



Re : All that piece and parcel of land bearing Plot No. 402 situate lying and being at Chembur (i) bearing CTS No. 1674 admeasuring 96.7 square meters & (ii) bearing CTS No. 1675 originally admeasuring 1666.7 square meters and after area correction now admeasuring 2219.5 square meters of Village Chembur, Taluka Kurla together with the structure comprising of ground plus three upper floors known as "VRINDAVAN", within the Registration District and Sub - District of Mumbai City and Mumbai Suburban and is assessed by Mumbai Municipal Corporation of Greater Mumbai under "M" Ward.


1. We have investigated the title of M/s. **Rishabh Enterprises** (the "Owner"), a Partnership Firm, registered under the provisions of the Indian Partnership Act, 1932, having its Registered Office at 101, Tulsi Pride, Plot No.3, Postal Colony, Chembur, Mumbai 400071 to the said property (hereinafter defined) and the Owner's right and authority to develop the said property, construct the building/s thereon and sell the premises therein.
2. For the purpose of investigation, (i) public notice was got to be published in the issues of (a) The Free Press Journal dated 7th August 2013 and (b) Navshakti dated 7th August 2013, (being daily newspapers), (ii) searches were taken from the offices of Sub-Registrar of Assurance at Mumbai, Bandra, Chembur and Nahur for the period of 1954 to 2013 through Mr. Ashish Javeri, Title Investigator (iii) following papers and documents those made available to us were perused:

- (a) Copy of the Order passed by Sub – Divisional Officer, Bombay Suburban District dated 7th September, 1973 granting N.A. permission.
- (b) Copy of the Agreement for Sale dated 14th May, 1981 executed between Jaswant Baug Projects through its partners as the First Owners, Mr. Arun Bhawoorao Chemburkar as the Second Owners and (i) Shri Dhiraj G. Kharwa and (ii) Smt. J.D. Kharwa as the Purchasers.
- (c) Original Deed of Conveyance dated 29th July, 1982 executed between Jaswant Baug Projects as the First Vendors, Shri Arun Bhawoorao Chemburkar for self and also as the Karta and the Manager of Arun B. Chemburkar H.U.F as the Second Vendors, Shri. Bhawoorao Harishchandra Chemburkar as Karta and the Manager of the Joint Hindu Family of Messrs. B. H. Chemburkar for self and on behalf of the Copaceners of the Messrs. B. H. Chemburkar Joint Hindu Family as the Confirming Party and Shri. Dhiraj Govind Kharwa and Smt. Jaywanti Dhiraj Kharwa as the Purchasers;
- (d) Copy of the Indemnity Bond dated 29th July, 1982 executed by Shri Arun Bhawoorao Chemburkar for self and as the Karta and Manager of Arun B. Chemburkar H.U.F.
- (e) Original Declaration dated 5th January, 1991 of Jaywanti Dhiraj Kharva, Bhupesh Dhiraj Kharwa and Dinesh Dhiraj Kharwa;
- (f) Copy of the Power of Attorney dated 21st August, 1991 executed by M/s. Jaswant Baug Project through its partner Arun Bhawoorao Chemburkar for self and also as Karta and Manager of his H.U.F., heirs of late Bhawoorao Chemburkar, Pramod Bhawoorao Chemburkar, Arun Bhawoorao Chemburkar, Atul Bhawoorao




Chemburkar and Prakash Bhawoorao Chemburkar in favour of Ditesh D. Kharwa and Mrs. Jaywanti D. Kharwa.

