

# MANOJ PASHTE

ADVOCATE

Residence:- 102, Samadhan, opp. Municipal School No. 19, off Chhatrapati Sambhaji Maharaj Road,  
Vishnu Nagar, Naupada, Thane (West) – 400602

## TITLE CERTIFICATE

Date: 27/06/2017

### REFERENCE:

All that pieces and parcels of plots of land bearing:

1. OLD SURVEY NO.73/17 (P), NEW SURVEY NO.150/17A HAVING AREA 250 SQ. MTRS.
2. OLD SURVEY NO.73/17 (P), NEW SURVEY NO.150/17B HAVING AREA 1550 SQ. MTRS.
3. OLD SURVEY NO.73/17 (P), NEW SURVEY NO.150/17C HAVING AREA 290 SQ. MTRS.
4. OLD SURVEY NO.75/5 (P), NEW SURVEY NO.152/5A HAVING AREA 3100 SQ. MTRS.
5. OLD SURVEY NO.75/6, NEW SURVEY NO. 152/6A HAVING AREA 1840 SQ. MTRS.
6. OLD SURVEY NO.75/7, NEW SURVEY NO. 152/7 HAVING AREA 1900 SQ. MTRS.
7. OLD SURVEY NO.75/8, NEW SURVEY NO.152/8 HAVING AREA 2600 SQ. MTRS.
8. OLD SURVEY NO.80/1 (P), NEW SURVEY NO.157/1A HAVING AREA 900 SQ. MTRS.
9. OLD SURVEY NO.81/3, NEW SURVEY NO.158/3A HAVING AREA 290 SQ. MTRS.
10. OLD SURVEY NO. 82, NEW SURVEY NO.159 HAVING AREA 7317.75 SQ. MTRS.
11. OLD SURVEY NO.83/1/1, NEW SURVEY NO.160/1A HAVING AREA 830 SQ. MTRS.
12. OLD SURVEY NO.83/1/2, NEW SURVEY NO.160/1B/2 HAVING AREA 1270 SQ. MTRS.
13. OLD SURVEY NO.83/1/3 (P), NEW SURVEY NO.160/1C/1 HAVING AREA 1560 SQ. MTRS
14. OLD SURVEY NO.83/1/3 (P), NEW SURVEY NO.160/1D/3 AND 160/1E HAVING AREA 1950 SQ. MTRS.
15. OLD SURVEY NO.83/2 (P), NEW SURVEY NO.160/2 HAVING AREA 526.71 SQ. MTRS.
16. OLD SURVEY NO.83/3 (P), NEW SURVEY NO.160/3B HAVING AREA 680 SQ. MTRS.
17. OLD SURVEY NO.83/3(P), NEW SURVEY NO.160/3C HAVING AREA 730 SQ. MTRS.

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All lying being and situate at Village Balkum, Taluka & District Thane, within the limits of Thane Municipal Corporation and within the Registration District and Sub District of Thane.

- I. As per the request of **M/s. Siddhi Krish Developers**, I have investigated the title of the above referred properties. During the course of my investigation, I inspected the revenue records and documents of transactions thereto, produced before me for my inspection and perusal.
- II. I have perused the various Search reports furnished to me by **M/s. Siddhi Krish Developers** which Search reports will find mention at their relevant places.
- III. I have perused the Title Certificate dated 15/03/2014 issued by Advocate **K.P. Mahajan**

- \* **OLD SURVEY NO.73/17(P), NEW SURVEY NO.150/17A HAVING AREA 250 SQ. MTRS.**
- \* **OLD SURVEY NO.73/17(P), NEW SURVEY NO.150/17B HAVING AREA 1550 SQ. MTRS.**
- \* **OLD SURVEY NO.73/17(P), NEW SURVEY NO.150/17C HAVING AREA 290 SQ. MTRS.**

1. With reference to the properties at **Sr. No.1 to 3**, it is seen that originally the properties at Sr. Nos. 1 to 3 were bearing (i) Old Survey No. 73/17 (P), New Survey No. 150/17A having area 580 sq. mtrs. (ii) Old Survey No. 73/17 (P), New Survey No. 150/17B having area 350 sq. mtrs. (iii) Old Survey No. 73/17 (P), New Survey No. 150/17C having area 810 sq. mtrs. And (iv) Old Survey No. 73/17 (P), New Survey No. 150/17D having area 350 sq. mtrs., the properties at (i) to (iv) are hereinafter referred to as the "**Said Property-A**". **Shri. Raghunath Pandurang Patil** and others were the owners of the Said Property-A. They have vides various Sale Deeds sold the Said Property-A to the various purchasers viz. (1)

Shri. Dr. Vikas Kamalakar Hajarnis by sale deed dated 05-05-1986 registered under no. TNN-1-2877/1986 (2) Sau. Kalyani Raghunath Waghare by sale deed dated 05-05-1986 registered under no. TNN-1-2879/1986, (3) Shri. Vikas Govind Saswadkar by sale deed dated 05-05-1986 registered under no. TNN-1-2876/1986 AND (4) Shri. Tukaram Vithu Lambe by sale deed dated 05-05-1986 registered under no. TNN-1-2878/1986. The necessary revenue changes were effected thereafter.

2. It is further seen that M/S. Sadhana Constructions through its Proprietor Mr. Pandit Parshuram Bhoir entered into various Development Agreements in respect of the Said Property-A with (1) Mr. Vikas Kamalakar Hajarnis on 29-06-2005 registered under no. TNN- 5/5076/2005. (2) Sau. Kalyani Raghunath Waghare on 29-06-2005 registered under no. TNN-5/5075/2005, (3) Mr. Vikas Govind Saswadkar on 29-06-2005 registered under no. TNN-5/5071/2005 and (4) Mr. Tukaram Vithu Lambe on 29-06-2005 registered under no. TNN- 5/5072/2005.
3. It is further seen that in respect of the Said Property-A, M/S. Siddhi Krish Developers, entered into various Agreements For Sale with the respective land owners as Vendors therein alongwith M/s Sadhana Construction through its Proprietor Mr. Pandit Parshuram Bhoir as a confirming party thereto viz. (1) Agreement for sale dated 12-05-2006 registered under no. TNN-2/3785/2006, (2) Agreement for sale dated 12-05-2006 registered under no. TNN-2/3784/2006, (3) Agreement for sale dated 12-05-2006 registered under no. TNN-2/3786/2006 and (4) Agreement for sale dated 12-05-2006 registered under no. TNN-2/3783/2006.
4. It is further seen that in respect of the Said Property-A M/S. Siddhi Krish Developers, entered into various Deeds of Conveyance with the respective land owners represented by constituted attorney Mr. Sachin Mirani viz. (1) Conveyance Deed dated 09-05-2008 registered under no. TNN-1/2814 / 2008, (2) Conveyance deed

dated 09-05-2008 registered under no. TNN-1/2819/2008, (3) Conveyance deed dated 09-05-2008 registered under no. TNN-1/2818/2008 and (4) Conveyance deed dated 09-05-2008 registered under no. TNN-1/2812/2008.

