



Bajpai & Associates, Advocates

Pramod Bajpai (Proprietor)

Enrolment No. MA/910/1984

High Court (O.C.3.)

Regn. No. 584

By Regd. Post A.D./by Email/by courier/by Hand Delivery

Ref.: PBA/NOTA No. 55/2019

Date: 2nd May 2019

**SEARCH AND TITLE REPORT OF ONE BUILDING BEARING
"C-1" TYPE BUILDING NO. 7, ON THE LAND AREA
ADMEASURING 1124.6871 SQ.MTRS. BEING CONSTRUCTED
ON PLOT NOS. 3, 4 & 4A, SITUATED IN SECTOR 30/31 AT
(AGROLI), BELAPUR, NAVI MUMBAI, OUT OF THE LARGER
AREAS OF RESPECTIVE PLOTS ADMEASURING 9600, 40900 &
2700 SQ.MTRS., TOTALLY ADMEASURING 53200 SQ.MTRS.**

1. Pursuant to Lease Agreement dated 5/9/2008, in favour of 1) SHRI GOVINDNARAYAN PURANMAL MUNDRA, 2) SHRI CHANDRAKANT PURANMAL MUNDRA, 3) SHRI RAMNIKLAL PURANMAL MUNDRA, 4) SHRI BRIJMOHAN PURANMAL MUNDRA, 5) SHRI MAHESH NANDLAL MUNDRA, and 6) SHRI MANOJ NANDLAL MUNDRA, residing at 16/62, Sahyadri Oswal Park, Pokhran Road No. 2, Thane, Tal & Dist Thane, as well as Letter of Transfer from M/S. CIDCO LTD. dated 12/9/2008, bearing Ref. No. CIDCO/VASAHAT/SATYO/BELAPUR(WAGHIVALI)/1/2008/10 13, in respect of the GES, Plot No. 3, Sector- 30/31, of C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 9600 sq. mtrs. more particularly described in Schedule I hereunder.



a. AND WHEREAS Tripartite Agreement by and between M/S. CIDCO LTD., (as the Corporation) of the First Part, 1) SHRI GOVINDNARAYAN PURANMAL MUNDRA, 2) SHRI CHANDRAKANT PURANMAL MUNDRA, 3) SHRI RAMNIKLAL PURANMAL MUNDRA, 4) SHRI BRIJMOHAN PURANMAL MUNDRA, 5) SHRI MAHESH NANDLAL MUNDRA, and 6) SHRI MANOJ NANDLAL MUNDRA, (as the Original Licensee) of the Second Part and M/S. IRAISAA DEVELOPERS PVT.LTD. through its Director SHRI BHUPENDRA M. SHAH and MRS. ANUPAMA B. SHAH (as the New Licensee) of the Third Part, duly entered, executed and registered on 11th September, 2008, in respect of the said plot under schedule I above.

2. Lease Agreement dated 16/6/2008, in favour of 1) SHRI JUGALKISHORE HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA, 3) SHRI KAMALKISHORE BHALCHANDRA MUNDRA, at Mundra House, Jambhali Naka, Station Road, Thane, Tal & Dist Thane, as well as possession receipt from M/S. CIDCO LTD. dated





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16/6/2008, in respect of the GES, Plot No. 4, Sector- 30/31, of C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 40900 sq. mtrs. more particularly described in Schedule II hereunder.

a. AND WHEREAS Tripartite Agreement by and between M/S. CIDCO LTD., (as the Corporation) of the First Part, 1) SHRI JUGALKISHORE HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA,

3) SHRI KAMALKISHORE BHALCHANDRA MUNDRA (as the Original Licensee) of the Second Part and M/S. IRAISAA DEVELOPERS PVT.LTD. through its Director SHRI BHUPENDRA M. SHAH and MRS. ANUPAMA B. SHAH (as the New Licensee) of the Third Part, duly entered and executed on 19th June, 2008 and registered on 20/6/2008, in respect of the said plot.

