

10. Building Completion granted by Kalyan Dombivli Municipal Corporation under No.KDMP/NRV/CC/KV/168 dated 27.07.2016.

11. Search Reports.

On perusal of the above mentioned documents it appears that the title of the owners to the above property is clear, marketable and free from encumbrances and doubts.


It appears that by and under Development Agreement dated 26.05.2007 registered at the office of Sub Registrar of Assurances at Kalyan-2 under serial No. 4032/2007 read with Deed of Confirmations dated 13.06.2007 and 29.08.2007 registered at the office of Sub Registrar of Assurances at Kalyan-2 under serial No. 4515/2007 and 6288/2007 respectively, the said owners granted the aforesaid property except the area admeasuring 520 sq. meters to M/s Gajanan Krupa Developers.

It further appears that M/s Gajanan Krupa Developers have amalgamated the aforesaid property with the adjacent land bearing Survey No. 54 Hissa No. 1(part) admeasuring 5840 sq. meters belonging to Suresh Nana Karbhari and others and the plans were submitted and the Kalyan Dombivli Municipal Corporation has granted the Interim Sanction under letter bearing No. KDMP/NRV/BP/KV/2012-13/270 dated 28.12.2012 for the land bearing Survey No. 54 Hissa No.1A admeasuring 7330 sq. meters and after deducting the area affected by 18 meter road, reservation of High School, Garden and Recreational Ground and the Collector, Thane granted the non-agricultural permission under No. Mahasul / K-1 / T-7 / NAP/ Wadeghar-Kalyan / SR-60 / 2013 dated 24.06.2013 for the same and further the Kalyan Dombivli Municipal Corporation has granted the Building Commencement Certificate under No. KDMP / NRV / BP / KV / 2012-13/270/294 dated 20.01.2014 which comprises of two portions viz. Plot No. I admeasuring 3887 sq. meters and Plot No. II admeasuring 520 sq. meters.

It further appears that revised building commencement certificate is granted by the Kalyan Dombivli Municipal Corporation No. KDMP / NRV / BP / KV / 2012-13/270/95 dated 13.06.2016 which grants the permission for construction for Type B building comprises of Ground plus Nine Upper Floor.

The necessary Search Report at the office of sub-Registrar of Assurances at Kalyan has been taken and search report does not reveal any entry which may fall in the category of encumbrances over the aforesaid property.

On perusal of the above documents, I am of the opinion that M/s Gajanan Krupa Developers is entitled to develop the abovesaid property in accordance with the terms of the agreement and the sanctioned plans and permissions except the area admeasuring 520 sq. meters retained by the Owners.


(S. D. JALLAWAR)
Advocate