

# RAJESH NAIR

Advocate, High Court

B/204, 2<sup>nd</sup> Floor, Cherish Vinayak Enclave Co-operative Housing Society Limited, Bldg no.9, Cherish Homes, Nr. Old Viva College, Virar (West), Palghar District-401303

Ref:

15<sup>th</sup> June, 2020

## TO WHOMSOEVER IT MAY CONCERN

I have investigated the title of Mr. Nayan Shah and Mrs. Vasumati Shah of M/s. Mayfair Housing to the following lands lying, being and situated at Village Bolinj, Taluka Vasai, District Thane, within the area of the Sub-Registrar at Vasai No. II (Virar):-

Survey No.	Hissa No.	Admeasuring (Sq. Mtrs)
195	1	3,230
195	2	1,500
212	1	1,110
212	3	1,870
212	4	830
212	8/2	1,210
224	4	1,110
224	8	450
224	16	300
224	5	860
224	10	380
224	18	330
223	1	2,150
224	6	960
224	9	510
224	17	380
223	2	1,720
223	3	1,340



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224	3	50
224	15	230
224	1	4,330
224	7	880
224	14	710
224	11	230
224	12	510
224	13	50
225	1	760
227	2/1	1,140
225	3/1	1,310
225	3/2	580
228	3/2	710
227	2/2	1,140
196	1D	4,046.24
213	----	11,630
214	----	12,490
215	----	6,900
216	----	9,510
227	1	1,270
211	11/1/3	1,310
211	14/1	1,000
225	5	1,210



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225	6	480
225	8	2,530
226	3/2	200
227	3	760
227	4	860
227	5	660
212	8/1	180
224	2	100
225	2	810
		<b>TOTAL ADMEASURING :-</b> <b>88816.240Sq. Mtrs.</b>

1. I have perused copies of various conveyance deeds furnished to me by M/s. Mayfair Housing. The following emerges from the said deeds:-

(a) Survey No. 195 Hissa No.1.

- (i) One Shri Dadu Maya Patil was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 195 Hissa No.1, admeasuring 3,230 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said First property").
- (ii) I am informed that the said Shri Dadu Maya Patil agreed to sell the said First property to one Sai Baba Estate Developers, a partnership firm.
- (iii) The said Sai Baba Estate Developers in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said First Property to Late Mr. Arvind M. Shah.
- (iv) The said Dadu Maya Patil confirmed the sale of the said First property by the said Sai Baba Estate Developers to the said Arvind M. Shah, vide an Agreement dated 18<sup>th</sup> December, 1985.



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- (v) The said Dadu Maya Patil by a Deed of Conveyance dated 26<sup>th</sup> August, 1992 and registered at the office of the Sub- Registrar of Assurances at Vasai-2, Under No. 1520/92 on 26<sup>th</sup> August, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah the said First property.
- (b) **Survey No. 195 Hissa No.2, Area: 1,500 sq. mts.**
- (f) One Shri Narendra P. Trivedi was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 195 Hissa No.2, admeasuring 1,500 square metres, situate, lying and being in the Revenue Village Bolinj within the jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Second property").
- (ii) I am informed that the said Shri. Narendra P. Trivedi agreed to sell the said Second property to one Sai Baba Estate Developers, a partnership firm.
- (iii) The said Sai Baba Estate Developers in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Second Property to the said Arvind M. Shah.
- (iv) The said Shri. Narendra P. Trivedi confirmed the sale of the said Second property by the said Sai Baba Estate Developers to the said Arvind M. Shah. vide an Agreement dated 18<sup>th</sup> December, 1985.
- (v) The said Shri. Narendra P. Trivedi by a Deed of Conveyance dated 26<sup>th</sup> August, 1992 and registered at the office of the Sub-Registrar of Assurances at Vasai-2, under No. 1519/92 on 26<sup>th</sup> August, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah, the said Second property.
- (c) **Survey No. 212 Hissa No. 1.**
- (f) One Shri Rama Pandu Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 212, Hissa No. 1, admeasuring 1,110 square metres, situate, lying and being in the Revenue Village Bolinj within the jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Third property")
- (ii) I am informed that the said Shri. Rama Pandu Naik agreed to sell the said Third property to Gajanan and Associates, a partnership firm.
- (iii) The said Gajanan and Associates, in turn, had by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Third Property to the said Arvind M. Shah.
- (iv) The said Shri. Rama Pandu Naik confirmed the sale of the said Third property by the said Gajanan and Associates to the said Arvind M. Shah vide an Agreement dated 18<sup>th</sup> December, 1985.
- (v) The said Shri. Rama Pandu Naik by a Deed of Conveyance dated 22<sup>nd</sup> July, 1992 and registered at the office of the Sub- Registrar of Assurances at Vasai-2, under No.