5. It is further seen that the Deputy Superintendent Land Records, Thane has vides Order dated 23/06/2015 given effect to the change in the area and Survey nos. of the Said Property-A i.e. (i) to (iv) and the said changes have been effected in the record of rights vides Mutation Entry no.4020 and the subsequent changes in the 7/12 extract whereby the Said Property-A was changed to the referred properties at Sr. No 1 to 3. It is further seen that an area admeasuring 1550 from the referred properties at Sr. nos. 1 to 3 has been earmarked for 20 mtrs. wide D.P. road which earmarked properties has been handed over to the local authority i.e. the Thane Municipal Corporation. The balance property admeasuring 540 sq. mtrs. from the referred properties at Sr. Nos.1 to 3 is the property of M/s. Siddhi Krish Developers from which an area admeasuring 250 sq.mtrs. or thereabout as represented by M/s. Siddhi Krish Developers is not the subject matter of the present development and I have been also represented that the potential thereof is neither used nor consumed in the present development.
6. I have also perused the Search report of the Said Property-A i.e. (i) to (iv) the first report prepared by searcher Mr. Sachin Patil on 24/12/2013 for 30 years commencing from 1984 to 24/12/2013 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2002 to 2012 are not maintained properly and second Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2013 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

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\* **OLD SURVEY NO.75/5(P), NEW SURVEY NO.152/5A HAVING AREA 3100 SQ. MTRS.**

1. Shri Jana Bhoir and 6 others were the owners of the property bearing Old Survey No.75/5(P) New Survey No.152/5 having area 3260 sq. mtrs. Hereinafter referred to as the "**Said Property-B**". Shri Jana Krishna Bhoir, as a karta and manager of the said joint family by and under Agreement dated 10/07/1982 granted to M/s Shah Parekh Associate the development rights of the Said Property-B. Shri Jana Krishana Bhoir and others as the vendors, M/s Shah Parekh Associate as the confirming party, sold and conveyed to said Ramesh T. Shah and Smt Jaylaxmi T. Shah, vide Deed of Conveyance dated.13/09/1985 registered at sr. no. THN - 2841/1985.
2. By Agreement dated 05/12/1985, Ramesh T. Shah and Smt Jaylaxmi T. Shah had agreed to Sell & give for development the Said Property-B to (1) Shri Narpar Bhanji Gala and (2) Shri Devji Shivji Chheda and also placed them in possession thereof.
3. Vides Agreement dated.11/10/2006 registered under Sr. No.TNN-5 06610/2006, said Shri Ramesh T. Shah And Smt Jaylaxmi T. Shah through their constituted attorney Shri Chirag Shah, with the confirmation of (1) Shri Narpar Bhanji Gala and (2) Shri Devji Shivji agreed to sell and transfer the Said Property-B to M/s Siddhi Krish Developers. Vides Deed of Conveyance dated 09/05/2008, registered at Serial No. TNN-1/2813/2008 the said Shri. Ramesh T. Shah and Smt. Jayalaxmi T. Shah, sold, conveyed, transferred the Said Property-B to M/S. Sidhhi Krish Developers.
4. A part of the Said Property-B was affected by reservation for 20 mtrs. Wide D. P. Road. The said M/s Siddhi Krish Developers have handed over the reserved plot admeasuring 160 sq. mtrs. from and out of the Said Property-B to the local authority i.e. Thane Municipal Corporation, whereafter the Said Property-B was divided into hissas which effect was given in the record of rights and the

Said Property-B was divided into Survey No. 152/5A admeasuring 3100 sq .mtrs. i.e. the referred property at **Sr. No. 4** and Survey no. 152/5B admeasuring 160 sq/ mtrs. which stands in the name of the Thane Municipal Corporation for its D.P. Road.

5. I have also perused the Search report of the Said Property-B, the first report prepared by searcher Mr. Sanjay Shinde on 7/7/2008 for 20 years commencing from 1989 to 7/7/2008, the second report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2008 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

\* **OLD SURVEY NO.75/6, NEW SURVEY NO. 152/6A HAVING AREA 1840 SQ. MTRS.**

1. Shri Kashinath Manik Madhavi & 20 Others constituting a Hindu Undivided Family were the owners of property bearing Old Survey No. 75/6 New Survey No. 152/6 having area 2730 sq. mtrs. or thereabout herinafter referred to as the "**Said Property-C**" vides Agreement dated 10/07/1982 granted to M/s Shah Parekh Associate. Shri Kashinath Manik Madhavi & 20 Others, as the vendors, M/s Shah Parekh Associate as the confirming party sold the Said Property-C to Smt Jagruti M Shah, Smt Riddhi V. Shah and Shri Vinayak K. Shah vide Deed of Conveyance dtd.09/09/1985 registered at Sr. No. THN - 2793/1985.
2. Smt Jagruti M Shah, Smt Riddhi V. Shah and Shri Vinayak K. Shah by Agreement dated. 5/12/1985 agreed to sell and gave for development the Said Property-C to Shri Mansukh Lakshman Nandu and Shri Devji Shivji Chheda. As per the mutual understanding said Shri Mansukh Lakhman Nandu was having undivided share to the extent of 2000 sq.mtrs. and the said Shri

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Devji Shivji Chheda was having undivided share to the extent of 731.64 sq.mtrs in the Said Property-C.

3. By Agreement dated 06/04/1992, Shri Mansukh Lakhman Nandu agreed to sell his undivided share to Shri Haresh Narpar Gala. Subsequently vides Agreement dtd.01/09/2006 registered under Sr.No.TNN-5/05741/2006, said Smt Jagruti M Shah, Smt Riddhi V. Shah and Shri Vinayak K. Shah as the Vendors, Shri Mansukh Lakhman Nandu, Shri Devji S. Chedda and Shri Haresh Narpar Gala as the confirming party agreed to sell and transfer the Said Property-C to M/s Siddhi Krish Developers.
4. By Indenture of Deed of Conveyance dated 09/05/2008, registered at Serial No. TNN-1/2815/2008, Smt Jagruti M Shah, Smt Riddhi V. Shah and Shri Vinayak K. Shah, sold, conveyed, transferred and assured in favour M/s Siddhi Krish Developers the Said Property-C.
5. Part of the Said Property-C was affected by reservations (1) for 20 mtrs. Wide D. P. Road, (2) for 15 mtrs Wide D.P. Road and (3) for Shopping Center. The Said Property-C was divided into hissas and the said M/s Siddhi Krish Developers have handed over all the reserved plots - (1) Survey No.152/6B, area admeasuring 210 sq. mtrs. for 20 mtrs wide D.P. Road, (2) Survey No.152/6C, area 670 sq. mtrs. for 15 mtrs. Wide D. P. Road and (3) Survey No.152/6D, area admeasuring 10 sq. mtrs. for shopping center from and out of the Said Property-C, to the local authority i.e. Thane Municipal Corporation. Survey No.152/6A admeasuring 1840 sq. mtrs. i.e. the preferred property at **Sr. No.5** stands in the name of M/s. Siddhi Krish Developers.
6. I have also perused the Search report of the Said Property-C, the first report prepared by searcher Mr. Sanjay Shinde on 7/7/2008 for 20 years commencing from 1989 to 7/7/2008, the second report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2008 to 1/6/2016 which states that the computerized index of

