



# Zamir Hasan R. Ahmed Shaikh

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Date: 26.12.2018

To,

**M/s. TULSI REALTY**, a registered Partnership Firm,  
having its Office at D / 401, Om Residency,  
Adharwadi, Kalyan (W),  
District Thane Pin No. 421301,

**REG:** All those pieces and parcels of Non-Agricultural land lying being  
and situated at Village CHIKANGHAR, Taluka Kalyan District Thane  
bearing:

City Survey No.	Area (In Sq. meters)
7325	343.8
7326	26.4
7327	26.4
7328	26.4
7329	13.6
7330	26.8
7331	26.8
7332	26.4
<b>Total Area</b>	<b>516.6</b>

and bearing corresponding Revenue Survey No. as under :

Survey No.	Hissa No.	Area (H-R-P)
42/A	19/B/3	0-05-20

and within the limits of Kalyan Dombivali Municipal Corporation and  
within the Jurisdiction of Registration District Thane and Sub Registration  
District Kalyan, hereinafter collectively called and referred to as the "**SAID  
PROPERTY**" belonging to Shri Rohidas Balaram Mhatre and Others.

READ:

1. Property Register Card.
2. Extract of 7/12

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3. Relevant Mutation Entries.
4. Non-Agricultural Use permission granted by The Additional Collector Thane bearing No. RB/ NAP/SR-81 dated 18.01.1972.
5. I.O.D. bearing No. KDMP / NRV /BP / KV / 2014-15 / 83 dated 14.01.2015 granted by Kalyan Dombivali Municipal Corporation.
6. Letter bearing No. Chikanghar/7325/2017/ 778 dated 06.04.2017 issued by Dy. Inspector Land Record, Kalyan in respect of said property.
7. Development Agreement dated 24.11.2017 registered at the Office of Sub-Registrar of Assurances at Kalyan-1 under Sr. No. 11119 / 2017 dated 24.11.2017 made and executed between Shri Rohidas Balaram Mhatre and Others as the Owners and M/s. Tulsi Realty, a registered Partnership Firm, having its Office at D / 401, Om Residency, Adharwadi, Kalyan (W), Dist. Thane as the Promoters.
8. Building Commencement Certificate bearing No. KDMP/NRV/BP/ KV/2018-19/0017/74 dated 25.09.2018 granted by Kalyan Dombivali Municipal Corporation.
9. Upto date Search Report.

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On perusal of Extract of 7/12, relevant mutation entries and Khate Utara and Property Register Card, it appears that Shri Rohidas Balaram Mhatre and Others are the owners of said property.

It further appears that said property is already converted to Non-Agricultural use vide order passed by The Additional Collector Thane bearing No. RB/ NAP/SR-81 dated 18.01.1972.

It further appears that originally said property was owned by one Shri Balaram Krishna Mhatre and after his demise the name of his legal heirs and/or legal representatives Viz. Shri Rohidas Balaram Mhatre and Others were brought on revenue record as is evidence vide Mutation Entry No. 4805 dated 27.09.2016, but in City Survey Record for reasons stated in letter bearing No. Chikanghar/7325/2017/ 778 dated 06.04.2017 issued by Dy. Inspector Land Record, Kalyan the names of legal heirs of Shri Balaram Krishna Mhatre are till date not brought on City Survey Record.

It further appears that late Balaram Krishna Mhatre with a view to develop said property had during his lifetime submitted necessary building plan with Kalyan Dombivali Municipal Corporation for approval and Kalyan Dombivali Municipal Corporation granted I.O.D. bearing No. KDMP / NRV /BP / KV / 2014-15 / 83 dated 14/01/2015 in respect of said property. It further appears that late Balaram Krishna Mhatre during his life time could not proceed with the development of said property and after his

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demise his legal heirs and/or legal representatives Viz. Shri Rohidas Balaram Mhatre and Others also could not proceed with development work, therefore by and under Development Agreement dated 24.11.2017 registered at the Office of Sub-Registrar of Assurances at Kalyan-I under Sr. No. 11119 / 2017 dated 24.11.2017 made and executed between Shri Rohidas Balaram Mhatre and Others as the Owners and M/s. Tulsi Realty, a registered Partnership Firm, having its Office at D / 401, Om Residency, Adharwadi, Kalyan (W), District Thane Pin No. 421301 as the Developers, the said Owners have granted the development rights in respect of said property together with benefits of I.O.D. Plan in favour of M/s. Tulsi Realty, a registered Partnership Firm, on terms and conditions and for the consideration mentioned therein.

It further appears that M/s. Tulsi Realty, a registered Partnership Firm, after having acquired the development rights in respect of said property revised the building plans in respect of said property and submitted such revised building plans for approval with Kalyan Dombivali Municipal Corporation and obtained Building Commencement Certificate bearing No. KDMP/N RV/BP/KV/2018-19/0017/74 dated 25.09.2018 in respect of said property.

If further appears that in terms of building plans sanctioned in respect of said property a single building of Stilt Plus First to Four Upper Floor (Residential) is sanctioned on said property.

I have gone through the search reports in respect of Said Property and said search report does not reveal any entry which will fall in the category of registered encumbrances over the Said Property.

On perusal of above mentioned documents and subject to what is stated herein above, I am of the opinion that the title of above said owners to their said property is clear and free from registered encumbrances and doubts and in terms of Development Agreement dated 24.11.2017 said M/s. Tulsi Realty, a registered Partnership Firm, is well and sufficiently entitled to develop said property as per aforesaid sanctioned plans and permissions and in accordance with development rules, regulations and Bye-Laws in force from time to time and by complying with conditions as mentioned in respective permissions, orders and sanctions.

*Zamir*  
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(ADVOCATE)

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