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1380/92 on 22<sup>nd</sup> July, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah, the said Third property.

**(d) Survey No. 212 Hissa No. 3.**

- (i) One Shri Laxman Govind Naik and 4 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 212, Hissa No. 3, admeasuring 1,870 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Fourth property").
- (ii) I am informed that the said Shri Laxman Govind Naik and 4 Ors. agreed to sell the said Fourth property to Gajanan and Associates, a partnership firm.
- (iii) The said Gajanan and Associates in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Fourth Property to the said Arvind M. Shah.
- (iv) The said Shri Laxman Govind Naik and Ors. confirmed the sale of the said Fourth property by the said Gajanan and Associates to the said Arvind M. Shah vide an Agreement dated 18<sup>th</sup> December, 1985.
- (v) The said Shri. Laxman Govind Naik and 4 Ors. by a Deed of Conveyance dated 17<sup>th</sup> July, 1992 and registered at the office of the Sub- Registrar of Assurances at Vasai-2, under No. 1355/92 on 17<sup>th</sup> July, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah the said Fourth property.

**(e) Survey No. 212 Hissa No. 4.**

- (i) One Shri Rama Pandu Naik and 2-Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 212 Hissa no. 4, admeasuring 830 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "the said Fifth property").
- (ii) I am informed that the said Shri Rama Pandu Naik, and 2 Ors. agreed to sell the said Fifth property to one Gajanan and Associates, a partnership firm.
- (iii) The said Gajanan and Associates in turn, by an Agreement dated 21<sup>st</sup> November, 1985, agreed to sell the said Fifth Property to the said Arvind M. Shah.
- (iv) The said Shri Rama Pandu Naik and 2 Ors. confirmed the sale of the said Fifth property by the said Gajanan and Associates, to the said Arvind M. Shah vide an Agreement 18<sup>th</sup> December, 1985.
- (v) The said Shri Rama Pandu Naik, and 2 Ors. by a Deed of Conveyance dated 22<sup>nd</sup> July, 1992 and registered at the office of the Sub-Registrar of Assurances at Vasai-2,

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under No. 1382/92 on 22<sup>nd</sup> July, 1992, granted, sold, assigned and conveyed to the said Arvind M. Shah, the said Fifth property.

(i) Survey No. 212 Hissa No. 8/2, Survey No. 224 Hissa No. 4, Hissa No. 8, Hissa No. 16, Hissa No. 5, Hissa No. 10, and Hissa No. 18.

(ii) Smt. Jebubai Siloo Ludrik and 11 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the following lands:-

Sr. No.	Survey No.	Hissa No.	Area in Sq. Mtrs.	Share in the land
1	224	4	1,110	100%
2	224	8	450	100%
3	224	16	300	100%
4	224	5	860	50%
5	224	10	380	50%
6	224	18	330	50%
7	212	8/2	1,210	14 annas

All situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Sixth property").

(ii) I am informed that the said Smt. Jebubai Siloo Ludrik and 11 Ors. agreed to sell the said Sixth property to Gajanan and Associates, a partnership firm.

(iii) The said Gajanan and Associates in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Sixth Property to the said Arvind M. Shah as partner of the Builders.

(iv) The said Smt. Jebubai Siloo Ludrik and 11 Ors. confirmed the sale of the said Sixth property by the said Gajanan and Associates, to the said Arvind M. Shah vide an Agreement dated 18<sup>th</sup> December, 1985.