the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

- **OLD SURVEY NO.75/7, NEW SURVEY NO. 152/7 HAVING AREA 1900 SQ. MTRS.**
- 1. Shri Chandrahas Krishna Madhavi & others constituting a Hindu Undivided Family were the owners of the property referred at Sr. No.6, Shri Chandrahas Krishna Madhavi and others vide Agreement dated 10/07/1982 granted to M/s Shah Parekh Associates, the development rights in respect of the referred property.
- 2. M/s Shah Parekh Associate then agreed to sell the referred property at Sr. No.6 to Shri Neerav V. Shah. Thereafter Shri Chandrahas Krishna Madhavi & others as the vendors, M/s Shah Parekh Associates as the confirming party sold and conveyed the referred Property to Shri Neerav V. Shah, vide Deed of Conveyance dated 04/09/1986 registered at Sr. No. THN1-4288/86.
- 3. Vides Agreement dated 5/12/1985 Shri Neerav V. Shah agreed to grant the development rights and to sell the referred property at Sr. No.6 to said Shri Bharat Jivraj Dedhiya, who by oral agreement transferred the development rights of the referred property at Sr.No.6 to and in favour of Shri Amrut N. Gala and placed him in possession thereof.
- 4. Vide registered Agreement for Sale dated 16/12/2006 registered under Sr. No. TNN-5/1105/2007 said Nirav Shah with the confirmation of Shri Bharat Jivraj Dedhiya and Shri Amrut N. Gala, agreed to sell and transfer the referred property at Sr. No.6 to M/s Siddhi Krish Developers. In furtherance of the Agreement for Sale dated 16/12/2006 a Deed of Conveyance dated 9<sup>th</sup> May, 2008 was

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registered at serial no. TNN- 1/02816-2008 with Sub Registrar Thane-1 in favour of M/s Siddhi Krish Developers.

5. I have also perused the Search report of the property referred at Sr. No. 6, the first report prepared by searcher Mr. Sanjay Shinde on 7/7/2008 for 20 years commencing from 1989 to 7/7/2008, the second report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2008 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

\* **OLD SURVEY NO.75/8, NEW SURVEY NO.152/8 HAVING AREA 2600 SQ. MTRS.**

1. It appears that, one Shri Gajanan Rama Patil & 12 Others were the owners of property referred at **Sr. No.7**, Shri Gajanan Rama Patil as a karta and the manager of the joint family by and under Agreement dated 10/07/1982 granted to M/s Shah Parekh Associate, the development rights of the referred property at Sr. No.7. Vides a Conveyance Deed dated 09/09/1985 registered at Sr. No. THN - 2786/1985 Shri Gajanan Rama Patil & 12 Others as the Vendors, M/s Shah Parekh Associate as the Confirming Parties then sold and transferred the referred property at Sr. No.7 to Smt. Harsha C. Parekh and Smt. Riddhi V. Shah.
2. Vides an Agreement dated 5/12/1985 executed by Smt. Harsha C. Parekh and Smt. Riddhi V. Shah had agreed to sell & give for development referred property at Sr. No.7 to said Shri Rajiv Shivji Chheda and Smt Damayanti Amrut Gala and also placed them in possession thereof.
3. Vides Agreement for Sale dated 01/09/2006 registered under Sr.No.TNN-5/05743/2006, Smt. Harsha C. Parekh and Smt. Riddhi V. Shah with the confirmation of (1) Shri Rajiv Shivji Chheda and

- (2) Smt Damayanti Amrut Gala, agreed to sell and transfer the Said Property-C to M/s Siddhi Krish Developers.
4. By Indenture of Deed of Conveyance dated 09/05/2008, registered at Serial No. TNN-1/2817/2008 the said Smt. Harsha C. Parekh and Smt. Riddhi V Shah, Smt. Harsha C. Parekh and Smt. Riddhi V. Shah sold, conveyed, transferred and assured in favour of M/S. Siddhi Krish Developers the referred property at Sr. No.7.
  5. I have also perused the Search report of the property referred at Sr. No. 7, the first report prepared by searcher Mr. Sanjay Shinde on 7/7/2008 for 20 years commencing from 1989 to 7/7/2008, the second report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2008 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.
- \* **OLD SURVEY NO.80/1(P), NEW SURVEY NO.157/1A HAVING AREA 900 SQ. MTRS.**
1. Shri. Harishchandra Patil and others constituting a Hindu Undivided Family were the owners of the property bearing Old Survey No.80/1(p) New Survey No.157/1 having area 7690 sq. mtrs. hereinafter referred to as the "**Said Property-D**". And by and under Agreement dated 10/07/1982 they granted to M/s Shah Parekh Associate, the development rights of the Said Property-D. The said Shri. Harishchandra Patil and others as Vendors, M/s Said Shah Parekh Associate as the confirming party, sold the Said Property-D to (1) Shri Vijay V Shah, (2) Shri Rohit V. Shah, (3) Shri. Varjivandas K. Shah and (4) Shri Dhiren M. Shah vides registered Deed of Conveyance dated 04/09/1985 registered under No. TNN 5281/1986.

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2. Shri Vijay V Shah, Shri Rohit V Shah, Shri. Varjivandas K. Shah and Shri Dhiren M. Shah vides agreement dated 5/12/1985 had agreed to grant the development rights of the Said Property-D to (1) Smt Rekha Harkishan Kewalramani, (2) Smt Vijayaben Panchalal Savla, (3) Smt Jyoti Narendra Kanvarjani, and (4) Smt Zaverben Hansaraj Savla and also placed them in possession of the Said Property-D.
3. Vides Registered Agreement dated 11/10/2006 registered under Sr. No. TNN-5/6611/2006, Shri. Vijay V. Shah, Shri Rohit V. Shah, Shri. Varjivandas K. Shah and Shri Dhiren M. Shah in confirmation with (1) Smt Rekha Harkishan Kewalramani, (2) Smt Vijayaben Panchalal Savla, (3) Smt Jyoti Narendra Kanvarjani, and (4) Smt Zaverben Hansaraj Savla, agreed to sell and transfer the Said Property -D to M/s Siddhi Krish Developers.
4. Vides Deed of Conveyance dated 9th May, 2008 the said Shri Vijay V. Shah and three others, sold and conveyed the Said Property-D to M/s Siddhi Krish Developers which is registered under serial No. TNN1-02821-2008.
5. On the perusal of the 7/12 extract it is seen that the name of one of the original owner still continued in the records of right in the Kabjedar column. However it is seen that the said owner has executed the said document with M/s. Shah Parekh and Associates. The said original owner expired and the revenue records now show the names of heirs of the deceased. However, It is further seen in the said registered Deed dated 04/09/1985 that the legal heirs of the deceased have already executed and registered the Deed of Conveyance dated 04/09/1985.
6. Part of the Said Property-D was affected by reservations (1) for 15 mtrs. Wide D. P. Road, (2) for Garden, (3) for M.H.R., (4) for M.R.T.S., (5) for 20 mtrs. wide D. P. Road and (6) for M.R.T.S. The said M/s Siddhi Krish Developers are the owners of Survey No.157/1A admeasuring 900 sq .mtrs. i.e. the referred property at

**Sr. No.8** and have handed over all the reserved plots to the local authority and the necessary changes have been carried out in the Revenue Records and the Said Property-D divided into hissas as follows - (1) Survey No. 157/1B area admeasuring 940 sq. mtrs. for 15 mtrs wide D.P. Road, (2) Survey No. 157/1C area 1400 sq. mtrs. for Garden, (3) Survey No. 157/1D an area admeasuring 2360 sq. mtrs. For M.H.R., (4) Survey No. 157/1E area admeasuring 920 sq. mtrs., (5) Survey No. 157/1F area admeasuring 950 sq.s. mtrs., (6) Survey No. 157/1G area admeasuring 220 sq. mtrs. for M.R.T.

