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No.:-

Date :- 01.03.2011

**TITLE CERTIFICATE  
TO WHOMSOEVER IT MAY CONCERN**

**KAPSTONE CONSTRUCTION PVT. LTD .....**

A Company incorporated under the Indian  
Companies Act 1956.

**OWNERS / BUILDERS/  
DEVELOPERS**

**READ :**

1. **EXTRACT of 7/12.**
2. **MUTATION ENTRIES.**
3. **ORDER under Urban land Ceiling Appeal No.35 of 8.**
4. **RELEASE DEED dated 07.05.2010 executed by and between SMT. ANUSAYA BHALCHANDRA VAITY & 5 OTHERS as "RELEASOR" and SHRI. PUNDALIK SHINU VAITY & SHRI. BHARAT SHINU VAITY as "RELESEE".**
5. **AGREEMENT FOR SALE dated 16.08.2010, between SHRI PUNDALIK SHINU VAITY (PATIL) & OTHERS as "VENDORS" and SHRI. PURUSHOTTAM HARISHCHANDRA BHOIR & OTHERS as "PURCHASERS".**  

(TNN 5/8910 dated 16.08.2010)
6. **PUBLIC NOTICE given by Advocate C.D.BHIDE in "LOKSATTA" Dated 15.05.2010 & "FREE PRESS JOURNAL " dated 19.05.2010.**
7. **DEED OF CONVEYANCE dated 08.10.2010, between SHRI PUNDALIK SHINU VAITY (PATIL) & OTHERS as "VENDORS" and KAPSTONE CONSTRUCTIONS PVT. LTD., as "PURCHASER and SHRI. PURUSHOTTAM HARISHCHANDRA BHOIR & OTHERS as "CONFIRMING PARTY".**  

(TNN 2/11543 dated 08.10.2010).
8. **SEARCH REPORT :**



# C.D. BHIDE

M.Com.(Hons.) L.L.B.(Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph. : 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane :-**

306, Tulsihyam CHS;  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No.:-

Date :- \_\_\_\_\_

IN this matter, the necessary search has been taken by Adv. Ramhari D Dhyarkar, at the office of Sub-Registrar of Assurances, Thane and the search report does not reveal any entry, which may come in the category of encumbrances.

THE property in question was the ancestral property of SMT SAGUNA SHINU VAITY.

SMT SAGUNA SHINU VAITY, had filled the necessary return under provision of Urban Land & Ceiling Act, 1976, and being aggrieved by the decision of the Competent Authority, further filled appeal to the Competent Authority bearing No.35. The Appelant Authoruty passed the necessary order on 30.04.1983, stating that the entire property including the property bearing Survey No.14, Hissa No.1 is "RETAINED" by the Owners and there is no surplus, vacant land.

THE said SMT SAGUNA SHINU VAITY, died intestate on 17.11.2008 leaving behind her SHRI. PUNDALIK SHINU VAITY & OTHERS as the legal heirs.

ONE of the CO-OWNER, SHRI. JAYRAM SHINU VAITY, died intestate leaving behind him KAMAL JAYRAM VAITY & 4 OTHERS as the legal heirs.

ONE of the CO-OWNER SHRI. MAHENDRA SHINU VAITY died intestate as Bachelor, leaving behind him SHRI. PUNDALIK SHINU VAITY & OTHERS as the legal heirs.

BY a Release Deed dated 07.05.2010, the CO-OWNERS, SMT. ANUSAYA BHALCHANDRA VAITY & OTHERS, released, relinquished and/or surrendered their undivided right, Title and/or interest of the property in question in favour of SHRI. PUNDALIK SHINU VAITY and SHRI. BHARAT SHINU VAITY.

THE said Release Deed is duly registered at the office of Sub-Registrar of Assurances, Thane-5 under their No. 5015/2010 dated 07.05.2010.

BY an Agreement for Sale dated 16.08.2010 the said SHRI PUNDALIK SHINU VAITY (PATIL) & OTHERS agreed to sell the property unto SHRI. PURUSHOTTAM HARISHCHANDRA BHOIR & OTHERS.





ANNEXURE D: TITLE CERTIFICATE

# C.D. BHIDE

M.Com.(Hons.) L.L.B.(Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph. : 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane :-**

306, Tulshiyam CHS:  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No.:-

Date :-

THE said Agreement is registered at the office of Sub-Registrar of Assurances, Thane - 5, under their No.8910 / 2010, dated 16.08.2010.

