

Property bearing survey - 328
of MR. Haji Ali Mohammed Haji Kassam

1426

RIDDHI D. SHAH
ADVOCATE & SOLICITOR

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TITLE REPORT

To :
M/S.SAHAKAR DEVELOPERS,
B/304, Kedarnath Apartment,
Vrindavan Marg, Ovaripada,
Nr.Shailendra Nagar Police Station.
Dahisar (E), Mumbai - 400 068.

Re : Property bearing Survey No.328, Hissa
No.2 (part), corresponding to CTS
No.1426/3 (part), admeasuring 690
sq.mtrs. situate, lying and being at Village
Dahisar, Taluka Borivali, Mumbai Suburban
District together with the
building/structures standing thereon,
hereinafter referred to as "the said
Property".

Sir,

1. One Haji Ali Mohammed Haji Kassam was during his lifetime the Khot of Village Dahisar and as such Khot owned said Village, including the property being all those pieces and parcels of land, ground and hereditaments, situate, lying and being at Revenue Village Dahisar, Taluka Borivli, in the Registration District of

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Bombay Suburban District, admeasuring approximately 644 Acres, hereafter referred to as "the said Land";

2. The aforesaid Haji Ali Mohammed Haji Kassam died in Bombay on or about 7th November, 1946, whereupon his heirs and legal representatives became entitled to his estate, including the said land.
3. After the death of the said Haji Ali Mohammed Haji Kassam, a Suit was filed, in the High Court of Judicature at Bombay, being Suit No.3415 of 1947 inter alia, for the administration of the estate of the said deceased Haji Ali Mohammed Haji Kassam, and the Court Receiver, High Court, Bombay, was appointed as Receiver of the estate of the said deceased Haji Ali Mohammed Haji Kasam.
4. Pursuant to the Orders passed in the aforesaid Suit, the Court Receiver, High Court, Bombay, sold the properties comprised in the estate of the said deceased Haji Ali Mohammed Haji Kassam, and the said land was purchased by one M/s. Veekaylal Investment Company Private Limited, hereinafter referred to as "the said Company";

Handwritten signature

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5. Prior to 1st April, 1957, One Damodar Dharman Patil (since deceased), was in his individual capacity, in lawful use, occupation, possession, enjoyment and cultivation of some of the said lands and upon his application before the Concerned Revenue Authority, i.e. the Tahsildar/Mamladar an Order dated 27th July, 1973 came to be passed declaring the said Damodar Dharman Patil as the deemed purchaser in respect of the said land.
6. Being aggrieved by the said Order dated 27th July, 1973, the Learned Court Receiver and the said Company kept challenging the same in various judicial Forum and have carried on this litigation upto the Supreme Court of India, by filing Special leave Petition No.2864 of 1982 which came to be finally dismissed as withdrawn on 11th April, 1996.
7. On or about 1st November, 1989 the aforesaid Damodar Dharman Patil died intestate leaving behind him the following persons as his only heirs and legal representatives according to the law of succession by which he was governed at the time of his death :-

a) Mrs. Bhagirathi Damodar Patil (widow)

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- b) Mr. Mahendra Damodar Patil. (son)
- c) Mr. Shashikant Damodar Patil. (son)
- d) Mrs. Pramila Dharamraj Gharat (daughter)
- e) Mrs. Bhanumati Suryakant Mhatre (daughter)
- f) Mrs. Jayshree Parshuram Patil (daughter)
- g) Mrs. Kasturi Sevalaram Patil (daughter)
- h) Mrs. Usha Madhukar Patil (daughter)

As per the mutual Agreement and Understanding arrived amongst the abovesaid legal heirs and representatives and recorded vide Deed of Partition/Memorandum Recording Partition executed on 30th October, 1996 and duly registered with the office of Sub-Registrar or Assurances at Borivali under BDR - 2/4904 of 1996, the said (1) Mrs. Pramila Dharamraj Gharat, (2) Mrs. Bhanumati Suryakant Mhatre, (3) Mrs. Jayshree Parshuram Patil, (4) Mrs. Kasturi Sevalaram Patil, (5) Mrs. Usha Madhukar Patil (hereinafter referred to as "the Original Owners") became entitled to all that piece

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and parcel of land and ground situate lying and being at Revenue Village Dahisar, Taluka Borivli in the Registration District of Bombay Suburban District admeasuring approximately 32,820.10 sq. meters as per the Extract from the Property Register bearing Survey No.319, Hissa No.3, Survey No.320, Hissa No.2, Survey No.320, Hissa No.4, Survey No.325, Hissa No.1, Survey No.327, Hissa No.5, and Survey No.328, Hissa No.2 corresponding to C.T.S. Nos.1434, 1450, 1536, 1445, 1553, 1452 and 1426 respectively, (hereinafter referred to as "THE SAID ENTIRE PROPERTY");

8. By and under an Agreement for Sale dated 1st March 1996, made and executed between the said Original Owners of the One Part, and the Jaynil Realtors Pvt.ltd., (hereinafter referred to as "the said Jaynil") of the Other Part, the said Original Owners agreed to sell, transfer their right, title and interest in the said Entire

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Property unto and in favour of the said Jaynil,
for the consideration and on the terms and
conditions mentioned therein.