(v) The said Smt. Jebubai Siloo Ludrik and 11 Ors. have by a Deed of Conveyance dated 19<sup>th</sup> May, 1993, and registered at the office of the Sub-Registrar of

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- Assurances at Vasai-2, under No. 693/93 on 19<sup>th</sup> May, 1993, granted, sold, assigned and conveyed to the said Arvind M. Shah the said Sixth property.
- (vi) Smt. Monica Pascal Ludrik and others were absolutely seized and possessed of or otherwise well and sufficiently entitled to the remaining 50% share in the lands bearing Survey No. 224, Hissa No.5, Survey No. 224, Hissa No.10 and Survey No. 224, Hissa No.18 admeasuring 430 sq. mts., 190 sq. mts and 165 sq. mts. respectively was also acquired by the said Arvind M. Shah vide Conveyance dated 23<sup>rd</sup> November, 1992 duly registered with the Sub-Registrar - 2 at Virar under Serial No.386 of 1992.
- (g) Survey No. 223 Hissa No. 1, Survey No. 224 Hissa No. 6, Hissa No. 9, Hissa No. 17.
- (i) Smt. Monica Pascal Ludrik and 5 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 223 Hissa No.1, admeasuring 2,150 square metres, Survey No. 224 Hissa No. 6, admeasuring 960 sq. mts., Survey No. 224, Hissa No. 9 admeasuring 510sq. mtrs., and Survey No. 224 Hissa No. 17, admeasuring 380 sq. mtrs. all situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Seventh property")
- (ii) I am informed that the said Smt. Monica Pascal Ludrik and 5 Ors. agreed to sell the land bearing Survey No. 223 Hissa No. 1 admeasuring 2,150 (Two thousand one hundred fifty) Sq. mtrs. out of the said Seventh property to Ekvira Developers a partnership firm.
- (iii) I am informed that the said Smt. Monica Pascal Ludrik and 5 Ors. also agreed to sell the balance portion of the said Seventh Property being lands bearing Survey No. 224 Hissa No. 6, admeasuring 960 sq. mtrs., Survey No. 224, Hissa No. 9 admeasuring 510 sq. mtrs., and Survey No. 224 Hissa No. 17, admeasuring 380 sq. mtrs., to another firm being M/s. Gajanan and Associates.
- (iv) The said Ekvira Developers and M/s. Gajanan and Associates in turn, vide Agreements dated 21<sup>st</sup> November, 1985 agreed to sell their respective shares in the said Seventh property to the said Arvind M. Shah.
- (v) The said Smt. Monica Pascal Ludrik and 5 Ors. confirmed the sale of the said Seventh property by the said Ekvira Developers and M/s. Gajanan and Associates to the said Arvind M. Shah vide an Agreement dated 18<sup>th</sup> December, 1985.
- (vi) The said Smt. Monica Pascal Ludrik and 5 Ors. by a Deed of Conveyance dated 4<sup>th</sup> September, 1992 and registered at the office of the Sub- Registrar of Assurances at Vasai-2, under No. 1/92 on 4<sup>th</sup> September, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah the said Seventh property.



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(h) Survey No. 223 Hissa No. 2.

- (i) One Shri Gangaram Bhiku Naik and 2 Ors. were absolutely seized and possessed of and otherwise well and sufficiently entitled to the land bearing Survey No. 223 Hissa No. 2, admeasuring 1,720 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Eighth property").
- (ii) I am informed that the said Shri Gangaram Bhiku Naik and 2 Ors. agreed to sell the said Eighth property to one Ekvira Developers, a partnership firm.
- (iii) The said Ekvira Developers in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Eighth Property to the said Arvind M. Shah.
- (iv) The said Shri Gangaram Bhiku Naik and 2 Ors. confirmed the sale of the said Eighth property by the said Ekvira Developers to the said Arvind M. Shah vide an Agreement dated 18<sup>th</sup> December, 1985.
- (v) The said Shri Gangaram Bhiku Naik and 2 Ors by a Deed of Conveyance dated 20<sup>th</sup> July, 1992 and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, under No. 1366/92 on 20<sup>th</sup> July, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah the said Eighth property.

(i) Survey No. 223 Hissa No. 3, Survey No. 224 Hissa No. 3, Survey No. 224 Hissa No. 15.