IN PURSUANCE to the abovesaid Agreement For Sale, the Owners and Shri. Purushottam Harishchandra Bhoir & Shri. Manish Dillip Sawant have conveyed the said property unto KAPSTONE CONSTRUCTIONS PVT LTD., vide Deed of Conveyance dated 08.10.2010, which is duly registered at the office of Sub-registrar of Assurances, Thane-2 under No. 11543/2010 dated 08.10.2010.

OUT of the total land admeasuring about 55 R, the land admeasuring about 2670 Sq.mtrs., is under acquisition of Pipeline, Road etc, and therefore the present owners herein, have purchased the land admeasuring about 2830 Sq.mtrs vide aforesaid Conveyance.

AFTER execution and registration of the said Deed of Conveyance, the said KAPSTONE CONSTRUCTIONS PVT LTD., mutated their name in the revenue and other records vide mutation entry No. 2754 and started enjoying the said property as the absolute owner thereof.

ON perusal of the above mentioned documents and on the basis of the searches taken by Advocate Ramhari Dhyarkar, I certify that, the title of the "OWNER" to the property described in the SCHEDULE hereunder written is clear, marketable and free from reasonable doubts and encumbrances.

### SCHEDULE

ALL THAT PIECE AND PARCEL OF LAND lying and situate at Village MAJIWADE, Taluka & District Thane, within the registration Dist. & Sub-Registration Dist. Thane, within the limits of THANE MUNICIPAL CORPORATION, bearing:

S. No.	H. No.	Area sq.mtrs	Assessment	
			Rs	Ps
14	1	2830	4	64

Together with all easementary rights etc.,

  
(C. D. BHIDE)  
ADVOCATE

**Pradip Garaçh**  
Advocate  
High Court, Bombay

6, Roz-a-Rita Apartments,  
L.D.S. Road, Kamani,  
Kurla (West), Mumbai - 400 070  
Phone : 6600 5157

REPORT ON TITLE

M/s Mangal Prabhat Lodha

(Ex Parte)

Re: Property bearing Survey No. 27 Hissa No. 1 Survey No. 28  
Hissa No. 2 Survey No. 30 Hissa No. 5 Survey No. 34 Hissa  
No. 1 Survey No. 34 Hissa No. 3 Survey No. 34 Hissa No. 9  
admeasuring 38.7 Aar 35.5 Aar 57.9 Aar 14.2 Aar and 23.5  
Aar 1.8 Aar or thereabouts respectively situate at Village  
Majevade District Thane.

1. I have prepared this Report on Title in respect of the above property on the basis of the searches caused to be taken by Shri D.K. Patil, in the office of the Sub- Registrar of Assurances at Thane and the various extracts namely 7/12 extract and 6/12 extract that have been furnished to me. On perusal of the above Search Report & Extracts of Revenue Record, I observe as under.
2. As recorded in Mutation Entry No. 671 dated 11/06/1949 on the death of Narayan Dharma Bhoir on 01/09/1948 names of his legal heirs 1) Yeshwant Narayan Bhoir 2) Ramchandra Narayan Bhoir 3) Raghunath Narayan Bhoir 4) Pandurang Narayan Bhoir last nos 3 & 4 minors represented by their father and natural guardian Narayan Dharma Bhoir
3. As recorded in Mutation Entry No. 1695 dated 13/03/1974 Pandurang Narayan Bhoir share in respect of the aforesaid property recorded in 7/12 extract in respect of the above property by reason of Partition taken placed amongst 1) Pandurang Narayan Bhoir 2) Yeshwant Narayan Bhoir 3) Ramchandra Narayan Bhoir 4) Raghunath Narayan Bhoir and as such names of the 1) Yeshwant Narayan Bhoir 2) Ramchandra Narayan Bhoir 3) Raghunath Narayan Bhoir were deleted accordingly
4. As per Mutation Entry No. 791 the said property has been declared as a fragment
5. As per Mutation Entry No. 1640 enactment of the Weigh & Measure Act and Indian Coinage Act was recorded
6. By an Development Agreement dated 06/07/2004 between 1) Pandurang Narayan Bhoir 2) Subhdra Pandurang Bhoir 3) Ramesh Pandurang Bhoir 4) Laxmi Kishor Dharat 5) Asha Vikram Mhatre 6) Santosh Pandurang Bhoir & 7) Savita Pandurang Bhoir of the One Part and Mangal Prabhat Lodha of the Other Part and registered under no. 5286 on 06/04/2004 the said 1) Pandurang Narayan Bhoir and others granted development rights in respect of the said property to Mangal Prabhat Lodha.

