

**REPORT ON TITLE**

**Re:Land bearing various Survey numbers, Hissa numbers and admeasurements lying being and situated at Village Majewade and Balkum Taluka and District Thane.**

1. I have investigated the title of Shree Sainath Enterprises Construction and Developers Private Limited ("**Company**") vis-à-vis to the various Land Owners/ Holders, whose names are stated in column "C" in Schedule hereunder written (hereinafter for the sake of brevity collectively referred to as "**the said Landholders**") with respect to their individual lands mentioned against their respective names bearing diverse Survey Numbers, Hissa Numbers and areas forming a part of Larger Land acquired and/or to be developed by the said Company (hereinafter for the sake of brevity collectively referred to as "**the said Land**") more particularly described in Column "A", "B" & "D" of Schedule hereto.
2. For the said purpose, I have perused and verified
  - i) 7/12 Extracts (Record of Rights) and 6/12 Extracts (Mutation Entries) recorded thereon and devolution of the title upon the landholders in respect of their respective Larger Land.
  - ii) Permissions under section 32G of Maharashtra Tenancy and Agricultural Land Act, 1948 for acquisition of the respective land forming part of the said Larger Land mentioned in the Schedule hereto acquired by the landowners as protected tenants subject to provisions under section 43 of the said Act to transact their respective Larger Land by such landholders / owners.
  - iii) Certified copies of registered Development Agreements, Powers of Attorneys and Conveyances and other incidental documents mentioned in the Column "D" executed and registered by respective Land Owners/ Holders with Shree Sainath Enterprises (now known as Shree Sainath Enterprises Construction and Developers Private Limited, Mangal Prabhat Lodha and Lodha Estate Pvt. Ltd (LEPL), as mentioned in Column "E" for their respective Larger Land mentioned in the Column "A" & "B" of Schedule hereto. The said documents are duly registered with the concerned Offices of The Sub-Registrar of Assurances at Thane.
  - iv) Various permissions under which the said Larger Land has been converted to non-agricultural use issued by the Collector of Thane.
  - v) Certificate of Incorporation dated 28th November 2013 issued by Registrar of Companies, Western Region, Mumbai.
  - vi) Deed of Declaration/Supplementary Agreement dated 07/12/2013 executed and registered under No.TNN9-8406/2013 by Shri. Mangal Prabhat Lodha

in favour of Shree Sainath Enterprises Construction and Developers Private Limited

- vii) By Declaration dated 10<sup>th</sup> December 2013 executed by Lodha Estate Private Limited in favour of Shree Sainath Enterprises Construction and Developers Private Limited
- viii) Deed of Mortgage dated 27/12/2013 executed and registered under No.TNN9-8899/2013 on 27/12/2013
- ix) Deed of Mortgage dated 29/03/2017 executed and registered under No. TNN9-1959/2017;
- x) ROC Search dated 02.09.2017 ("**ROC Search**") issued by Shravan A. Gupta and Associates pursuant to online search carried out on the Ministry of Corporate Affairs website.
- xi) Papers and proceedings in respect of Suit bearing No.RCS No.596/2006 before Civil Judge (J.D.) Thane at Thane.

3. From the perusal of the above documents, I observe as under:-

- i) Revenue Records i.e. 7/12 extracts and mutation entries and on the basis of information and explanation given to me as well as representations made in this behalf, in my view the respective landholders are well and sufficiently entitled to their respective lands by inheritance, operation of law under section 32G of the Maharashtra Tenancy and Agricultural Land Act, 1948 and/or outright purchase, as the case may be. The sale of lands/grant of development rights by the landholders was in compliance with the applicable laws (including but not limited to Urban Land (Ceiling and Regulation) Act, 1976) and requisite permissions were obtained for such transfer of lands. Further, the Company has informed me that the terms and conditions stipulated in the orders have been complied with by the Company.
- ii) By an separate and distinctive Development agreements, Power of Attorneys and Deed of Conveyances thereto, bearing various dates as shown in column "D" of Schedule hereto, executed and registered under their respective numbers, being also mentioned in said Column with the Sub-Registrar of Thane by the said Landholders mentioned in Column "C" of Schedule hereto as Owners of the One Part either with Shree Sainath Enterprises, Shri Mangal Prabhat Lodha and Lodha Estate Pvt. Ltd mentioned in Column "E" in Schedule hereto, as Purchaser/s of the Other Part, where under the said Landholders have granted development rights and/or sold their respective land either to Shree Sainath Enterprises, Shri Mangal Prabhat Lodha or Lodha Estate Pvt. Ltd, as the case may be, for consideration and on the terms and conditions stated therein.