7. I have also perused the Search report of the Said Property-D, the first report prepared by searcher Mr. Sanjay Shinde on 7/7/2008 for 20 years commencing from 1989 to 7/7/2008, the second report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2008 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

\* **OLD SURVEY NO.81/3, NEW SURVEY NO.158/3A HAVING AREA 290 SQ. MTRS.**

1. It is seen that originally the property bearing Old Survey No.81/3 New Survey No.158/3 admeasuring area 1790 sq. mtrs. hereinafter referred to as the "**Said Property-E**" was of the ownership of Shri. Maruti Motiram Madhvi, Shri. Shravan Motiram Madhvai, Smt. Mathura Maruti Mhatre and Smt. Laxmi Bharat Patil. After the death of Shravan Motiram Madhvi, his heirs (1) Parvati Shravan Madhavi, (2) Ranjan Shravan Madhavi, (3) Vatsala Narendra Patii,(4) Shashikala Kishore Patil and (5) Hemlata Kashinath Bhoir vides a release deed dated 04/01/2005 registered under No.TNN-

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5/2880/2005 at Sub-Registrar Thane, released their right in in favour of Maruti Motiram Madhavi.

2. Further by Agreement for Sale dated 10/11/2006, registered with the office of the Sub Registrar of Assurances at Thane under Serial No.TNN-5/7284/2006, Shri. Maruti Motiram Madhavi & others as the vendors assigned and transferred the Said Property-E, in favour of M/S. Siddhi Krish Developers as the Purchasers thereof. Thereafter, vides a Confirmation Deed dated 14/05/2007, registered with the office of the Sub-Registrar of Assurances at Thane under Serial No.TNN-5/3785/2007 registered on 17/05/2007, Smt. Mathurabai Maruti Mhatre & Smt. Laxmi Bharat Patil the other co-owners, have confirmed the said Agreement for Sale dated 10/11/2006.
3. A Part of the Said Property-E was affected by reservations (1) for 15 mtrs. Wide D. P. Road, (2) for M.R.T.S. The said M/s Siddhi Krish Developers are the owners of Survey No. 158/3A admeasuring 290 sq .mtrs. i.e. the referred property at **Sr. No. 9** and have handed over all the reserved plots to the local authority and the necessary changes have been carried out in the Revenue Records as the Said Property-E divided into hissas as follows - (1) Survey No. 158/3B area admeasuring 660 sq. mtrs. for 15 mtrs wide D.P. Road, (2) Survey No. 158/3C area admeasuring 840 sq. mtrs. for M.R.T.S.
4. I have also perused the Search report of the Said Property-E the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1,2 and 5 from 2002 to 2011 are not maintained properly, the second report prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 for the years 2011 to 2013 are not maintained properly and the third search Report prepared

by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1,2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

**\* OLD SURVEY NO. 82, NEW SURVEY NO.159 HAVING AREA 7317.75 SQ. MTRS.**

1. That Old Survey No.82, New Survey No.159 was originally admeasuring 7710 sq.mtrs, hereinafter referred to as the "**Said Property-F**". The Hindu Undivided Family consisting of Shri. Gopal Parmanad Patil, and others were well and sufficiently entitled to and as such the owners of the Said Property -F. By an Agreement dated 10.07.1982, the said Shri. Gopal Parmanad Patil as the Karta and Manager of the Hindu Undivided Family had agreed to grant development rights in respect of the Said Property-F to one M/s. Shah Parekh Associates. Thereafter Shri. Gopal Parmanad Patil and others as the Vendors, M/s. Shah Parekh Associates as the Confirming Party, sold and conveyed the Said Property-F to (1) Rajendra L. Shah, (2) Paresh L. Shah, (3) Rohit B. Shah and (4) Meenakshi Y. Desai vides an Indenture dated 04.09.1985 registered under Sr. No. THN/2733/1985.
2. That, vide an Agreement dated 5th December, 1985 executed between (1) Rajendra L. Shah, (2) Paresh L. Shah, (3) Rohit B. Shah and (4) Meenakshi Y. Desai therein referred to as Vendors and (1) Shri. Avchar Govindji Gala, (2) Shri. Mahesh Jivraj Dedhia, (3) Shri. Umesh Jivraj Dedhia, (4) Shri. Mansukhlal Khimji Gala, as purchasers, the said (1) Rajendra L. Shah, (2) Paresh L. Shah, (3) Rohit B. Shah and (4) Meenakshi Y. Desai sold specific shares to each of the purchasers.

*MP*

3. By Oral Agreement the said Shri. Mahesh Jivraj Dedhia and Shri. Umesh Jivraj Dedhia had agreed to sell their respective rights in respect of their 2000 sq. mtrs. area each out of the Said Property-F to Smt. Manjula Ramesh Savla and Shri. Bhavin Ramesh Savla, respectively. By an Agreement dated 6th April 1992 Shri. Mansukhlal Khimji Gala had agreed to sell his rights in respect of their 1714 sq. mtrs. area out of the Said Property-F to one Shri. Chimanlal Narpal Gala. Shri. Avachar Govindji Gala retained his rights to his undivided share of 2000 sq.mtrs.
4. The said Rajendra L. Shah died intestate leaving behind Smt. Suranjeet R. Shah, wife as the sole legal heir. The said Shri. Avchar Govindji Gala died intestate leaving behind Smt. Parvatiben Avchar Gala, Mahesh Avchar Gala and Jagruti Hitesh Faria as his legal heirs.
5. By an Agreement dated 10<sup>th</sup> May 2007 duly registered with the Office of Sub-Registrar of Assurances, Thane at Sr. No. TNN5-3590/2007 executed between (1) Smt. Suranjeet R. Shah, (2) Paresh L. Shah, (3) Rohit B. Shah and (4) Meenakshi Y. Desai therein referred to as Vendors Smt. Parvatiben Avchar Gala, Mahesh Avchar Gala and Jagruti Hitesh Faria, Shri. Mahesh Jivraj Dedhia, Shri. Umesh Jivraj Dedhia, Shri. Mansukhlal Khimji Gala, Smt. Manjula Ramesh Savla, Shri. Bhavin Ramesh Savla and Shri. Chimanlal Narpal Gala the confirming parties sold to M/s. Siddhi Krish Developers, the Purchasers. Subsequently by a Conveyance Deed dated 9th May 2008 duly registered at Sr. No. 2820/2008, the said Smt. Suranjeet R. Shah and others had sold and conveyed the Said Property-F to M/s. Siddhi Krish Developers.
6. It is represented that a portion admeasuring 338.25 sq. mtrs or thereabout out of Said Property-F is reserved for 15 mtr. Wide D.P. Road as per Development Plan of the Thane Municipal Corporation and the said portion admeasuring 338.25 sq.mtrs or thereabout has been handed over to the Thane Municipal Corporation.