Contd..2

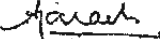
ANNEXURE D: TITLE CERTIFICATE

7. In terms of the Development Agreement aforesaid, while a total consideration of Rs 1,42,46,400/- has been agreed to be paid by the Mangal Prabhat Lodha to the said - 1) Pandurang Narayan Bhoir and others in respect of said property, a sum of Rs 77,12,600/- has been paid.
8. By a Power of Attorney dated 06/07/2004 and registered with the office of the Sub Registrar of Assurances at Thane under Serial No 268 of 2004, the said 1) Pandurang Narayan Bhoir and others have granted unto the Mangal Prabhat Lodha for the development of the said property.
9. Advertisements in the local newspapers have not been given inviting claims from the public.
10. Under the aforesaid circumstances and subject to what is stated herein above, in my view, 1) Pandurang Narayan Bhoir and others are the present owners in respect of the said property and on obtaining formal N.A Order and permission under ULC Act, if required, Mangal Prabhat Lodha has Development rights in respect thereof

THE SCHEDULE ABOVE REFERRED TO

Property bearing Survey No. 27 Hissa No. 1 Survey No. 28 Hissa No. 2 Survey No.30 Hissa No. 5 Survey No. 34.Hissa No. 1 Survey No. 34 Hissa No.3 Survey No. 34 Hissan No. 9 measuring 38.6 Aar 35.5 Aar 57.9 Aar 14.2 Aar and 23.5 Aar 1.8 Aar or thereabouts respectively situate at Village Majewade District Thane.

Dated this 3<sup>rd</sup> day of January, 2007.

  
(Pradip-Garach)  
Advocate High Court Bombay

ANNEXURE D: TITLE CERTIFICATE

Pradip Garach  
Advocate  
High Court, Bombay

6, Roz-a-Rio Apartments,  
L. B. S. Road, Kamani,  
Kurla (West), Mumbai - 400 070  
Phone : 6500 6167

ADDENDA

Re : Property bearing Survey No. Survey No.30 Hissa No. 5  
admeasuring 436.70 sq.mts. or thereabouts respectively situate  
at Village Majewade District Thane.

1. This is an addendum to my Report on Title dated 31<sup>st</sup> January, 2007 for the above property.

2. I have already issued my Report on Title dated 31<sup>st</sup> January, 2007 in respect of the captioned property forming a part of the larger property (hereinafter referred to as "the said property"). Under the said report, I have inter alia certified that Pandurang Narayan Bhoir and Others are the owners of the said property who have executed and registered Development Agreement dated 06/07/2004 in favour of Shri. Mangal Prabhat Lodha for the development of the said property and handed over possession thereof.

Meanwhile, Mr. K.P. Mahajan, Advocate once again taken Search in respect of the said entire property in the office of Registrar at Thane for period for the year 1980 to 2009 (30 years).

I have now been placed with Search Report dated 19/05/2009 of Mr. K.P. Mahajan, Advocate and other documents in respect of the above property and on perusal thereof, following position emerges :-

- a) By Declaration dated 03/10/2007 executed and registered under No. TNN2-07185 of 2007 by Shri. Mangal Prabhat Lodha inter alia declaring therein that he has released transferred and assigned to Shree Saijath Enterprises benefits and advantages of herein referred Development Agreement dated 06/07/2004 together with liabilities and obligations therein and together with benefit of permission and sanction of building plan for several properties which includes the captioned property.
- b) By Power of Attorney dated 22/11/2007 executed by Pandurang Narayan Bhoir and Others being landowners in favour of Mangal Prabhat Lodha and another (Donees) conferring upon donees for lodging the Deed of Conveyance as and when executed by the said Owners and admit execution thereof.
- c) By Deed of Mortgage dated 18/09/2007 executed by and between Lodha Estate Private Limited and 4 Others alongwith Lodha Hi-Rise Builders Private Limited (Issuer) and Lodha Developers Private Limited (LDPL) and Mangal Prabhat Lodha and 2 Others (Promoters) in favour of IDBI

ANNEXURE D: TITLE CERTIFICATE

Trusteeship Services Limited for the benefit of Cowtown Land Development Private Limited wherein the said property was forming a part of the mortgaged property which had been mortgaged in terms thereof.