9. The Concerned Authority being SDO appointed
under the provisions of BTAL Act by an Order
dated 5th May, 1997 bearing No.DLN/TNC/SR-
4/97, authorized and permitted the said
Original Owners to sell the said Entire Property
in favour of the said Jaynil and complete the
transaction by executing necessary documents.
The Concerned Competent Authority appointed
under the provisions of ULC Act, 1976, by a
Revised Order under the provisions of 8(4) of the
ULC Act, 1976 dated 17th March 2004, bearing
reference No.C/ULC/6(i)/SR-IX-658 read with
communication Corrigendum No. C/ULC/6(i)/
SR-IX-658 dated 2nd March, 2004 inter alia
decided that on account of various reservation
and landlocked property, the property described
therein including the said Entire Property are

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non vacant land and provisions of Chapter III of the ULC Act are not applicable.

10. That the aforesaid Agreement for Sale dated 1st March, 1996 is certified and duly stamped under section 41 of the Bombay Stamp Act 1958, and it came to be registered on 27th May, 2008 under Serial No.BDR 11-04752 of 2008.
11. That pursuant to the aforesaid Agreement, the name of the said Jaynil was recorded as the owner(s) of the said Entire Property Vide Mutation Entry No.7349 in 7/12 extract.
12. That by a Deed of Conveyance dated 18th September, 2009 executed between the said Original Owners therein referred to as the Vendors of the One Part; and the said Jaynil therein referred to as the Purchasers of the Other Part, the Vendors therein sold, transferred and conveyed unto the Purchaser the said entire property in their favour. That the said Deed of Conveyance is registered at the office of the sub-

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registrar Borivli-7 under Serial No.342 dated
11.01.2010.

13. That by and under a Deed of Rectification dated
20.01.2010 by which old C.T.S.Nos.1434, 1436
(part), 1426 of the said Entire Property are
changed and substituted as C.T.S.Nos.1421/1
to 1426/11 (part).
14. That the said Jaynil made Application to the
Collector, Mumbai Suburban District, for
amalgamation and sub-division of
C.T.S.No.1426 admeasuring 17103.70 sq.mtrs.,
C.T.S.No.1434 admeasuring 4512.40 and
C.T.S.No.1436 admeasuring 5298.40 sq.mtrs.
inaggregate admeasuring 26925 sq.mtrs.
15. That by an Order dated 02.02.2008 bearing
Reference No.C/KARYA-7-A/EKATRI/POVI/SR-
4970 to be read alongwith the letter dated
19.06.2008 of the Collector, Mumbai Suburban
District permitted amalgamation and sub-

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division of the said C.T.S. Nos. of the said larger
property .

16. That pursuant to an Order dated 10th July, 2008
passed by the City Survey Office , it has cancelled
the C.T.S.Nos.1426, 1434 and 1436 and has
opened fresh C.T.S. Nos. as 1426/1 to 1426/11 in

amalgamation Order passed by the Collector,
Mumbai Suburban District as per the physical
survey the area of the plots worked out as under :

| | |
|-------------------|-----------------|
| C.T.S. No. 1426/1 | 2141.60 Sq. Mts |
| C.T.S. No. 1426/2 | 573.70 Sq. Mts |
| C.T.S. No. 1426/3 | 3853.50 Sq. Mts |
| C.T.S. No. 1426/4 | 882.60 Sq. Mts |
| C.T.S. No. 1426/5 | 395.00 Sq. Mts |
| C.T.S. No. 1426/6 | 7359.80 Sq. Mts |
| C.T.S. No. 1426/7 | 971.10 Sq. Mts |
| C.T.S. No. 1426/8 | 4958.00 Sq. Mts |

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| | |
|--------------------|-----------------|
| C.T.S. No. 1426/9' | 702.60 Sq. Mts |
| C.T.S. No. 1426/10 | 5059.80 Sq. Mts |
| C.T.S. No. 1426/11 | 17.50 Sq. Mts |

17. That by a Deed of Conveyance dated 17.10.2012 executed between the said Jaynil therein referred to as the Vendors of the One Part and R.S. Developers, therein referred to as the Purchasers of the Other Part, the Vendors therein sold, transferred, assigned and conveyed unto the Purchasers therein the property bearing Survey No.328, Hissa No.2 (part), corresponding to CTS No.1426/3 (part), admeasuring 860 sq.mtrs., or thereabout situate, lying and being at Village Dahisar, Taluka Borivali, Mumbai Suburban District, and the said Deed of Conveyance is registered at the office of the sub-registrar Borivali-2 under Serial No.9033 dated 29.10.2012.

(Signature)

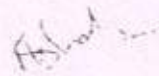
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18. That further by a Deed of Conveyance dated 28.10.2013 executed between R.S. Developers, therein referred to as the Vendors of the One Part and Yourselves therein referred to as the Purchasers of the Other Part the Vendors therein sold, transferred, assigned and conveyed the said property to yourselves and the said Deed of Conveyance is registered at the office of the sub-registrar Borivali-2 under Serial No.BRL-9/6493/13 dated 12.11.2013.
19. That on the basis of the aforesaid documents produced before me, subject to what is stated herein above, in my opinion your title to the said property appears to be marketable and free from all encumbrances.

At Mumbai

On this 27th day of November, 2013.


RIDDHI D. SHAH
ADVOCATE & SOLICITOR
MUMBAI