However the effect is not reflected in the revenue record. A portion admeasuring 1219.52 sq. mtrs or thereabout out of the Said Property-F is affected and falls under C.R.Z. II. An area admeasuring 7317.75 sq. mtrs or thereabouts is retained by M/s. Siddhi Krish Developers which is referred as **Sr. No.10**.

7. I have also perused the Search report of the Said Property-F, the first report prepared by searcher Mr. Sanjay Shinde on 7/7/2008 for 20 years commencing from 1989 to 7/7/2008, the second report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2008 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

\* **OLD SURVEY NO.83/1/1, NEW SURVEY NO.160/1A HAVING AREA 830 SQ. MTRS.**

1. One Shri Vitthal Jagu Bhoir & 10 others were constituting a Hindu Undivided Family and as such were seized and possessed of and/or otherwise well and sufficiently entitled to the property referred at **Sr. No.11**. Shri Vitthal Jagu Bhoir as a karta and manager of the said joint family by and under Agreement dtd.10/07/1982 granted to M/s Shah Parekh Associate the development rights of the referred property at Sr. No.11.
2. M/s Shah Parekh Associate then agreed to sell the referred property at Sr. No.11 to Smt. Riddhi Vinayak Shah. Thereafter Shri Vitthal Jagu Bhoir & Others, as the vendors M/s Shah Parekh Associate as the confirming party sold and conveyed the referred property at Sr. No.11 to said Smt. Riddhi Vinayak Shah, vides registered Deed of Conveyance dt. 29/10/1985 registered at Sr. No. THN - 1485/1986 on 26/2/1986.

*MD*



3. Vides an Agreement dtd.5/12/1985 Smt. Riddhi Vinayak Shah agreed to Sell & give for development the referred property at Sr. No.11 to Smt. Damayanti Amrut Gala. Further vides Agreement dtd. 01/09/2006 registered under Sr.No.TNN-5-5739/2006, said Smt. Riddhi Vinayak Shah with the confirmation of Smt Damayanti Amrut Gala agreed to sell and transfer the referred property at Sr. No.11 to M/s Siddhi Krish Developers.
4. It has been represented by M/s. Siddh Krish Developers that area admeasuring 541.83 sqr mtrs or thereabout is reserved for 20 Mtr Road and an area admeasuring 288.17 sq. mtrs.or thereabout is not the subject matter of the present development and I have also been represented that the potential thereof is neither used nor consumed in the present development.
5. I have also perused the Search report of the properties referred at Sr. No. 11, the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1,2 and 5 from 2002 to 2011 are not maintained properly, the second report prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1,2 and 5 from 2002 to 2011 and the third search Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1,2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

\* **OLD SURVEY NO.83/1/2, NEW SURVEY NO.160/1B/2 HAVING AREA 1270 SQ. MTRS.**

1. It is seen that originally the property bearing Old Survey No.83/1/2, New Survey No.160/1B, admeasuring 1370 sq. mtrs. hereinafter referred to as the "**Said Property-G**" was owned by Krishnabai Joshi who expired intestate leaving behind her, her sister Budhibai Laxman Patil as the sole surviving heir to succeed to the Said Property-G. The said Budhibai Laxman Patil by Will, bequeathed the Said Property-G to her son Motiram Laxman Patil. After the demise of Motiram Laxman Patil the names of his legal heirs viz. (1) Madhukar Motiram Patil, (2) Ramchandra Motiram Patil, (3) Janardan Motiram Patil, (4) Chandrakant Motiram Patil, (5) Suresh Motiram Patil, (6) Anant Motiram Patil, (7) Hirubai Motiram Patil, (8) Savitribai Pandharinath Madhavi, 9) Pushpa Dashrath Mhatre were recorded as owners of the Said Property-G.
2. One Shri Pandit Parshuram Bhoir had acquired development rights of the Said Property-G, as per various Development Agreements viz. (1) Development Agreement with Shri. Suresh Motiram Patil dated 16/03/2001 registered under Sr. No. TNN1/1480/2001 in respect of the Said Property-G totally when the property was transferred in his name in the revenue records vide M.E. No. 2876 which was subsequently cancelled in RTS Appeal No.96/90, (2) Development Agreement with Shri. Suresh Motiram Patil dated 19<sup>th</sup> May 2006 registered under Sr. No. TNN-5/3326/2006, (3) Development Agreement with Shri. Madhukar Motiram Patil dated 28/09/2006 registered under Sr. No. TNN-5/06327/2006, (4) Development Agreement with Shri. Janardan Motiram Patil dated 17<sup>th</sup> January 2007 registered under Sr. No. TNN-5/00489/2007, (5) Development Agreement with Smt. Jayashree Ramchandra Patil and others dated 17<sup>th</sup> January 2007 registered under Sr. No. TNN-5/00490/2007.

MP.

3. It is further seen that (1) Mr. Jayendra Gangji Gala, (2) Mr. Rajadaksh Mahendra Sharma, (3) Kishore Badiyani and (4) Dilip Kumar Ahuja purchased the Said Property-G from Shri. Madhukar Motiram Patil & others represented by their POA holder Shri. Pandit Parshuram Bhoir who is also a Confirming Party thereto, vide Deed of Conveyance dated 11/04/2008 registered at Sr. no. TNN-5/3294/2008.
4. By indenture of Conveyance Deed dated 02-11-2012, registered with the office of the Sub Registrar of Assurances at Thane under Serial No. TNN-5/9305/2012 the said (1) Mr. Jayendra Gangji Gala, (2) Mr. Rajadaksh Mahendra Sharma, (3) Kishore Badiyani And (4) Dilip Kumar Ahuja, sold, conveyed, transferred and assured the Said Property-G in favour of M/S. Siddhi Krish Developers. M/S. Siddhi Krish Developers thus became the owners of the property.
5. A Part of the Said Property-G was affected by reservation for 20 mtrs. Wide D. P. Road. The said M/s Siddhi Krish Developers are the owners of Survey No. 160/1B/2 admeasuring 1270 sq .mtrs. i.e. the referred property at **Sr. No.12** and have handed over the reserved plots to the local authority and the necessary changes have been carried out in the Revenue Records as the Said Property-G divided into hissas as (1) Survey No. 160/1B/1 area admeasuring 100 sq. mtrs. for 20 mtrs wide D.P. Road, in the name of local authority i.e. Thane Municipal Corporation and (2) Survey No. 160/1B/2 admeasuring 1270 sq .mtrs. i.e. the referred property at Sr. No.12 is in the name of M/s. Siddhi Krish Developers
6. I have also perused the Search report of the Said Property-G the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1,2 and 5 from 2002 to 2011 are not maintained properly, the second report

*as per*

prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1,2 and 5 from 2002 to 2011 and the third search Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1,2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