- iii) In sequel, the said Landholders have put Shree Sainath Enterprises, Mangal Prabhat Lodha or or Lodha Estate Pvt. Ltd in possession of their respective Larger Land.
- iv) I give hereunder details of non-agricultural permissions issued by Collector of Thane for conversion of Larger Land comprise in the following survey numbers to non-agricultural use:-

**Non-agricultural permissions**

Sr. No.	Survey No./Hissa No.	Larger Area converted to NA (in square meters)	Area of Property (in square meters)	Reference of the NA order
1.	183/20 Pt	940	296.75	Revenue/K-1/T-1/NAP/SR-252/07 dated 27/12/2007
2.	183/22 Pt	1060	373.22	Revenue/K-1/T-1/NAP/SR-252/07 dated 27/12/2007
3.	183/23 Pt	780	231.12	Revenue/K-1/T-2/Majiwade and Balkum-Thane / NAP/SR-143/2013 dated 09/01/2014.
4.	31/9 Pt	510	161.61	Revenue/K-1/T-1/NAP/SR-157/2010 dated 24/03/2011
5.	31/5 (pt) (now 31/5A)	1520	1029.52	Revenue/K-1/T-1/NAP/SR-252/07 dated 27/12/2007
6.	31/3 Part (now 31/3B)	1110	170	Revenue/K-1/T-2/Majiwade and Balkum-Thane / NAP/SR-210/2013 dated 09/01/2014
7.	31/6 Part (now 31/6A)	1540	78.33	Revenue/K-1/T-1/NAP/SR-252/07 dated 27/12/2007
8.	31/4 Pt (now 31/4A and 4C)	3720	790.72	Revenue/K-1/T-1/NAP/SR-252/07 dated 27/12/2007

- i) In course of time, the said Partnership Firm viz. Shree Sainath Enterprises has been converted to Private Limited Company viz. Shree Sainath Enterprises Constructions and Developers Private Limited, pursuant to the Certificate of Incorporation dated 28th November 2013 issued by Registrar of Companies, Western Region, Mumbai.
- ii) By Deed of Declaration/Supplementary Agreement dated 07/12/2013 executed by Mangal Prabhat Lodha (MPL) and registered under No.TNN9-8406/2013 in favour of Shree Sainath Enterprises (SSE now SSECDPL, the Company herein) inter alia declared and confirmed that MPL was a partner of SSE and the Company shall develop the said Land comprised in Survey Nos.31/5, 31/3 and 183/23 (being purchased by MPL) which are contiguous to the Larger Land owned by the Company.
- iii) By Declaration dated 10<sup>th</sup> December 2013 executed by Lodha Estate Private Limited (LEPL) in favour of Shree Sainath Enterprises Constructions and Developers Private Limited (SSECDPL) and notarized under No.527 of Page No.51 dated 10/12/2013, inter alia declared and confirmed that LEPL is

associated with SSE and as such SSECDPL shall develop the said Land comprised in Survey Nos.31/6 and 183/22 (being purchased by LEPL) which are contiguous to the Larger Land owned by the Company.

- iv) By Deed of Mortgage dated 27/12/2013 executed and registered under No.TNN9-8899/2013 on 27/12/2013 with the Office of Sub-Registrar of Assurances, Thane - 9 amongst Shree Sainath Enterprises Constructions and Developers Private Limited, Shri. Mangal Prabhat Lodha, Lodha Estate Private Limited and Babusingh Rajguru as the Mortgagors of the One Part and Punjab and Sind Bank as Mortgagee of the Other Part, the Mortgagors have inter alia mortgaged the said Land mentioned in the Schedule hereunder written to Punjab and Sind Bank Limited for credit facility on terms, conditions and covenants stated therein.
- v) By another Deed of Mortgage dated 29/03/2017 executed and registered under No.TNN9-1959/2017 on 29/03/2017 with the Office of Sub-Registrar of Assurances, Thane - 9 amongst Shree Sainath Enterprises Construction and Developers Private Limited, Shri. Mangal Prabhat Lodha, Lodha Estate Private Limited and Babusingh Rajguru as the Mortgagors of the One Part and Punjab and Sind Bank as Mortgagee of the Other Part, the Mortgagors have inter alia mortgaged the said Land along with the building constructed thereon as and by way of security to Punjab and Sind Bank Limited to avail of additional credit facility on terms, conditions and covenants stated therein.
- vi) I have seen Certificate dated 02.09.2017 issued by Shravan A. Gupta and Associates, the Practising Company Secretary to the effect that he has carried out an online Search through the Official website of the Ministry of Corporate Affairs and his Report inter alia indicates that there are mortgages/charges in favour of Punjab and Sind Bank in respect of the said Land and the buildings constructed thereon by the Company.
- vii) I have not taken independent Search of litigation filed for and against the said Company in respect of the said Property. The Company has informed me that following litigations are pending:-
- a) With regard to Regular Civil Suit No.596 of 2006 filed by Janardan Motiram Patil and Others (Plaintiffs) against Madhukar Motiram Patil and the Company (Defendants) before the Court of Civil Judge (Senior Division) Thane. Under the said suit, the Plaintiffs inter alia seeking relief that they are joint owners of the said Land bearing Survey No.31/4 and declaration accordingly. In any event, there is no adverse order passed in the said Suit which restrict the rights of the said Company to deal with the said Land.
- viii) In pursuance to the said respective Development Agreements/Conveyances read with Declarations mentioned hereinabove, the Company, Mangal