3. Lease Agreement dated 27/04/2009, duly registered bearing Reg. No. TNN11/01437/2009, by CIDCO LTD., in favour of 1) SHRI JUGALKISHOR HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA, residing at Mundara



House, Jambhali Naka, Station Road, Thane, Taluka & Dist. Thane as well as possession receipt from M/S. CIDCO LTD., in respect of the GES, Plot No.4A, Sector- 30/31, of C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 2700 sq. mtrs. more particularly described in Schedule III hereunder.

- a. AND WHEREAS vide Tripartite Agreement by and between M/S. CIDCO LTD., (as the Corporation) of the First Part, 1) SHRI JUGALKISHOR HANUMANBUX MUNDRA, 2) SHRI BALKISHAN HANUMANBUX MUNDRA, (as the Original Licensee) of the Second Part and M/S. IRAISAA DEVELOPERS PVT.LTD. through its Director SHRI BHUPENDRA M. SHAH and MRS. ANUPAMA B. SHAH (as the New Licensee) of the Third Part, duly entered, executed and registered on 4th May, 2009, with the Sub-Registrar of Assurance at Thane, bearing Reg. No. TNN11-01521-2009, in respect of the said plot, more particularly described in schedule III hereunder.





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AND WHEREAS sanctioned plans and specifications including the Commencement of Construction Certificate for each plot were issued by the Town Planning Authority i.e. Municipal Corporation of Navi Mumbai post respective Tripartite Agreements mentioned above;

AND WHEREAS at the relevant time post issuance of the Commencement of Construction Certificate issued by Navi Mumbai Municipal Corporation, however there have been some litigations initiated by purported claimants/villagers, allegedly claiming the tenancy qua the original licensee i.e. M/s. Mundras, which has ultimately resulted into rejection of their claims by various orders and directions of the Hon'ble High Court, Mumbai & Govt. of Maharashtra, the said Commencement of Construction Certificate remained suspended for some time and that still some related litigations were again initiated by erstwhile legal heirs of the original occupants, who had earlier relinquished their rights accrued in the year 1960 under the provisions of Bombay Tenancy and Agricultural Lands Act, now known as Maharashtra Tenancy and Agricultural lands Act (in short BTALT & MLT Acts), being 21 Regular Civil suits, pending before the Hon'ble Civil Court, Jr. Div. at Vashi Navi Mumbai, (as order dated 14/8/2018 has been passed *interalia* rejecting the complaints in 4 Regular



Civil Suits: highlighted in bold in Annexure - I hereinafter) of which without there being any adverse orders passed by the Hon'ble Court as there are applications for rejection of plaints for want of jurisdiction of Civil Court are pending decisions and simultaneously 39 Tenancy Appeals initiated resulting into dismissal of 37 by the sub-divisional officer Panvel, Dist. Raigad, wherein Appeals therefrom before Maharashtra Revenue Tribunal are dismissed by Order dated 12th March, 2019 passed therein dismissing 37 Tenancy Rev. Applications from 331/17 to 367/17 and confirming the Orders of Ld. Sub-Divisional Officer, Panvel dated 12/10/2017, and allowing Tenancy Revision Application No. 40 of 2017, setting aside Order dated 15/12/2016 passed by Sub-Divisional Registrar in Tenancy Appeal Mr. Ramesh Shamji Patil and a Civil Writ Petition No.9212 of 2014 in the High Court of Judicature at Bombay by Iraissa Developers Pvt. Ltd. v/s M/s. CIDCO Ltd. & Others disposed in terms of the Final Order dated 04/10/2018 in favour of the Petitioner - By the Hon'ble High Court Acting Chief Justice - Hon'ble Shri Naresh H. Patil, Hon'ble Shri Justice G. S. Kulkarni and a Public Interest Litigation No.180 of 2018 initiated in the High Court of Judicature at Bombay by the erstwhile Gurukul Academy which has no co-relation with the stake holders of the company, and which is pending for admission, and that the





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list of such regular civil suits are annexed to this Report as Annexure-1 including the particulars of the order passed by the Maharashtra Revenue Tribunal and the order passed by the High Court of Bombay in Writ Petition and the particulars of the Public Interest Litigation in the High Court of Bombay and thus, the rights and entitlements of the new licensee viz. IRAISAA DEVELOPERS PVT.LTD. continued to remain immune to the effects of the aforesaid litigations as the said IRAISAA DEVELOPERS PVT.LTD. not being under any contractual or statutory obligation under the said litigations, have the complete absolute rights, entitlements and interest without any encumbrance save as aforesaid .