- \* **OLD SURVEY NO.83/1/3(P), NEW SURVEY NO.160/1C/1 HAVING AREA 1560 SQ. MTRS**
  - \* **OLD SURVEY NO.83/1/3(P), NEW SURVEY NO.160/1D/3 AND 160/1E HAVING AREA 1950 SQ. MTRS.**
1. It is seen that originally the property bearing Old Survey No.83/1/3(p), New Survey No.160/1C having area 1570 sq. mtrs hereinafter referred to as "**Said Property No.H-1**" and Old Survey No.83/1/3(p), New Survey No.160/1D and 160/1E having area 3090 sq. mtrs. hereinafter referred to as "**Said Property No.H-2**" was of the ownership of Kadu Halo Bhoir and during his lifetime he gave away the property bearing New S.No.160/1E then admeasuring 1520 sq. mtrs to Gautya (Gautam) Posha Bhoir. After death of Kadu, balance property being New S. No.160/1C and 160/1D, devolved on his wife Motibai Kadu Bhoir. After demise of Motibai her property devolved upon Gautam Posha Bhoir getting half share and the heirs of Jagu Bhoir getting half share.
  2. Shri Vitthal Jagu Bhoir as a Karta and manager of the joint family, vides Agreement dtd.10/07/1982 granted to M/s Shah Parekh Associate the development rights of the Said Property No.H-1. Shri. Vitthal Jagu Bhoir & Others alongwith said M/s Shah Parekh Associate sold and conveyed the Said Property No. H-1 to Shri

*M.P.*

Vinayak K. Shah, vides a Deed of Conveyance dtd. 29/10/1985 registered at Sr. No. TNN - 1486/1986.

3. It is seen that the said Shri Vinayak K. Shah vide Agreement dated 5.12.1985 had agreed to Sell the Said Property No. H-1 to one Shri. Ramniklal Karmshi Nisar who expired intestate on 27.11.1998 leaving behind him his legal heirs. (1) Smt Vanitaben Ramniklala Nishar, (2) Miss Nitiksha Ramniklala Nishar and (3) Master Ankit Ramniklal Nishar who became entitled to the benefits of said agreement dated 5.12.1985.
4. Thereafter vides an Agreement for Sale dated 01/09/2006 registered under Sr.No.TNN-5 5742/2006 said Shri Vinayak K. Shah as the Vendor with (1) Smt. Vanitaben Ramniklal Nishar, (2) Miss Nitiksha Ramniklala Nishar and (3) Master Vanitaben Ramniklal Nishar as the Confirming Parties agreed to sell and transfer the Said Property No. H-1 to M/s. Siddhi Krish Developers.
5. Part of the Said Property H-1 was affected by reservation for 15 mtrs. Wide D. P. Road, the said M/s Siddhi Krish Developers have handed over the reserved plot - area admeasuring 10 sq. mtrs. for 15 mtrs wide D.P. Road from and out of the Said Property No. H-1 to the local authority i.e. Thane Municipal Corporation, whereafter the Said Property H-1 was divided into hissas which effect was given in the record of rights and the Said Property H-1 was divided into Survey No. 160/1C/1 admeasuring 1560 sq .mtrs. i.e. the referred property at **Sr. No.13** in the name of M/s. Siddhi Krish Developers and Survey No.160/1C/2 admeasuring 10 sq. mtrs., which stand in the name of the Thane Municipal Corporation.
6. Originally Old Survey No.83/1/3P, New Survey No.160/1D and 160/1E was having area 3090 sq. mtrs. i.e. the Said Property No.H-2. After the death of Gautam Posha Bhoir his heirs are recorded in Said Property No.H-2 viz. (1) Gangubai Gautam Bhoir, (2) Leeladhar Gautam Bhoir,(3) Subhash Gautam Bhoir, (4) Janabai Walkya Tare, (5) Anusaya Kashinath Vaity, (6) Aruna

Kashinath Vaity, (7) Ratnaprabha Suresh Patil, (8) Asha Gautam Bhoir, (9) Bharati Baburao Tare, (10) Geeta Gautam Bhoir, (11) Rajani Gautam Bhoir and (12) Indrayani Gautam Bhoir. The said heirs entered into a development agreement dated 01/02/2000 registered at Sr.No.BBM/318/2000 in favour of Shevanti Kumar Bhavanji Shah. By Agreement for Assignment of Development Rights dated 12/10/2006 registered with the office of the Sub-Registrar of Assurances at Thane under Serial No. TNN-5/6628/2006 the said Shevantikumar Bhawani Shah assigned development rights of the Said Property No. H-2 in favour of M/S. Sidhhi Krish Developers.

7. By a Declaration dated 18/10/2006 which is registered at Serial No. TNN-5/6807/2006, Mr. Subhash Gautam Bhoir has admitted all the earlier documents executed in respect of the Said Property No. H-2, so also the said Mr. Subhash Gautam Bhoir by and under Power of Attorney dated 18/10/2006 registered at Serial No. TNN-5/691/2006 appointed M/s Siddhi Krish Developers as his constituted attorney.
8. By a Declaration dated 13/12/2006 registered at Serial No. TNN-5/8444/2006 Mr. Liladhar Gautam Bhoir has admitted all the earlier documents executed in respect of the Said Property No. H-2, so also by and under a Power of Attorney dated 18/12/2006 registered at Serial No. TNN-5/831/2006 said Mr. Liladhar Gautam Bhoir appointed M/s Siddhi Krish Developers as his constituted attorney.
9. By a Declaration dated 10/04/2007 registered at Serial No. TNN-5/2773/2007, (1) Sau. Janabai Walkya Tare, (2) Sau. Anusaya Kashinath Vaity, (3) Sau. Aruna Kashinath Vaity, (4) Sau. Ratnaprabha Suresh Patil, (5) Asha Gautam Bhoir, (6) Bharati Kaluram Dare, (7) Geeta Gautam Bhoir alias Geeta Chintaman Patil and (8) Rajani Gautam Bhoir alias Rajani Prithviraj Patil and (9) Subhash Gautam Bhoir has consented to and admitted all the earlier documents executed in respect of the Said Property No. H-

*MR.*

2, so also by and under Power of Attorney dated 10/04/2007 registered at Serial No.TNN-5/388/2007, Sau. Janabai Walkya Tare, and others appointed M/s. Siddhi Krish Developers as their constituted attorney.