5. By Indenture of Release and Re-Conveyance dated 24<sup>th</sup> September, 2009 executed and registered under No. TNN2-8747 of 2009 by IDBI Trusteeship Services Limited and Cowtown Land Development Private Limited in favour of Lodha Estate Private Limited and Others which includes Shri. Mangal Prabhat Lodha wherein the said IDBI has released and re-conveyed to Lodha Estate Private Limited and Others the portion of the property comprised in Survey No.30 Hissa No.5 admeasuring 430.70 sq.mts. on terms and condition stated therein.

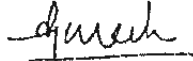
6. Save and except what is stated hereinabove and documents referred in my report, there is no further document found to be registered which adversely affects the Title of Shree Sainath Enterprises / Mangal Prabhat Lodha in respect of the above property was found to be registered.

7. In the premises aforesaid, I once again confirm that Pandurang Narayan Bhoir and Others are the Owners of the said property and Shree Sainath Enterprises / Mangal Prabhat Lodha as a Developer, as the case may be, are entitled to the development rights in respect thereof.

THE SCHEDULE ABOVE REFERRED TO:

Property bearing Survey No. Survey No.30 Hissa No. 5 admeasuring 430.70 sq.mts. or thereabouts respectively situate at Village Mujewade District Thane.

Dated this 29<sup>th</sup> day of September, 2009.



(Pradip Garach)  
Advocate High Court Bombay

Pradip Garach  
Advocate  
High Court, Bombay

6, Rose-Rio Apartments,  
L. B. S. Road, Kamant,  
Kurla (West), Mumbai - 400 070  
Phone: 6800 5157

TO WHOMSOEVER IT MAY CONCERN

Re: Property bearing Survey No 28 Hissa No 3, Survey No 30 Hissa No 6 admeasuring 15.7 Aar and 11.4 Aar or thereabouts situate at Village Majiwade District Thane.

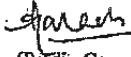
This is Addenda to my Report on Title dated 31/01/2007 for the above property.

I have further perused following document made available and produced before me for my inspection. On perusal of the said document and also gathered information and explanation the following position emerges.

By Deed of Confirmation dated 21/07/2005 executed by 1) Hemant Dhanaji Bhoir 2) Aruna Prabhakar Bahire and 3) Subhash Laxman Bhoir and registered under No. 4726 of 2005 on 21/07/2005, the said Hemant Dhanaji Bhoir and others had confirmed the Development Agreement dated 14/07/2005 executed by the said Dhanaji Narayan Bhoir and others in favour of M/s Lodha Estate Pvt. Ltd. granting development rights upon the terms and conditions therein stated.

In the premises aforesaid, the Report on Title dated 31/01/2007 stand modified by incorporating the aforesaid document.

Dated this 18<sup>th</sup> day of September, 2007.

  
(Pradip Garach)  
Advocate High Court Bombay

ANNEXURE D: TITLE CERTIFICATE

Pradip Garach  
Advocate  
High Court, Bombay

5, Roz-a-Bio Apartments,  
L.B.S. Road, Kamant,  
Kurla (West), Mumbai - 400 070  
Phone 25800 5157

REPORT ON TITLE

M/s Lodha Estate Pvt. Ltd.

(Ex-Parte)

Part I

Re: Property bearing Survey No. 28 Hissa No. 3, Survey No. 30 Hissa No. 6 admeasuring 15.7 Aar and 11.4 Aar or thereabouts respectively situate at Village Majewade District Thana.

