

NARAYAN S. PATKAR
B.A.,LL.M.
ADVOCATE
MANJUSHA N. PATKAR
B.Com.,LL.B.
ADVOCATE

Office :
002, Ground Floor,
Geetanjali Apartment,
Near Chadrakant Patkar Vidyalay,
Ram Nagar, Dombivli (E) 421 201.
M.: 9820103340

Residence :
Patkar House, Chiplunkar Road,
Ram Nagar, Near Old S. K. Patil-
School, Dombivli (E) 421 201
Tal. Kalyan, Dist. Thane

Ref. No.

Date 4.5.2019

TITLE CERTIFICATE

Title to the property comprising of six pieces of land situate at Revenue Village - Ajade - Golvali in Taluka and Sub-Registration District - Kalyan, District - Thane, within the limits of Kalyan Dombivli Municipal Corporation and more particularly detailed as under, that is to say :-

S.No.	New Survey Number	Old Survey Number	Old Hissa Number	New Hissa Number	Area In Sq.Mtrs.
1.	80	79	5	5	800
2.	80	79	7	7/B	1630
3.	80	79	9	9/C	4680
4.	80	79	10/3-1	10/C-1	660
5.	80	79	10/3-2	10/C-2	1190
6.	80	79	10/3-3	10/C-3	1800
TOTAL					10760

hereinafter together referred to as **"the said land"**.

1. Partners of **M/s.Annapurna Corporation**, a Partnership firm, having its office at A-3, Anant Smruti, Tata Lane, Dombivli (East) 421 201, Taluka - Kalyan, District - Thane, have furnished to me following documents

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6. Search Reports issued by one Mr. G.H. Jagtap (dated 11.11.2014, 22.07.2016 and 29.08.2018) for the search carried out by him in respect of the said land in the Sub-Registry at Kalyan (for the period mentioned in respective search report)
2. Upon perusing the aforesaid documents, my observations about/on the title of the said land are as under :-
- (i) Mutation Entries nos. **1290, 1422, 1086** disclose that the said land originally belonged to one Babu Ragho Kalan who died on **17.09.1970 (M.E. No:1086)** leaving behind him his heirs (1) Gulam Babu Kalan (dead) (2) Ambo Babu Kalan (3) Hari Babu Kalan (4) Kacharu Babu Kalan (5) Govadhan Babu Kalan (6) Gautam Babu Kalan (now deceased) (7) Mukund Babu Kalan (8) Bai Baliram Choudhari (9) Gangubai Babu Kalan (now deceased). It is seen that Gulam Babu Kalan died leaving behind him his wife Changunabai Gulam Kalan and daughter, Indubai. It is also seen that Gautam Kalan has expired leaving behind him his wife, Kamlabai, sons, Sandeep and Harischandra.

VII - XII extracts dated **24.08.2018** in respect of the said six pieces of the land disclose the names of (1) Hari Bapu Kalan (2) Kacharu Bapu Kalan (3) Govardhan Bapu Kalan (4) Mukund Bapu Kalan (5) Bai Baliram Choudhary (6) Changunabai Gulam Kalan (7) Injubai Balaram Kalan (8) Kamlabai Gautam Kalan (9) Sandip Gautam Kalan and (10) Harischandra Gautam Kalan, as its owners.

- (ii) It is seen that Ambo Bapu Kalan and 25 others have executed a Power of Attorney dated 10.07.2002 notarized by S.V. Tarte, Notary Public in favour of Shri.Govardhan Bapu Kalan (2) Mukund Bapu Kalan (3) Sahdev Bapu Kalan (4) Janardhan Haribau Kalan and (5) Krishna Kacharu Kalan in respect of the said land.

On the perusal of the said Power of Attorney dated **10.07.2002**, it is seen that all the executants and their Constituted Attorneys by an Agreement dated **25.04.2002** granted the Development rights in respect of the said land to M/s. Annapurna Corporation. It is also seen, by pursuing the said Power of Attorney dated **10.07.2002** that the

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consequential Power of Attorney dated 25.04.2002 was also executed by its executants and their Constituted Attorney in favour of M/s. Annapurna Corporation. It is seen that for reasons of convenience, the executants of the said Power of Attorney dated 10.07.2002 authorised their abovenamed five Attorneys to do, perform and/or execute all acts, things, deeds and/or documents mentioned therein those would be required to be done, performed and/or executed for enabling M/s. Annapurna Corporation to develop the said land as intended by the said Agreement and consequential Power of Attorney and also to execute on their behalf the Development Agreement and consequential Power of Attorney of the said land in favour of M/s. Annapurna Corporation and then to admit its execution before the Sub-Registrar at Kalyan.

- (iii) It is seen that the abovenamed five Constituted Attorneys for themselves and as C.A. of their family members have, by an Agreement for Grant of Development Rights dated 24.02.2003 and

registered on the same day at Serial No: **827/2003** in the Sub-Registry at Kalyan, granted the Development Rights in respect of the said land to M/s.Annapurna Corporation for the consideration and on the terms and conditions mentioned therein.

Consequential Power of Attorney is also seen to have been executed in favour of M/s.Annapurna Corporation which is dated **24.02.2003** and registered on the same day at Serial No: **828/2003** in the Sub-Registry at Kalyan.

- (iv) It is also seen that the area of the said land is held to be within Ceiling Limit by the Competent Authority of Ulhasnagar Urban Agglomeration vide its order bearing No:ULC/ULN/6(II)/SR-88/919 Ajde Golvali, dated 10.07.2002 (passed in accordance with the provisions of Section 8(4) of the Urban Land (Ceiling and Regulation) Act, 1976.
- (v) By his Commencement Certificate bearing No. KDMC/NRV/BP/Kalyan Division/2019 - 20/03 Kalyan - Dombivli Municipal Corporation dated 11.04.2019, the Assistant Town Planner, KDMC has

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allowed the said Owners (through their Constituted Attorney, Partner of M/s. Annapurna Corporation) to commence the construction of the proposed building/s as detailed therein on the said land in accordance with the approved plan. It is seen that some of the constructions were carried out in accordance with the previously approved plan and M/s. Annapurna Corporation were required to get the said construction regularized by making the payment of fees (for the said purpose.) The said Commencement Certificate also discloses that a building Phase - 2, Wing - F' as detailed therein is to be built for MHADA.

- (vi) Search Reports issued by one Mr.G.H. Jagtap as heretofore mentioned for the searches carried out by him in the Sub-Registry at Kalyan for the periods mentioned therein don't disclose any registered encumbrance on the said land.
- (vii) I myself have not taken any of the searches in the Sub-Registry at Kalyan, in respect of the said land and this Title Certificate is based on the documents furnished to me and supposing those to be

genuine. M/s. Annapurna Corporation has also agreed and undertaken to do the needful for correcting or rectifying any defect, flaw, shortcoming or deficiency if any, at any time found in the title of the said land and for the said purpose causing any person/s claiming to have any interest in or relating to the said land to give his/her/their consent/No Objection by his/her/their executing and registering the proper document.

Subject to the abovesaid observations, I am of the opinion that the title of Govardhan Babu Kalan and others to the said land is clear, marketable and without any encumbrance and M/s. Annapurna Corporation have, by virtue of the said Development Agreement and Power of Attorney, got the rights to develop the said land.



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N.S. Patkar
Advocate