- (g) Copy of the Power of Attorney dated 11th December, 2003 executed by Mr. Bhupesh Dhiraj Kharwa in favour of Smt. Jaywanti Dhiraj Kharwa;
- (h) Copy of the Deed of Conveyance dated 22nd April, 2004 executed by (i) Smt. Jaywanti Dhiraj Kharwa, (ii) Shri. Bhupesh Dhiraj Kharwa, through his constituted attorney Smt. Jaywanti Dhiraj Kharwa, (iii) Shri. Ditesh D. Kharwa alias Ditesh Bharda and (iv) Shri. Paresh D. Kharwa in favour of M/s. Rishabh Enterprises.
- (i) Copy of Public Notice published in The Free Press Journal dated on 25th October, 2003 by Advocates Vijay Kumar & Co.;
- (j) Copy of the Public Notice published in The Navshakti dated on 25th October, 2003 by Advocates Vijay Kumar & Co.;
- (k) Copy of 7/12 extract issued on 6th March, 2004;
- (l) Copy of the Order of Dy. Collector and Competent Authority, Urban Land Ceiling dated 24th March, 2004;
- (m) Copy of Index-II dated 28th April, 2004;
- (n) Copy of the Title Certificate dated 29th June, 2004 issued by Advocates Vijay Kumar & Co.;
- (o) Copy of the Order of the Collector of Mumbai dated 6th October, 2006;
- (p) Public Notice published in The Free Press Journal dated 7th August, 2013;
- (q) Public Notice published in Navshakti dated 7th August, 2013;
- (r) Certified Copy of Property Card issued on 3rd July, 2013;



- (s) Property Search Report dated 12th September, 2013 issued by Mr. Ashish Javeri for the period from 1954 to 12th September, 2013;
- (t) Original Declaration dated 13th January, 2014 by the M/s. Rishabh Enterprises;
3. On perusal of documents and information given on enquiries, we hereunder set out our understanding of the Owners' title to the said property (hereinafter defined) and also right and authority of the Owners' to develop the same, construct the building/s thereon and sell the premises therein:
- (a) At a relevant point of time one Mr. Bhawoorao Harishchandra Chemburkar ("**Mr. Chemburkar**") as the Karta and Manager of B.H. Chemburkar H.U.F. was seized and possessed the property bearing Plot No. 402, (i) C.T.S. No. 1674 admeasuring 96.7 square meters and (ii) C.T.S. No. 1675 admeasuring 1666.7 square meters, both aggregating to 1763.40 square meters of Village Charai, Chembur, Taluka - Kurla, in the Registration District and Sub - District of Bombay City and Bombay Suburban (hereinafter referred to as the "**original property**"). The said Mr. Chemburkar as the Karta and Manager of the aforesaid B. H. Chemburkar H.U.F. effected a partial partition effective from 15th March, 1970 amongst the co-parceners of the said B.H. Chemburkar H.U.F. viz. Mr. Bhawoorao Harishchandra Chemburkar, Mrs. Indirabai Bhawoorao Chemburkar, Mr. Shridhar Bhawoorao Chemburkar as the Karta and Manager Shridhar B. Chemburkar H.U.F., Mr. Pramod Bhawoorao Chemburkar as the Karta and Manager of Pramod B. Chemburkar H.U.F., Mr. Arun Bhawoorao



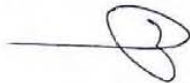
Chemburkar ("Arun") as the Karta and Manager of Arun B. Chemburkar H.U.F. Mr. Atul Bhawoorao Chemburkar as the Karta and Manager of Atul Bhawoorao Chemburkar H.U.F. and Mr. Prakash Bhawoorao Chemburkar as the Karta and Manager of Prakash B. Chemburkar H.U.F.

- (b) Under the said partial partition effected from 15th March, 1970 by the said Mr. Chemburkar as the Karta and Manager of B.H. Chemburkar H.U.F. the said Arun as the Karta and Manager of Arun Bhawoorao Chemburkar H.U.F. was allotted and became the holder and owner of the original property. Accordingly, vide Deed of Release dated 15th July, 1970, the said Mr. Chemburkar granted, conveyed and released rights in respect of original property in favour of the said Arun as the Karta and Manager of Arun Bhawoorao Chemburkar H.U.F. in the manner mentioned in the said Deed of Release.
- (c) In or around 1974, the said Arun as the Karta and Manager of Arun Bhawoorao Chemburkar H.U.F., constructed a building on the said property known as "Vrindavan" consisting of Ground and three upper floors and let out flats to thirty-two tenants. The original property with Building constructed thereon hereinafter referred to as "the constructed property".
- (d) On 3rd December, 1974, the said Arun as the Karta and Manager of Mr. Arun Bhawoorao Chemburkar H.U.F. along with the said Mr. Chemburkar and others entered into a Partnership in name and style of "Jaswant Baug Projects", whereby the partnership firm acquired the said constructed property as the partnership asset for the purpose of



carrying on the businesses of real estate, builders and contractors on the terms and conditions therein contained.