- (i) One Zav Bastyao Ludrik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the lands bearing Survey No. 223 Hissa No. 3 admeasuring 1,340 sq. m., Survey No. 224 Hissa No. 3 admeasuring 50 sq m, Survey No. 224 Hissa No. 15 admeasuring 230 square metres all situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Ninth property").
- (ii) I am informed that the said Zav Bastyao Ludrik agreed to sell the land bearing Survey No. 223 Hissa No. 3 out of the said Ninth property to the firm Ekvira Developers a partnership firm.
- (iii) I am informed that the said Zav Bastyao Ludrik also agreed to sell the balance portion of the said Ninth Property being lands bearing Survey No. 224 Hissa No. 3, Survey No. 224 Hissa No. 15, to another firm being M/s. Gajanan Associates.
- (iv) The said Ekvira Developers and M/s. Gajanan and Associates in turn, vide Agreements dated 21<sup>st</sup> November, 1985 agreed to sell the said Ninth Property to the said Arvind M. Shah.
- (v) The said Zav Bastyao Ludrik confirmed the sale of the said Ninth property by the said Ekvira Developers and M/s. Gajanan and Associates respectively to the said Arvind M. Shah vide Agreement dated 18<sup>th</sup> December, 1985.





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(vi) The said Zav Bastyao Ludrik by a Deed of Conveyance dated 12<sup>th</sup> August, 1992 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 1467/92 on 12<sup>th</sup> August, 1992 granted, sold, assigned and conveyed to the said Arvind M. Shah the said Ninth property .

(j) Survey No. 224 Hissa No. 1, Survey No. 224 Hissa No. 7,

Survey No. 224 Hissa No. 14.

(i) One Shri Sanjay Farsha Ludrik and 7 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the lands bearing Survey No. 224 Hissa No.1, admeasuring 4,330 square metres, Survey No. 224 Hissa No. 7, admeasuring 880 square metres and Survey No. 224 Hissa No. 14, admeasuring 710 square metres all situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Tenth property").

(ii) I am informed that the said Shri Sanjay Farsha Ludrik and 7 Ors. agreed to sell the said Tenth property to one Gajanan and Associates, a partnership firm.

(iii) The said Gajanan and Associates in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Tenth Property to the said Arvind M. Shah.

(iv) The said Shri Sanjay Farsha Ludrik and 7 Ors. confirmed the sale of the said Tenth property by the said Gajanan and Associates to the said Arvind M. Shah vide Agreement 18<sup>th</sup> December, 1985.

(v) The said Shri Sanjay Farsha Ludrik and 7 Ors. by a Deed of Conveyance dated 21<sup>st</sup> January, 1993 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 90/93 on 21<sup>st</sup> January, 1993, granted, sold, assigned and conveyed to the said Arvind M. Shah, the said Tenth property.

(k) Survey No. 224 Hissa No. 11.

(i) One Shri Moru Govind Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 224 Hissa No. 11, admeasuring 236 square metres situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Eleventh property")

(ii) The said Shri Moru Govind Naik, by a Deed of Conveyance dated 10<sup>th</sup> June, 1993 and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 751/93 on 10<sup>th</sup> June, 1993 granted, sold, assigned and conveyed to the said Arvind M. Shah the said Eleventh property.

(l) Survey No. 224 Hissa No. 12.



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## Survey No. 224 Hissa No. 13.

- (i) One Shri Prabhakar Vasudeo Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the lands bearing Survey No. 224 Hissa No. 12, admeasuring 510 square metres and Survey No. 224 Hissa No. 13, admeasuring 50 square metres both situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twelfth property")
- (ii) I am informed that the said Shri Prabhakar Vasudeo Naik agreed to sell the said Twelfth property to one Gajanan and Associates, a partnership firm.
- (iii) The said Gajanan and Associates in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Twelfth Property to the said Arvind M. Shah.
- (iv) The said Shri Prabhakar Vasudeo Naik confirmed the sale of the said Twelfth property by the said Gajanan and Associates to the said Arvind M. Shah vide and Agreement dated 18<sup>th</sup> December, 1985.
- (v) The said Shri Prabhakar Vasudeo Naik, by a Deed of Conveyance dated 31<sup>st</sup> July, 1992 and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 1422/92 on 31<sup>st</sup> July, 1992, granted, sold, assigned and conveyed to the said Arvind M. Shah the said Twelfth property.