1. I have prepared this Report on Title in respect of the above property on the basis of the searches caused to be taken by Shri D.K. Patil, in the office of the Sub- Registrar of Assurances at Thane and the various extracts namely 7/12 extract and 6/12 extract that have been furnished to me. On perusal of the above Search Report & Extracts of Revenue Record, I observe as under.
2. As recorded in Mutation Entry No. 732 dated 18/04/1951 Narayan Deo Bhoir had purchased the property bearing Survey No. 30 Hissa No. 6 from Bedyar Hasia Bhoir.
3. As per Mutation Entry No. 791 the said property has been declared as a fragment.
4. As recorded in Mutation Entry No. 1544 on 17/01/1969, on the death of the Narayan Deo Bhoir on 09/07/1965, names of his heirs 1) Devkibal Narayan Bhoir 2) Laxman Narayan Bhoir 3) Bhaskar Narayan Bhoir 4) Dhanaji Narayan Bhoir 5) Vitthalbai Gajanan Patil were entered in the 7/12 extract of the said property.
5. As per Mutation Entry No. 1640 enactment of the Weigh and Measure Act and Indian Coinage Act was recorded.
6. As recorded in Mutation Entry No. 1612 dated 30/09/1971, Tenancy Certificate NO. 132 dated 13/04/1970 was issued under section 32 G of Bombay Agriculture & Tenancy Act, 1958 and on payment of the consideration thereunder by the Narayan Deo Bhoir, name of the original owner viz. Maldan Guston kurel was deleted from the other rights column and name of the Narayan Deo Bhoir was entered in the 7/12 extract as a owner of the said property bearing Survey No. 28 Hissa no. 3.
7. As recorded in Mutation Entry No. 1754 dated 05/09/1977 on the death of Laxman Narayan Bhoir in the year 1951 names of his heirs 1) Janubai Laxman Bhoir 2) Pandurang Laxman Bhoir 3) Subhash Laxman Bhoir 4)

Contd...2

ANNEXURE D: TITLE CERTIFICATE

-2-

Bhagwan Laxman Bhoir 5) Tarabai Laxman Bhoir 6) Vasanti Laxman Bhoir & 7) Nirmla Laxman Bhoir (last nos 6 & 7 mhors represented by the their mother and natural guardian Jaibai Laxman Bhoir were entered in 7/12 extract of the property bearing Survey No. 30 Hissa No. 6

9. By a Development Agreement dated 14/07/2005 made between 1) Dhanaji Narayan Bhoir 2) Vijay Dhanaji Bhoir 3) Prahlad-Dhanaji Bhoir 4) Mahesh Dhanaji Bhoir 5) Bhaskar Narayan Bhoir 6) Manohar Bhaskar Bhoir 7) Mahjula Bhaskar Bhoir 7) Nanda Harishchandra Veladayan 8) Surekha Anil Veladayan 9) Jaibai Laxman Bhoir 10) Fundlik Laxman Bhoir 11) Bhagwan Laxman Bhoir 12) Tambai Suresh Bhoir 13) Vasanti Dayanad Hojare 14) Nirmala Ashok Patil 15) Dattatreya Gajanan Patil 16) Janardan Gajanan Patil 17) Sanjay Gajanan Patil 17) Nilkanth Gajanan Bhoir 18) Naina Arun Mishra 19) Raibai Barku Patil 20) Vimal Ramesh Fulare of the One Part and Lodha Estate Pvt. Ltd. of the Other Part, the said 1) 1) Dhanaji Narayan Bhoir and others and registered under serial no. 4600 of 2005 on 14/07/2005 granted development rights in respect of the said property to Lodha Estate Pvt. Ltd..

10. In terms of the Development Agreement aforesaid, while a total consideration of Rs.38,87,766/- has been agreed to be paid by the Lodha Estate Pvt Ltd. to the said 1) Dhanaji Narayan Bhoir and others in respect of said property, a sum of Rs.37,84,000/- has been paid.

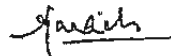
11. By a Power of Attorney dated 14/07/2005 and registered with the office of the Sub Registrar of Assurances at Thane under Serial No 345 of 2005, the said 1) Dhanaji Narayan Bhoir and others have granted unto the directors Lodha Estate Pvt. Ltd., for the development of the said property alongwith property bearing Survey No. 29 Hissa No. 5

12. Advertisements in the local newspapers have not been given inviting claims from the public.

13. By an Order dated 28/08/1984 passed under section 8(4) of Urban Land Ceiling Act the said land is declared withing ceiling limit

14. Under the aforesaid circumstances and subject to what is stated herein above, in my view, 1) Dhanaji Narayan Bhoir & Ors are the present owners in respect of the said property and on obtaining formal N.A. Order and Lodha Estate Pvt. Ltd. has Development rights in respect thereof

Dated this 31<sup>st</sup> day of January, 2007.