- (e) By Conveyance dated 29th July, 1982 duly registered with the Sub Registrar of Assurances at Mumbai under serial no. S. 3002/1982 whereby M/s. Jaswant Baug Projects conveyed the said constructed property in favour of Shri. Dhiraj Govind Kharwa and Smt. Jaywanti Dhiraj Kharwa.
- (f) The above said Dhiraj died intestate on 26th September, 1990 leaving behind him surviving his wife (i) Smt. Jaywanti Dhiraj Kharwa and three sons namely (ii) Shri. Bhupesh Dhiraj Kharwa, (iii) Shri. Ditesh D. Kharwa alias Ditesh Bharda and (iv) Shri. Paresh D. Kharwa as the only heirs and legal representatives ("**Original Owners**") according to the law by which he was governed at the time of his death.
- (g) By an affidavit dated 5th January, 1991 Original Owners declared that they are the co-owners and have shares / interest quantified in the following manner respect of the constructed property.
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|--|---------------|
| (1) Smt. Jaywanti D. Kharwa | 62.50% share; |
| (2) Shri. Bhupesh D. Kharwa | 12.50% share; |
| (3) Shri. Ditesh D. Kharwa alias Ditesh Bharda | 12.50% share; |
| (4) Shri. Paresh D. Kharwa | 12.50% share. |
- (h) By order dated 24th March, 2004, office of the Deputy Collector and Competent Authority granted no objection for transfer of land bearing CTS Nos.1674 and 1675.
- (i) By the Deed of Conveyance dated 22nd April, 2004, registered with the Sub - Registrar under No. BDR - 03402 - 2004 made between the



Original Owners conveyed the said constructed property to M/s. Rishabh Enterprises and also attorned the tenants to M/s. Rishabh Enterprises.

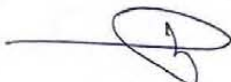
- (j) Pursuant to order dated 6th October, 2006, boundaries of various land including property bearing CTS No. 1675 was fixed. Accordingly, the area of property bearing CTS. No. 1675 admeasuring 1666.7 square meters was revised to 2219.5 square meters.

4. In these circumstances, and subject to what is stated hereinabove, we are the view M/s. Rishabh Enterprise as Owner of the property mentioned in the Schedule hereunder written and have the right and authority to develop the same subject to the plans to be sanctioned, and Intimation of Disapproval and Commencement Certificate and other approvals to be issued by MCGM and/or any other concerned authority.

THE SCHEDULE ABOVE REFERRED TO:

All that piece or parcel of land or ground situate and lying on the land bearing Plot No. 402 (i) bearing CTS No. 1674 admeasuring 96.7 square meters & (ii) bearing CTS No. 1675 admeasuring 2219.5 square meters together with the structure more popularly known as "VRINDAVAN" comprising of ground plus three upper floors of village Chembur, Taluka Kurla, within the Registration District and Sub – District of Mumbai city and Mumbai Suburban and is assessed by Mumbai Municipal Corporation of Greater Mumbai under "M" Ward, which the said plot of land is bounded as follows:

On or towards the East : By Golf course i.e. Survey No. 411



On or towards the West : By Village Road and CTS No. 1673 & 1676, 1677;

On or towards the North : By proposed D.P. Road and CTS No. 1646, 1647, 1648 & 1649;

On or towards the South : By CTS No. 1683 & 1717 part;

Dated this 10th day of February, 2014.

For IC Legal



Partner