IRAISAA DEVELOPERS PVT. LTD. has changed its name as BHUMIRAJ BUILDERS PVT. LTD. in the records of Registrar of Companies and CIDCO LTD. the same Plot Nos. 3, 4 & 4A stands recorded with its changed name.

WHEREAS it is reported that Bhumiraj Builders Pvt. Ltd., have obtained financial assistance from ECL Finance Limited, a company incorporated under the Companies Act, 1956 and having its registered office at Edelweiss House, Off CST Road, Kalina, Mumbai - 400 098, by entering



and executing a Loan Agreement dated 26th May, 2017 by virtue of which a Deed of Mortgage is duly registered before the Sub-Registrar of Assurances, Thane -6, at Thane bearing Registration No. TNN6-5627-2017 and as such all the activities are subject to the said secured financial assistance and subject to the terms and conditions of the said documents mentioned *supra* in respect of the development of the said plots including the current area of the proposed construction, for which the Commencement of Construction certificate is issued as more particularly described hereinafter.

AND WHEREAS Navi Mumbai Municipal Corporation, on demand, have accepted the charges for the purpose of development of all the three plots as if the same are amalgamated and accordingly have issued Commencement Certificate for the plots mentioned in the schedule IV hereunder written.

AND WHEREAS the revised Commencement of Construction for the purpose of beginning the construction activity has been granted by the Municipal Corporation vide its letter dated 02/06/2018 bearing Ref.No. NMMC/TPO/BP-A-9183/2288/2018 and Amended Commencement Certificate dated 02/05/2019 bearing Ref.No. NMMC/TPO/BP/Online





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No.20181CNMMC14380/1663/2019 alongwith the sanction of plans and specifications in respect of Development and construction of four buildings on the plots mentioned in schedule IV.

AND WHEREAS by virtue of such Amended Commencement of construction certificate dated 02/05/2019 the Town Planning Authority i.e. Municipal Corporation of Navi Mumbai has granted for the construction work of proposed buildings in the following manner:

Floor	Area	No. of Flats
Building "B" Gr. +10 (2 Nos.)	3173.444 sq.mtrs.	78 Nos.
Building "B1" Gr. +10(2 Nos.)	3156.004 sq.mtrs.	78 Nos.
Building "B-2"Gr +10 (1 Nos.)	1254.756 sq.mtrs.	32 Nos.
Building "D" Gr. + 3 (1 Nos.)	500.313 sq.mtrs.	3 Nos.
Total B.U.A. (Residential)	8084.516 sq.mtrs.	191 Nos.
Total B.U.A. (Commercial)	601.414 sq.mtrs.	16 Nos.(Shop)
Total B.U.A.	8685.930 sq.mtrs.	
Now Proposed Building C-1 Gr + 11 (2 Nos.)	4239.443 sq.mtrs.	86 Nos.

AND WHEREAS in our opinion and demonstrative effect of the records produced before us and search carried out by us, for the purpose of grant of certificate under Real Estate Regulation and Development Act (RERA) by the authority prescribed, M/s. Bhumiraj Builders Pvt. Ltd., being entitled to seek the registration, have good and absolute marketable title for the purpose of carrying out the development of the project in



accordance with the duly issued revised commencement certificate for construction, subject to the registration under the provisions of RERA and the compliances as provided for the purpose of grant of conveyance in terms of lease by CIDCO LTD.

SCHEDULE-I

Part and parcel of land bearing Plot No.3, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 9600 sq.mtrs.

SCHEDULE-II

Part and parcel of land bearing Plot No.4, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 40900 sq.mtrs.

SCHEDULE-III

Part and parcel of land bearing Plot No.4A, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 2700 sq.mtrs.