10. Further vides a Conveyance Deed dated 09/01/2009, registered at Serial No.TNN-5/216/2009 the said Shri. Shevantikumar Bhawani Shah and Subhash Gautam Bhoir for self & others and Mr. Liladhar Gautam Bhoir, the said Vendors sold, conveyed, transferred and assured the Said Property No. H-2 in favour of M/S. Sidhhi Krish Developers.
11. The Taluka Inspector of Land records on 08/07/2009 passed an order whereby 7/12 extracts in respect of Said Property nos.H-1 & H-2 were amended after filing Form No.12 and the amendment so effected finds mention in Mutation Entry No.3501
12. Part of the Said Property H-2 was affected by reservations (1) for 20 mtrs. Wide D. P. Road, and (2) for 15 mtrs Wide D.P. Road. The Said Property No.H-2 was divided in to hissas and M/s. Siddhi Krish Developers have handed over all the reserved plots (1) Survey No.160/1D/2, area admeasuring 490 sq. mtrs. for 20 mtrs wide D.P. Road, and (2) Survey No.160/1D/4, area admeasuring 110 sq. mtrs. for 15 mtrs. Wide D. P. Road from and out of the Said Property H-2 to the local authority i.e. Thane Municipal Corporation (3) Survey No.160/1D/1 admeasuring 540 sq. mtrs. and (4) Survey No.160/1D/3 admeasuring 1950 sq. mtrs. i.e. the referred Property at **Sr.No.14** in the name of M/s. Siddhi Krish Developers. It has been represented by M/s. Siddh Krish Developers that an area admeasuring 540 sq. mtrs or thereabout bearing Survey No.160/1D/1 is not the subject matter of the present development and I have been also represented that the potential thereof is neither used nor consumed in the present development.
13. M/s. Siddhi Krish Developers have informed me about the litigation pending in the Civil Court at Thane and have provided me with all

the relevant papers in respect of the suit filed against them bearing Special Civil Suit No.607/2011. On perusal of the supplied papers it is seen that one Mr. Barthol Lawrence Dias claiming to be the Director of M/s.DBR Constructions (P) Ltd., has filed the above mentioned suit wherein M/s.Siddhi Krish Developers is one of the party defendant. The suit inter-alia is for declaration and injunction. Mr. Barthol Lawrence Dias on the basis the alleged Conveyance Deed dated 24/12/2009 claims to have purchased the Said Property No. H-2 from the alleged owners. M/s. Siddhi Krish Developers have entered appearance and have filed their written statement denying all the assertions of the said Dias. It is a matter of record that there was a typographical error which inadvertently crept into the Sale Deed dated 09/01/2009 registered in favour of M/s. Siddhi Krish Developers. The recitals of the Sale Deed dated 09/01/2009 clearly specify that the property purchased by M/s. Siddhi Krish Developers is Old Survey No.83/1/3P, New Survey No.160/1D and Old Survey No.83/1/3P, New Survey No.160/1E and not the Survey Nos.81/1/3P and 81/1/3P. I have been informed by M/s. Siddhi Krish Developers that the Hon'ble Court has from the date of the filing of the suit by said Mr. Dias not granted any prohibitory orders in his favour. The said Mr. Dias has registered with the Sub-Registrar Of Assurances of Thane, a Notice of Lis – Pendency on 27/07/2016.

- 13(a)** I have also perused the Search report of the Said Property H-1, the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2002 to 2011 are not maintained properly, the second search Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2011 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue



records, except for the transactions as already stated herein above, no other transaction is traced.

**13(b)** So also I have also perused the Search report of the Said Property H-2, the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2002 to 2011 are not maintained properly, the second report prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2002 to 2011 and the third search Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. Thus except the transactions mentioned above no other transaction is traced.

- \* **OLD SURVEY NO.83/2 (P), NEW SURVEY NO.160/2 HAVING AREA 526.71 SQ.MTRS.**
- 1. One Shri. Narayan Dharma Bhoir was the owner of the property bearing Old Survey No.83/2(P), New Survey No.160/2, area originally admeasuring 880 sq.mtrs hereinafter referred to as the "Said Property-I" and after his demise the same devolved upon his son Yashwant Narayan Bhoir as a karta who sold and transferred the Said Property-I to one Shri. Laxman Dharma Bhoir. After the death of Laxman Dharma Bhoir the same devolved upon his legal heirs viz. (1) Krishna Laxman Bhoir, (2) Harishchandra Laxman Bhoir, (3) Parshuram Laxman Bhoir, (4) Waman Laxman Bhoir, (5) Devram Laxman Bhoir, (6) Naresh Laxman Bhoir, (7) Laxmibai Shankar Bhoir and (8) Jankibai Laxman Bhoir.
- 2. By Indenture of Confirmation Deed dated 23/07/2007, registered at Serial No.TNN-2/5422/2007, Mr. Krishna Laxman Bhoir & others,

the said Vendors confirmed the Agreement for Sale dated 5<sup>th</sup> June, 2006 whereby they had agreed to sell to M/s Siddhi Krish Developers the Said Property-I.

3. Thereafter one Shri. Pandurang Narayan Bhoir and the legal heirs of Shri. Ramchandra Narayan Bhoir and Raghunath Narayan Bhoir respectively, claiming to be the legal heirs of said Shri. Narayan Dharma Bhoir approached M/s Siddhi Krish Developers. After deliberations and negotiations, the said Shri. Pandurang Narayan Bhoir and the legal heirs of Shri. Ramchandra Narayan Bhoir and Raghunath Narayan Bhoir respectively executed two Consent Deeds in favour of M/s Siddhi Krish Developers i.e. (1) Consent Deed dated 15/12/2015 registered at Sr. No. TNN-5-12813-2015 executed by Shri. Sunil Raghunath Bhoir and others, and (2) Consent Deed dated 18/12/2015 registered at Sr. No. TNN-5-13022-2015 executed by Smt. Narmada Devanand Bhoir and others whereby they confirmed and consented to all the earlier transactions in respect of the Said Property-I. The said Shri. Sunil Raghunath Bhoir and others Smt. Narmada Devanand Bhoir and others respectively also executed Irrevocable Power Of Attorneys in favour of M/s. Siddhi Krish Developers i.e. (1) Power of Attorney dated 15/12/2015 registered at Sr. No. TNN-5-12814 -2015 and (2) Power of Attorney dated 18/12/2015 registered at Sr. No. TNN-5-13023 -2015.
4. It has been represented to me by M/s. Siddhi Krish Developers that an area admeasuring 353.29 sq. mtrs. from and out of the Said Property-I is not the subject matter of the present development and I have been also represented that the potential thereof is neither used nor consumed in the present development. An area admeasuring 426.37 or thereabout is reserved for 20 Mtr Road and the rest of property area admeasuring 100.34 sq. mtrs. or thereabout remains with M/s. Siddhi Krish Developers i.e. the referred property at **Sr.No.15**.

*MPA-*

5. I have also perused the Search report of the Said Property-I, the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No.1,2 and 5 from 2002 to 2011 are not maintained properly, the second report prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2002 to 2011 and the third search Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

\* **OLD SURVEY NO.83/3 (P), NEW SURVEY NO.160/3B HAVING AREA 680 SQ. MTRS.**

1. It is seen that the property referred at Sr. No.16 above, was originally owned by Umedmal Chaturbhuj Solanki and after his demise on 19/08/1968 his only legal heir Shri. Uttamchand Umedmal Solanki became the sole and absolute owner of the referred property at Sr. No.16.
2. Further, it is seen that Mr. Rajadaksh Mahendra Sharma and Mr. Jayendra Gangji Gala purchased the referred property at Sr. No.16 vides a Sale Deed dated 25-02-2010 registered under no. TNN-2-2646/2010 from Shri. Uttamchand Umedmal Solanki. The referred property at Sr. No.16 though standing in the name of Mr. Rajadaksh Mahendra Sharma and Mr. Jayendra Gangji Gala has been put into the common hotchpot of M/s Siddhi Krish Developers.
3. It has been represented by M/s. Siddhi Krish Developers to me that an area admeasuring 126.60 sq. mtrs. or thereabout has been

reserved for 15 mtr. wide D.P.Road and an area admeasuring 14.78 sq. mtrs. or thereabouts has been reserved for M.R.T.S. M/s. Siddhi Krish Developers retain with themselves an area admeasuring 535.62 sq. mtrs. or thereabout from and out of the referred property at Sr. No.16.