Prabhat Lodha and Lodha Estate Private Limited (Lodha Group) have envisaged consolidated scheme of Development of the said Land mentioned in the Schedule hereunder written (forming a part of the Larger Land) and identified as "Phase VI" in the Project known as "Lodha Luxuria" under the name of Shree Sainath Enterprises Construction and Developers Private Limited. Accordingly, the building plans prepared and submitted to the Thane Municipal Corporation and obtained sanction thereof.

ix) Pursuant thereto, Thane Municipal Corporation approved building plans under Commencement Certificate No. S05/0104/16 dated 02/03/2017 by the Thane Municipal Corporation for composite development of the said Larger Land which includes the said land as amended under New V.P. No. S05/0104/16 dated 07/04/2017.

x) On the basis of the findings mentioned above and subject to what is stated hereinabove, I am of the opinion that Shree Sainath Enterprises Construction and Developers Private Limited are entitled to develop the said Land forming part of the Larger Land more particularly described in Schedule hereunder written.

**THE SCHEDULE ABOVE REFERRED TO :**

**ALL THAT PIECE AND PARCEL OF LAND BEARING SURVEY NUMBERS AND HISSA NUMBERS LYING BEING AND SITUATED AT VILLAGE MAJEWADE AND BALKUM TALUKA AND DISTRICT THANE AS FOLLOWS:**

**(The Said Land)**

**Lodha Estate Private Limited**

<b>S No</b>	<b>Survey No.</b>	<b>Area (in sq. mtrs.)</b>	<b>Name of the erstwhile Owner/Vendor</b>	<b>Date of Sale Deed / Deed of Conveyance / Development Agreement / Deed of Assignment</b>	<b>Name of the Current Owner</b>	<b>Name of the Developer</b>
	<b>(A)</b>	<b>(B)</b>	<b>(C)</b>	<b>(D)</b>	<b>(E)</b>	<b>(F)</b>
1	31/6 Pt (now 31/6A)	78.33	Balkrishna Gajanan Mhatre, Padmini Balkrishna Mhatre, Nisha Balkrishna Mhatre, Chetan Balkrishna Mhatre, Ananta Gajanan Mhatre, Rekha Ananta Mhatre, Kedar Ananta Mhatre, Tulshiram Gajanan Mhatre, Kamal Tulshiram Mhatre, Siddhesh Tulshiram Mhatre, Jeet Tulshiram Mhatre, Parvati Namdev Mhatre, Leela Kashinath Patil, Laxmi Tulshidas Patil alias Laxmi Tulshiram Patil, Arjun Ganu Mhatre, Motibai Arjun Mhatre, Ganesh Arjun Mhatre, Jayshree Ganesh Mhatre, Harshal Ganesh Mhatre, Vithabai Harichandra Patil	Development Agreement dated 25/07/2005 registered under No.4817/2005  Power of Attorney dated 25/07/2005 registered under No.373/2005  Deed of Conveyance dated 18/04/2012 registered under No.1432/2012	Lodha Estate Private Limited	Sainath Enterprises Construction and Developers Private Limited

