

**BEJAI & CO.**  
**ADVOCATES, HIGH COURT,**  
**BOMBAY**

D-218, 1st FLOOR, SHANTI SHOPPING COMPLEX, OPP. MIRA ROAD RLY. STN., MIRA ROAD (E), PIN - 401 107.  
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EF.:

SB/1744 /08

DATE :

16.10.2008.

To,

M/s. Shiv Shakti Developer,  
B/G-1, New Kshir Sagar Bldg,  
Bhayandar (W), Thane - 401101.

**TITLE CERTIFICATE**

ALL THOSE pieces or parcels of land bearing Old Survey No. 250, New Survey No. 46, Hissa No. 8 admeasuring 1778.7 sq.yards, Old Survey NO. 250, New Survey No. 46, Hissa No. 3 admeasuring 7465.7 sq.yards, Old Survey No. 249, New Survey No. 44, Hissa No. 2 admeasuring 1318.9 sq.yards, Old Survey No. 252, New Survey No. 43, Hissa No. 10 admeasuring 1778.7 sq.yards situate at Village Navghar, Bhayandar, Taluka and District Thane, being developed by Mr. Nandkumar M. Papaiya, Proprietor of M/s. Shiv Shakti Developer.

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❖ DOCUMENT SCRUTINISED :-

1. Development Agreement dated 21.03.2005 made and entered into between Mr. Melville A. Rodricks & Ors and M/s. Shiv Shakti Developer.
2. Registration Receipt dated 24.03.2005 issued by the Sub-Registrar of Assurance at Thane – 4.
3. General Power of Attorney dated December 2004 executed by Mr. Melville A. Rodricks & Ors in favour of M/s. Shiv Shakti Developer.
4. Irrevocable General Power of Attorney dated 21.03.2005 executed by Mr. Nester J. Rodricks Ors in favour of M/s. Shiv Shakti Developer.
5. Registration Receipt dated 24.03.2005 issued by the Sub-Registrar of Assurance at Thane – 4.
6. Gaon Namuna – 7 dated 11.07.2007 issued by the Talati.
7. Property Card dated 27.06.2003/11.07.2007 issued by the Talati.
8. Construction Permission dated 05.07.2007 issued by the Mira Bhayandar Municipal Corporation.
9. N.A. NOC dated 21.06.2000 issued by Mira Bhayandar Municipal Corporation in respect of land bearing New Survey No. 46, Hissa No. 8.
9. ULC Order dated 15.12.2003 issued by Dy. Collector and Competent Authority.
10. N.A. NOC dated 11.06.2007 issued by the District Collector of Thane in respect of land bearing Survey No. 44, Hissa No. 2, New S.No. 43, Hissa No. 10.
11. No Objection Letter issued by Estate India Co Pvt.Ltd., dated 09.04.2007 for conversion to N.A.



❖ SEARCH OF ENCUMBRANCES:-

We have got caused Search of Encumbrances in the Office of the Sub-Registrar of Assurance at Bhayander, Thane for the period from 1985 till 2008, through the Registrar Search Clerk in respect of the subject plot of land. During the course of Search the Search Clerk has not found any adverse document found to have been registered which effecting the title of the subject party.

❖ BRIEF HISTORY OF FLOW OF TITLE:-

It is observed from the documents referred above that 1) Mr. Melville Anthony Rodricks, 2) Mr. Nester Jerome Anthony aloas Rodricks, 3) Mrs. Synthia alias Sushila Shah 4) Mrs. Siline Jimmy Correa 5) Mr. George Joseph D'Mello 6) Mr. Frank J. D'Mello 7) Michile Joseph D'Mello 8) Mr. Bezel Joseph D'Mello 9) Mrs. Elisabert Baptista 10) Mrs. Irene Hendriques are the absolute owners of the property Old Survey No. 250, New Survey No. 46, Hissa No. 8 admeasuring 1778.7 sq.yards, Old Survey NO. 250, New Survey No. 46, Hissa No. 3 admeasuring 7465.7 sq.yards, Old Survey No. 249, New Survey No. 44, Hissa No. 2 admeasuring 1318.9 sq.yards, Old Survey No. 252, New Survey No. 43, Hissa No. 10 admeasuring 1778.7 sq.yards situate at Village Navghar,



Bhayandar, Taluka and District Thane as same is evident from Gaon Namuna – 7 all dated 11.07.2007 issued by the Talati Saja Navghar, Bhayander (E), Thane and also from the Property Cards all dated 11.07.2007 issued by Talati Saja Navghar.

It is seen that the said owners have granted development rights of the said property to M/s. Shiv Shakti Developer for the terms and conditions mentioned therein in the Registered Development Agreement dated 21.03.2005. The said Development Agreement is duly registered under Office of the Sub-Registrar of Assurance at Thane – 4 bearing No. TNN4-02212/2005 dt. 24.03.2005.

It is further seen that in pursuance to the said Development Agreement as aforesaid the said owners have also granted Irrevocable Power of Attorney dated 21.03.2005 in favour of Mr. Nandkumar Manilal Papaiya, Proprietor of M/s. Shiv Shakti Developer to do various acts and deeds more particularly mentioned in the said Power of Attorney dated 21.03.2005. The said Power of Attorney is also registered in the Office of the Sub-Registrar of Assurance at Thane – 4 bearing No. 2231 of 2005 dt. 24.03.2005.



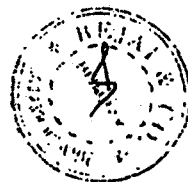
It is further seen that in pursuance to the said Development Agreement, M/s. Shiv Shakti Developers have paid to the owners a sum of Rs. 18 Lakhs being the consideration granting the development right and accordingly name of M/s. Shiv Shakti Developers is recorded in the said Gaon Namuna - 7 in the Column Other Rights.

It is seen that the said M/s. Shiv Shakti Developers has applied to the Mira Bhayandar Municipal Corporation for construction of building therein and accordingly Mira Bhayandar Municipal Corporation vide its Order dated 05.07.2007 granted its permission to construction of the building consist of 7 buildings by using FSI - 5204.69 sq.mtrs.

WHEREAS Mira Bhayandar Municipal Corporation has given its Construction Permission vide Order bearing 1270/07-08 dt. 05.07.2007.

WHEREAS District Collector has issued its N.A. Order on 11.06.2007 to convert the said into Non-Agricultural Land.

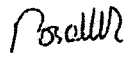
It is seen that Mira Bhayandar Municipal Corporation vide its Order dated 21.06.2006 also issued N.A. NOC.



It is seen that M/s. Shiv Shakti Developers now intend to construct building thereon as per the Commencement Certificate issued by Mira Bhayandar Municipal Corporation as per the Maharashtra Ownership Flats Act, 1963 and to sell the flats to the prospective flat purchasers.

### CERTIFICATE

We have pursued the various documents pertaining to the Title of the subject plot of land. We have also pursued the necessary permission issued by Mira Bhayander Municipal Corporation and we also caused the Search of Encumbrances in the Office of the concerned Sub-Registrar of Assurance and of the opinion that the Title of M/s. Shiv Shakti Developers is clear and marketable and the said M/s. Shiv Shakti Developers are entitled to develop the said plot of land and to sell the flats to prospective flat purchasers as per the provisions of MOF Act, 1963 and we further certify that the Title of M/s. Shiv Shakti Developers is clear and marketable.

  
For M/s. Bejai & Co.,  
Advocates.