  
(Pradip Garach)  
Advocate High Court Bombay



**C.D. BHIDE**

M Com. (Hons.) L.L.B. (Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph.: 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane:-**

306, Tulshiyam CHS.,  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No. 5-2324

Date : 16.11.2010

**TITLE CERTIFICATE  
TO WHOMSOEVER IT MAY CONCERN**

**KAPSTONE CONSTRUCTION PVT. LTD ... OWNERS/BUILDERS**  
A Company incorporated under the Indian Companies Act 1956. / **DEVELOPERS**

**READ :**

1. **EXTRACT of 7/12.**
2. **MUTATION ENTRIES.**
3. **AGREEMENT FOR SALE** dated 01.12.1991, between **SHRI DINSHA KAWASJI AS "VENDOR"** and **SHRI. DILIP HARISHCHANDRA BHOIR** as **"PURCHASER"**.  
(TNN 2/8697 dated 24.09.2009)
4. **PUBLIC NOTICE** given by Advocate **ARUNA B. BHUJBAL** in **"DINMAN"** Dated 15.09.2009.
5. **DEED OF CONVEYANCE** dated 24.09.2009, between **SHRI DINSHA KAWASJI** as **"VENDOR"** and **SHRI. DILIP HARISHCHANDRA BHOIR**, as **"PURCHASER"**.  
(TNN 2/8701 dated 24.09.2009).
6. **DEED OF CONVEYANCE** dated 24.09.2009, between **SHRI DILIP HARISHCHANDRA BHOIR**, as **"VENDOR"** and **KAPSTONE CONSTRUCTION PVT. LTD.** as **"PURCHASER"**.  
(TNN 2/8703 dated 24.09.2009).
7. **SEARCH REPORT :**

**IN** this matter, the necessary searches at the office of Sub-Registrar of Assurances has been taken by Adv. Ramhari Dhyaarkar and the search report does not reveal any entry, which may come in the category of encumbrances.



॥ श्री ॥

**C.D. BHIDE**

M Com. (Hons.) L.L.B. (Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph.: 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane:-**

306, Tulsishyam CHS.,  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No. \_\_\_\_\_

Date : \_\_\_\_\_

**THE** property in question was belonging to one **DINSHA KAWASJI**.

**BY** an Agreement for Sale dated 01.12.1991, the said **DINSHA KAWASJI** agreed to sell the property unto **SHRI DILIP HARISHCHANDRA BHOIR**.

**THE** said Agreement is registered by executing a Deed of Confirmation, dated 24.09.2009, which is duly registered at the office of Sub-Registration of Assurances, Thane - 2, under their No.8697 / 2009, dated 24.09.2009.

**FURTHER** by a Deed of Conveyance dated 24.09.2009 the said **DINSHA KAWASJI** sold the said property in question unto **SHRI DILIP HARISHCHANDRA BHOIR** in pursuance to the above said Agreement.

**THE** said Deed of Conveyance is duly registered at the office of Sub-registrar of Assurances, Thane-2 under No. 8701 dated 24.09.2009.

**AFTER** execution and registration of the said Deed of Conveyance, the said **SHRI DILIP HARISHCHANDRA BHOIR** mutated his name in the revenue and other records vide mutation entry No. 2706 and started enjoying the said property as the absolute owner thereof.

**FURTHER** the said **SHRI DILIP HARISHCHANDRA BHOIR** sold the property in question unto **KAPSTONE CONSTRUCTIONS PVT. LTD.**, vide Deed of Conveyance dated 24.09.2009.

**THE** said Deed of Conveyance is duly registered at the office of Sub-registrar of Assurances, thane - 2 under their No. TNN 2/8703 dated 24.09.2009.

**AFTER** execution and registration of the said Deed of Conveyance, the said **KAPSTONE CONSTRUCTIONS PVT. LTD.**, mutated its name in the revenue and other records vide mutation entry No. 2708 and started enjoying the said property as the absolute owner thereof.



**C.D. BHIDE**

M Com. (Hons.) L.L.B. (Advocate)

**Kalyan:-**

Sitavallabh Society, 1st Floor,  
Near Wel-Come Hotel,  
Shivaji Chowk, Kalyan (W) 421 301.  
Ph.: 0251 - 2211393 Tele-Fax : 0251 - 2204717

**Thane:-**

306, Tulsishyam CHS.,  
Teenhat Naka,  
Above Punjab & Sindh Bank,  
Thane (W) 400 604.

File No. \_\_\_\_\_

Date : \_\_\_\_\_


ON perusal of the above mentioned documents and on the basis of the searches taken by Advocate Ramhari Dhyarkar, I certify that, the title of the "OWNER" to the property described in the SCHEDULE hereunder written is clear, marketable and free from reasonable doubts and encumbrances.