4. I have also perused the Search report of the properties referred at Sr. No.16 the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2002 to 2011 are not maintained properly, the second report prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2011 to 2013 are not maintained properly and the third search Report prepared by Searcher Mr. Deepak Jangam on 01/06/2016 for the years 2013 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1, 2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

**\* OLD SURVEY NO.83/3(P), NEW SURVEY NO.160/3C HAVING AREA 730 SQ. MTRS.**

1. It is seen that the property referred at **Sr. No.17** above, was originally owned by Hender Gopal Bhoir and after his death the referred property devolved upon his sons Narayan and Gajanan. After the death of Narayan and Gajanan the referred property devolved upon (1) Ramesh Narayan Bhoir, (2) Chandrakant Narayan Bhoir, (3) Raghunath Narayan Bhoir, (4) Sadanand Narayan Bhoir, (5) Janardan Narayan Bhoir, (6) Prakash Narayan Bhoir, (7) Shakuntla Gajanan Patil (8) Indubai Kashinath Gaikar the legal heirs of Narayan and (1) Prabhakar Gajanan Bhoir, (2)

Bhanudas Gajanan Bhoir, (3) Tarabai Narayan Patil, (4) Yamuna Yashavant Patil, (5) Rukhmini Narendra Patil , (6) Gulab Dasharth Bhoir the legal heirs of Gajanan.

2. It is seen further seen that the heirs of Narayan have sold their undivided share in the referred property to Mr. Rajadaksh Mahendra Sharma and Mr. Jayendra Gangji Gala by Sale Deed dated 16/04/2010 registered under no. TNN-5-4118/2010 so also the heirs of Gajanan have sold their undivided share in the referred property at Sr. No.17 to Mr. Rajadaksh Mahendra Sharma and Mr. Jayendra Gangji by sale deed dated 28/05/2010 registered under No.TNN-5-5775/2010 on 11/06/2010. Hence Mr. Rajadaksh Mahendra Sharma and Mr. Jayendra Gangji Gala have become the owners of the referred property at Sr. No. 17 and the owners have put the same into the common hotchpot of M/s Siddhi Krish Developers.
3. It has been represented by M/s. Siddhi Krish Developers to me that an area admeasuring 549.51 sq. mtrs. or thereabout has been reserved for 15 mtr. wide D.P. Road and an area admeasuring 127.07 sq. mtrs. or thereabout has been reserved for M.R.T.S. M/s. Siddhi Krish Developers retain with themselves an area admeasuring 53.42 sq. mtrs. or thereabout from and out of the referred property at Sr. No.17
4. I have also perused the Search report of the properties referred at Sr. No.17 the first report prepared by searcher Mr. Sachin Patil on 29/08/2011 for 30 years commencing from 1982 to 29/08/2011 which states that the computerized index of the Sub Registrar's Office No. 1,2 and 5 from 2002 to 2011 are not maintained properly, the second report prepared by Searcher Sachin Patil on 10/01/2014 for the years 2011 to 10/01/2014 which states that the computerized index of the Sub Registrar's Office No. 1, 2 and 5 from 2011 to 2013 are not maintained properly and the third search Report prepared by Searcher Mr. Deepak Jangam on

01/06/2016 for the years 2014 to 1/6/2016 which states that the computerized index of the Sub Registrar's Office No. 1,2, 5 and 9 from 2014 to 2016 are not maintained properly. I have gone through the revenue records, except for the transactions as already stated hereinabove, no other transaction is traced.

IV. The District Collector of Thane vides various Orders specified below have granted the permission for the N.A. use of all the referred lands. (1) Order dated 26<sup>th</sup> November, 2007 bearing no. Mahsul/K-1/Te-1/NAP/SR-229/07, in respect of land bearing old S. Nos. 73/17P, 75/5, 75/6, 75/7, 75/8, 80/1 corresponding to new S. Nos. 150/17A, 150/17B, 150/17C, 150/17D, 150/5, 152/6, 152/7, 152/8, 157/1; (2) Order dated 1<sup>st</sup> January 2008 bearing no. Mahsul/K-1/Te-1/NAP/SR-258/07 in respect of land bearing old S. no. 82 corresponding to new S. no. 159 ; (3) Order dated 7<sup>th</sup> April, 2012 bearing no. Mahsul/K-1/Te-1/Balkum/Tal.Dist.Thane/ NAP/SR-203/2011 in respect of land bearing Old Survey No.81/3, 83/1/1, 83/1/2, 83/1/3P, 83/1/3P, 83/2P, 83/3P, 83/3P corresponding to New Survey Nos.158/3, 160/1A, 160/1B, 160/1C, 160/1D, 160/2, 160/3B, 160/3C.

V. On the basis of the Order passed by the Collector granting the permission for N.A. use the said M/s Siddhi Krish Developers put up the plan for sanction with the Municipal Corporation of the city of the Thane which plans have been sanctioned by the Corporation vides V.P. No S05/0040/11/TMC/TDD/0770/13, dated 6<sup>th</sup> February, 2013. The said M/s Siddhi Krish Developers revised the plans and the revised plans were sanctioned under V.P.No.05/0040/11/TMC/TDD/1033/13, dated 11<sup>th</sup> December, 2013. A further revision of the plans was sanctioned vides V.P. No.S05/0040/11/TMC/TDD/1093/14, dated 20<sup>th</sup> February, 2014. A further revision

of the plans was sanctioned vide V.P.No.05/0040/11/TMC/TDD/2074/17 dated 1<sup>st</sup> March, 2017.

- VI. M/s. Siddhi Krish Developers have provided for my reference the various Declarations and Indemnity Bonds in favour of the Local Authority i.e. Thane Municipal Corporation in respect of the reserved areas from and out of all the referred properties.
- VII. I have also perused the various Search Reports prepared by Searcher Akshay Kinjale on 20/05/2017 for the years 2016 to 19/05/2017 which states that all the referred properties are Mortgaged to the HDFC Bank LTD. vides the Mortgage Deed executed on 01/02/2017 Registered on 02/02/2017 with S.R.O. Thane-5 at Sr. No.1186/2017. It is also seen that a Deed of Correction was executed in favour of M/s HDFC Bank LTD. In respect of the said properties on 10/02/2017 registered with the S.R.O. Thane-5 at Sr. No. 1521/2017.
- VIII. On the basis of the findings included in this report and subject to what is stated herein above, I am of the opinion that M/s. Siddhi Krish Developers in pursuance of the various Agreements, the Deed of Conveyances and other writings thereof executed by M/s. Siddhi Krish Developers, M/s Siddhi Krish Developers is entitled to the said properties as the absolute owners and also have complete development rights in respect of the same and their title to the referred properties is free clear and marketable.

  
**Manoj Pashte**  
Advocate