2	183/22 Pt	373.22	Bhagirathi Govtya Bhoir, Janardan Govtya Bhoir, Dwarka Janardan Bhoir, Vidhyadhar Janardan Bhoir, Chandan Janardan Bhoir, Bharati Janardan Bhoir, Damyanti Ganesh Bhagat, Mohini Sunil Mhatre, Motibai Arjun Mhatre, Yenubai Ramchandra Patil alias Venubai Ramchandra Patil, Chandribai Krishna Mhatre, Shivdas Maruti Bhoir, Vinabai Vasant Bhoir, Jairam Maruti Bhoir, Leeladhar Maruti Bhoir, Laxmibai Shankar Bhoir, Dinesh Shankar Bhoir, Narayan Shankar Bhoir, Dyaneshwar Shankar Bhoir, Draupadi Harishchandra Thakur, Sulbha Ganesh Patil alias Surbha Ganesh Patil, Sulochana Vilas Kene, Vaishali Shankar Bhoir, Ananta Shankar Bhoir, Kishor Krishna Mhatre, Alka Ankush Shilkar	Development Agreement dated 25/11/2005 registered under No.7429/2005  Power of Attorney dated 25/11/2005 registered under No.611/2005  Deed of Conveyance dated 09/04/2012 registered under No.1227/2012	Lodha Estate Private Limited	Sainath Enterprises Constructio n and Developers Private Limited
<b>Total</b>		451.55				

Note : Declaration dated 10/12/2013 executed by Lodha Estate Private Limited in favour of Shree Sainath Enterprises Construction and Developers Private Limited whereby Sainath Enterprises Construction and Developers Private Limited is entitled to develop the aforesaid Lands

**Shri. Mangal Prabhat Lodha**

Sr. No.	Survey No.	Area (in sq. mtrs.)	Name of Vendor	Date of Sale Deed / Deed of Conveyance / Development Agreement / Deed of Assignment	Owner	Name of the Developer
1.	31/5 Pt (now 31/5A)	1029.5 2	Hirubai Ananta Bhoir, Prakash Ananta Bhoir, Sulochana Haresh Mhatre, Sughanda Satyawani Patil, Meena Arun Kharkar, Suvarna Vijay Patil, Indubai Narayan Madhavi, Ramchandra Dama Bhoir, Sunil Ramchandra Bhoir, Jagdish Ramchandra Bhoir, Neeta Subhash Patil, Kavita Mukund Patil, Sangeeta Naresh Raut, Vandana Pravin Patil, Namdev Dama Bhoir, Vinod Namdev Bhoir, Vijay Jagdish Vaity, Sarika Naresh Rathod, Yogita Namdev Bhoir, Motubai Kashinath Patil, Laxmi Prabhakar Mulundkar	Development Agreement dated 31/10/2005 registered under No.6843/2005  Power of Attorney dated 31/10/2005 registered under No.546/2005  Deed of Conveyance dated 17/06/2011 registered under No.6711/2011	M/s. Sainath Enterprises   Mangal Prabhat Lodha	Sainath Enterprises Constructio n and Developers Private Limited

2.	183/23 Pt	231.12	Sunita Bhagirath Bhoir, Dharmendra Bhagirath Bhoir, Jitendra Bhagirath Bhoir, Sandhya Krishna Mhatre, Jayshree Vilas Gaikar, Chandrarekha Krishna Patil, Savitri Ramchandra Bhoir alias Savitri Mahadev Bhoir, Jaywanti Ramchandra Bhoir alias Revati Suresh Patil, Yashoda Waman Bhoir, Rajesh Waman Bhoir, Sulbha Dwarkanath Patil, Rekha Suresh Patil, Lata Chandrakant Bhoir alias Latabai Chandrakant Bhoir, Ravindra Chandrakant Bhoir, Sainath Chandrakant Bhoir, Sanjeevani Chandrakant Bhoir alias Sanjeevani Pramod Mhatre, Mandakini Bhaskar Bhoir, Kunal Bhaskar Bhoir, Harshavardhan Bhaskar Bhoir, Ramesh Balkrishna Bhoir, Suman Ramesh Bhoir, Yogesh Ramesh Bhoir, Prajakta Sanket Tandel, Neeta Arun Bhoir, Arun Balkrishna Bhoir, Priyanka Arun Bhoir, Pratik Arun Bhoir, Janabai Devram Bhoir, Sulbha Pandharinath Patil, Kusum Dundaram Patil, Sulochana Balkrishna Bhoir alias Sulochana Jayram Mhatre, Nutan Walka Daki, Dadaram Balkrishna Bhoir	Agreement for Sale dated 13/02/2009 registered under No.655/2009  Power of Attorney dated 13/02/2009 registered under No.656/2009  Deed of Conveyance dated 06/07/2012 registered under No.2728/2012	M/s. Sainath Enterprises   Mangal Prabhat Lodha	Sainath Enterprises Constructio n and Developers Private Limited
3.	31/3 Pt (now 31/3B)	170	Kashinath Rama Patil, Chandribai Kashinath Patil, Jaywant Kashinath Patil, Jayshree Jaywant Patil, Shailesh Jaywant Patil, Sagar Jaywant Patil, Reshma Jaywant Patil, Kalpana Dnyaneshwar Bhoir, Sandhya Deepak Patil, Vijay Balkrishna Patil, Pratibha Vijay Patil, Tejas Vijay Patil, Swarangi Tejas Vijay Patil, Ram Balkrishna Patil, Aasha Ram Patil, Sahil Ram Patil, Yash Ram Patil, Shyam Balkrishna Patil, Gulab Shyam Patil, Swagata Shyam Patil, Pratiksha Shyam Patil, Prathamesh Shyam Patil, Rohidas Balkrishna Patil, Rupali Rohidas Patil, Chhaya Madhukar Mhatre, Namdev	Deed of Conveyance dated 18/01/2012 registered under No.514/2013	Mangal Prabhat Lodha	