SCHEDULE-IV

Being one building, C-1 Type, being constructed on Part and parcel of land bearing Plot No. 3, 4 & 4A, Sector- 30/31, GES, situated at C.B.D., Belapur Node, Taluka & Dist. Thane, admeasuring 1124.6871 sq.mtrs. out of total admeasuring area of 53,200 sq. mtrs. as per Amended Commencement Certificate dated 02/05/2019 issued by N.M.M.C.

RE-ISSUED IN VIEW OF CHANGE OF STATUS IN LITIGATION, ON THIS 2nd DAY OF MAY, 2019.

(Signature)
21/5/2019
PRAMOD S. BAJPAI (PROP.)
BAJPAI & ASSOCIATES, ADVOCATES





Bajpai & Associates, Advocates

Pramod Bajpai (Proprietor)

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ANNEXURE-I

Sr. No.	R.C.S. No.	Plaintiff	Defendants
1.	407/16	Mahadeo Kalya Koli	Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
2.	419/16	Pandurang Joma Patil	V/s. Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
3.	425/16	Vijay Ramdas Patil	V/s. Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
4.	421/16	Ananta Baburao Mundkar	V/s. Jugalkishor Mundra & 14 Ors. And M/s. Iraisaa as the Defendant No.9
5.	417/16	Kundan Rohidas Bhoir	V/s. Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
6.	423/16	Joma Kalya Gavand	Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9
7.	<u>418/16</u> <u>(Order passed rejecting</u>	<u>Prakash Pandurang Bhagat</u> <u>(dtd. 14/08/18)</u>	<u>Jugalkishor Mundra & 14 Ors. And M/s. . Iraisaa as the Defendant No.9</u>



8.	<u>Plaint)</u> 422/16 (Order passed rejecting Plaint)	<u>Kamlakar Mundi Koli</u> (dtd. 14/08/18)	<u>Jugalkishor Mundra & 14</u> <u>Ors. And M/s. , Iraisaa as</u> <u>the Defendant No.9</u>
9.	424/16 (Order passed rejecting Plaint)	<u>Alya Kana Mundkar</u> (dtd. 14/08/18)	<u>Jugalkishor Mundra & 14</u> <u>Ors. And M/s. , Iraisaa as</u> <u>the Defendant No.9</u>
10.	420/16 (Order passed rejecting Plaint)	<u>Subhash Ragho Patil</u> (dtd. 14/08/18)	<u>Jugalkishor Mundra & 14</u> <u>Ors. And M/s. , Iraisaa as</u> <u>the Defendant No.9</u>
11.	323/16	Ramesh Shamji Patil	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
12.	337/16	Anant G. Mundkar	Jugalkishor Mundra & 27 Ors. And M/s. Iraisaa as the Defendant No.22
13.	342/16	Suresh Shankar Koli	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
14.	505/2016	Ram Parshuram Koli (Raja Mahadu Koli & Narayan Rama Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
15.	506/2016	Jayendra Laxman Bhagat (Balu Maya Bhagat)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9





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16.	507/2016	Dilip Ambu Patil (Ambu Vitthal Patil)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
17.	508/2016	Chandrakant Mahadeo Koli (Mahadya Amulya Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
18.	509/2016	Tukaram Dharma Koli (Dharma Naga Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
19.	510/2016	Minnath Kamlakar Patil (Nama Bama Patil)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
20.	511/2016	Pundalik Hira Bhagat	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
21.	512/2016	Jayendra Eknath Patil (Chaya Balu Patil)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
22.	513/2016	Suresh Padu Koli (Panidu Changya Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
23.	514/2016	Parshuram Changa Koli (Mahadu Joma Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
24.	515/2016	Poshiram Dharma Koli (Shriram Gana Koli)	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as the Defendant No.9
25.	489/2016	Anant Nagesh Koli	Jugalkishor Mundra & 14 Ors. And M/s. Iraissa as



			the Defendant No.9
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(PENDING ADMISSION)

Sr.No.	PIL NO.	Petitioner	Respondents
1	High Court, Bombay Public Interest Litigation No.180 of 2018	The Gurukul Academy	The State of Maharashtra and 21 Others.

Rajesh
--21/5/2019
RE-ISSUED IN VIEW OF CHANGE OF STATUS IN LITIGATION, ON
THIS 2nd DAY OF MAY, 2019.