**SCHEDULE**

ALL THAT PIECE AND PARCEL OF LAND lying and situate at Village MAJIWADE, Taluka & District Thane, within the registration Dist. & Sub-Registration Dist. Thane, within the limits of THANE MUNICIPAL CORPORATION, bearing:

Survey No.	Hissa No.	Area
30	7	H - R - P
		0 - 3 - 5 .
		= 350 sq.mts.

together with all easement rights etc.

  
\_\_\_\_\_  
(C. D. BHIDE)  
ADVOCATE

To,  
Kapstone Constructions Pvt. Ltd.  
702, Natraj, M.V. Road Junction,  
Western Express Highway,  
Andheri (East), Mumbai – 400 069

Sirs,

**REPORT ON TITLE**

Re: In the matter of all those piece or parcels of land or ground situated at Village Majiwade, Taluka and District Thane in the Registration Sub- District and District Thane, Thane and more particularly written in the Schedule hereunder written.

=====

We have been informed by Kapstone Constructions Pvt. Ltd. (“Company”) that it is in possession of the Property (as mentioned in the Schedule herein) and have represented to us the various sequence of events as well as shared the copies of the correspondence with Government and revenue department, court pleadings, court orders and other related documents mentioned hereinbelow:

1. The Revenue and Forest Department Mantralaya, Mumbai, has vide its letter / order dated May 3, 2010 bearing no. Land 2708/ CN./ 28/ L-4 allotted to the Company the land bearing Survey No. 386/1 of Village Majiwade Taluka and District Thane admeasuring 17,732 square meters falling within the Special Township (“Government Land”). The Government Land was agreed to be allotted as Occupant Class II Land at market value prevailing in the year 2010.
2. On failure to allot the Government Land in terms of the allotment order to the Company, Writ Petition 840/2012 was filed by the Company before the Bombay High Court to give effect to the said allotment letter in which the Bombay High Court vide order dated 1<sup>st</sup> March 2012 directed the Government to take necessary steps to grant/ lease/transfer of the land bearing Survey No. 386/1 admeasuring area 48,768.96 Sq.mtrs. to the Company as Occupant class II.
3. Thereafter for non compliance of High Court Order dated 1<sup>st</sup> March 2012 by the Government, the Company filed a Contempt Petition No. 312/2012 before High Court. The Government of Maharashtra filed a Review Petition against Order dated 1<sup>st</sup> March 2012 for recalling, reviewing and / or modifying the order dated 1<sup>st</sup> March 2012 passed by the Hon'ble Bombay High Court in Writ Petition No. 840/2012. The review petition was dismissed by the Bombay High Court vide order dated 22<sup>nd</sup> August 2013.

4. The Government of Maharashtra filed Special Leave Petition No. 17682 of 2013 in Supreme Court for challenging the Order dated 22<sup>nd</sup> August 2013 of Review Petition as well as the main Order dated 1<sup>st</sup> March 2012 in Writ Petition No. 840/2012. In this matter, the Supreme Court ordered for status quo to land in question vide order dated 8<sup>th</sup> October 2013.
5. Subsequently the Company filed a new Writ Petition No. 1437 of 2013, in view of the Location Clearance Corrigendum making a reduction of area from 48768 sq.mtrs to 17732 sq.mtrs and to confer the title of the land admeasuring 67,278,66 Sq.mtrs and hand over the possession to the Company to execute the Special Township Project.
6. The Government of Maharashtra had approached the Supreme Court in Civil Appeal no. 7949-7950/2014 against orders passed in the Writ Petitions before the Bombay High Court.
7. Both parties amicably settled their disputes by filing a consent terms dated 3<sup>rd</sup> January 2018 before the Supreme Court which vide order dated 9<sup>th</sup> January 2018 passed in Civil Appeal no. 7949-7950/2014 inter alia provided as under:
  - (a) Company to be allotted all that piece and parcel of land bearing survey no. 386 admeasuring 39,985.57 square meters situated at Village Majiwade, Taluka Thane.
  - (b) The above land admeasuring 39,985.57 square meters to include:
    - (i) An area admeasuring 17,732.00 square meters as per terms and conditions as stated in the allotment letter dated 03.05.2010 issued by the Revenue and Forest Department;
    - (ii) An area admeasuring 14,985.30 square meters which is under Nalla and further that no construction to be undertaken thereon and
    - (iii) An area admeasuring 7288.27 square meters which is in form of small pices of land.
  - (c) The Company to pay consideration for the land admeasuring 39,985.57 square meters as per the ready recokner rate applicable on the day and date when the parties sign the consent terms;
  - (d) The Company, after the payment of the consideration to continue to hold and occupy quite, vacant and peaceful possession of the land;
  - (e) The Company to develop the land as part of Special Township Project;
  - (f) Both parties agreed to withdraw all allegations and claims and proceedings instituted against each other
8. Consequent to the above order dated 9<sup>th</sup> January 2018, both parties have withdrawn the pending matters before the Bombay High Court by joint application which have been accepted by the Bombay High Court vide orders dated 17<sup>th</sup> January 2018 and 23<sup>rd</sup> January 2018