			Rama Patil, Manorama Namdev Patil, Naresh Namdev Patil, Harshana Naresh Patil, Saurabh Naresh Patil, Vaishnavi Naresh Patil, Manohar Rama Patil, Sumati Manohar Patil, Hemant Manohar Patil, Archana Hemant Patil, Amit Manohar Patil, Sachin Manohar Patil, Poonam Sachin Patil, Sarika Manohar Patil			
	Total	1430.64				

Note : Declaration dated 24/09/2014 executed and registered under No.TNN9-6105/2014 by Mangal Prabhat Lodha in favour of Shree Sainath Enterprises Construction and Developers Private Limited whereby Sainath Enterprises Construction and Developers Private Limited is entitled to develop the aforesaid Lands

**Shree Sainath Enterprises Construction and Developers Private Limited**

Sr. No.	Survey No.	Area (in sq. mtrs.)	Name of Vendor	Date of Sale Deed / Deed of Conveyance / Development Agreement / Deed of Assignment	Owner	Name of the Developer
1	31/4 Pt (now 31/4A and 4C)	790.72	Madhukar Motiram Patil, Ratnaprabha Motiram Patil, Amit Madhukar Patil, Chitra Jagannath Daki, Uttara Kamlesh Patil, Smita Girish Bhoir, Ekta Nilesh Mokashi & Anandrao Dhõndu Pawar and Chintaman Shivram Patil	Development Agreement dated 22/11/2005 registered under No.TNN2-7301/2005 executed by Madhukar Motiram Patil and Others in favour of Shree Sainath Enterprises  Power of Attorney dated 22/11/2005 registered under No.595/2005 executed by Madhukar Motiram Patil and Others in favour of Shree Sainath Enterprises  Deed of Conveyance dated 26/12/2012 registered under No.TNN2-9123/2012 executed by Madhukar Motiram Patil and Others in favour of Shree Sainath Enterprises	Shree Sainath Enterprises	Shree Sainath Enterprises (now known as Shree Sainath Enterprises Construction and Developers Private Limited)
2	31/9 Pt	161.61	Mominpura Masjid through Authorised Signatory Mr. Shakil M. Fakih	Deed of Conveyance dated 13/04/2009 registered under No.1646/2009  Power of Attorney dated 13/04/2009 registered	Shree Sainath Enterprises (now Shree Sainath Enterprises Construction	Sainath Enterprises Construction and Developers Private Limited



**Pradip Garach**  
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				under No.65/2009	and Developers Private Limited)	
3	183/20 Pt	296.75	Dhanaji Vithu Bhoir, Laxmi Dhanaji Bhoir, Vinod Dhanaji Bhoir, Santosh Dhanaji Bhoir, Manisha Dhanaji Bhoir, Gurunath Dhanaji Bhoir, Devidas Dhanaji Bhoir, Usha Dhanaji Bhoir, Devka Balaram Patil	Development Agreement dated 2005  Power of Attorney dated 23/12/2005 registered under No.713/2005  Deed of Conveyance dated 23/01/2013 registered under No.617/2013	Shree Sainath Enterprises (now Shree Sainath Enterprises Construction and Developers Private Limited)	Sainath Enterprises Constructio n and Developers Private Limited
	Total	1249.08				
	Grand Total	3131.27				

Dated this 05<sup>th</sup> day of October, 2017

  
(Pradip Garach)  
Advocate High Court Bombay