9. Vide letter dated 23<sup>rd</sup> March 2018, the State of Maharashtra issued orders for allotment of the Government Land bearing Survey no 386 admeasuring 39985 sq meters as well as the Tahsildar Thane vide his communication dated 23<sup>rd</sup> March 2018 issued a demand order for payment of Rs.115,55,66,500/- (Rupees One Hundred Fifteen Crores Fifty Five Lakhs Sixty Six Thousand Five Hundred only) on the Company
10. The Company deposited the payment of Rs.115,55,66,500/- (Rupees One Hundred Fifteen Crores Fifty Five Lakhs Sixty Six Thousand Five Hundred only) with the Revenue authorities basis which a receipt dated 11<sup>th</sup> April 2018 was issued to the Company confirming receipt of the payment of Rs.115.55 crores.
11. The Collector Thane vide his communication dated 8<sup>th</sup> May 2018 allotted the land admeasuring appx 39985 sq meters to the Company subsequent to the payment of Rs.115,55,66,500/- (Rupees One Hundred Fifteen Crores Fifty Five Lakhs Sixty Six Thousand Five Hundred only) to the Government treasury.
12. Subsequent to the request made to the office of Deputy Superintendent of Land Revenue, Thane by the Company for subdivision of land as well as mutation. Post completion of procedural requirements, the Deputy Superintendent of Land Revenue vide has on 31<sup>st</sup> August 2018 issued Form 12 in favour of the Company in respect of the Government Land bearing Survey no 386 admeasuring appx 39985 sq meters.
13. The Company has made request and representations to the Tahsildar and Talathi Thane to issue 7\_12 extract in the name of the Company in respect of the Land bearing Survey no 386 admeasuring appx 39985 sq meters which is awaited shortly.
14. There are no suits and other proceedings filed/pending in respect of the Survey no 386 admeasuring appx 39985 sq meters.
15. The Company has taken Project Finance and executed mortgage deed with IDBI Trusteeship Pvt Ltd on behalf of Piramal Housing & Finance Limited on such terms and conditions as more specifically stated in the in the Mortgage Deed therein

16. On the basis of the above and the information given by the Company and in furtherance to the perusal of the various documents exchanged between the Company and the Revenue Authorities post the signing of Consent Terms dt 3<sup>rd</sup> January 2018 and order dated 9th January 2018 passed by the Supreme Court, I am of the opinion that the Company i.e. Kapstone Constructions Pvt. Ltd. is entitled to develop the Said Property more particularly described in the Schedule hereunder written in terms of rights accrued in grants received in various letters and to sell on ownership basis to third parties, premises to be constructed on the Said Property with clear, marketable title, free from all encumbrances and reasonable doubts and after compliance with the terms and conditions of all permissions obtained by them.

**SCHEDULE**

**THE SAID PROPERTY ABOVE REFERRED TO:**

ALL THAT piece of land, ground and hereditaments together with the structure standing thereon situate, lying and being at Village Majiwade, Taluka & District Thane and bounded as follows, that is to say:

Sr.No	Survey No	Area In Sq mtr
1	386/1	39,985.57 square

On or towards the East	:	Nalla No.7
On or towards the West	:	30 mtrs. HCMTR
On or towards the North	:	Survey No. 16 (pt) of Village Majiwade
On or towards the South	:	Survey No. 49 (pt) of Village Majiwade.

**Place: Thane**

**Dated : 3<sup>rd</sup> November 2018**

**Sd/-**  
**[Akash R. Kabadi]**  
**Advocate**