## (m) Survey No. 225 Hissa No. 1.

- (i) One Shri Rama Pandu Naik and 2 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 225 Hissa No. 1, admeasuring 760 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Thirteenth property")
- (ii) I am informed that the said Shri Rama Pandu Naik and 2 Ors. agreed to sell the said Thirteenth property to one Sai Baba Estate Developers, a partnership firm.
- (iii) The said Sai Baba Estate Developers in turn, by an Agreement dated 21<sup>st</sup> November, 1985 agreed to sell the said Thirteenth Property to the said Arvind M. Shah.
- (iv) The said Shri Rama Pandu Naik and 2 Ors. confirmed the sale of the said Thirteenth property by the said Sai Baba Estate Developers to the said Arvind M. Shah, vide and Agreement dated 18<sup>th</sup> December, 1985.
- (v) The said Shri Rama Pandu Naik and 2 Ors. by a Deed of Conveyance dated 22<sup>nd</sup> July, 1992 and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, under No. 1381/92 on 22<sup>nd</sup> July, 1992 granted, sold, assigned and conveyed to the



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said Arvind M. Shah, the said Thirteenth property for the consideration and on the terms and conditions mentioned therein.

(n) Survey No. 227 Hissa No.2/1.

(i) One Shri Dattatray Bhai Naik and 14 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 227 Hissa No. 2/1, admeasuring 1,140 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Fourteenth property")

(ii) The said Shri Dattatray Bhai Naik and 14 Ors. by a Deed of Conveyance dated 8<sup>th</sup> October, 1991 and registered at the office of the Sub-Registrar of Assurances at Vasai-2, Under No. 33/91 on 8<sup>th</sup> October, 1991 granted, sold, assigned and conveyed to the said Arvind M. Shah the said Fourteenth property.

(O) Survey No. 225 Hissa No. 3/1. Survey No. 225 Hissa No. 3/2 Survey No. 228 Hissa No. 3/2.

(i) One Shri Moreshwar Bhau Naik and 4 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the lands bearing Survey No. 225 Hissa No. 3/1, admeasuring 1,310 square metres, Survey No. 225 Hissa No. 3/2 admeasuring 580 square metres and Survey No. 228 Hissa No. 3/2 admeasuring 710 square metres all situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Fifteenth property")

(ii) The said Shri Moreshwar Bhau Naik and 4 Ors. by a Deed of Conveyance dated 31<sup>st</sup> October, 1992 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 264/92 on 31<sup>st</sup> October, 1992, granted, sold, assigned and conveyed to the said Arvind M. Shah and Shri Nayan A. Shah and the said Fifteenth property.

(p) Survey No. 227 Hissa No. 2/2.

(i) One Shri Vasant T. Naik and 17 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 227 Hissa No. 2/2, admeasuring 1,140 square meters situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Sixteenth property")



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- (ii) The said Shri Vasant T. Naik and 17. Ors. by a Deed of Conveyance dated 8<sup>th</sup> October, 1991 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 33/91 on 8<sup>th</sup> October, 1991 granted, sold, assigned and conveyed to the said Arvind M. Shah and said Shri Nayan A. Shah and the said Sixteenth property.
- (q) Survey No. 196 Hissa No.1D.
- (i) One Shri Sadanand Gajanan Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 196 , Hissa No. 1D, admeasuring 4,046.24 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Seventeenth property")
- (ii) The Shri Sadanand Gajanan Naik by a Deed of Conveyance dated 7<sup>th</sup> July, 1994 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 586/94 on 7<sup>th</sup> July, 1994, granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri. Nayan A. Shah the said Seventeenth property.
- (iii) In the year 2009, Mr. Padman Damodar Bhoir & Ors., being the heirs of late Mr. Damodar S. Bhoir had filed a Regular Civil Suit No. 409 of 2009 in the Court of Civil Judge (J.D.) Vasai against Mr. Sadanand Gajanan Naik & Ors. (hereinafter referred to as 'the said Suit') for declaration of their Ownership in the said Seventeenth Property and praying for injunction, In the said Suit, Learned Civil Judge had by an order dated 20<sup>th</sup> November, 2010, granted injunction to the said Mr. Padman Damodar Bhoir & Ors. Being aggrieved by the said Order dated 20<sup>th</sup> November, 2010, Mr. Sadanand Gajanan Naik & Ors. had filed Misc. Civil Appeals No.57, 58 & 59 of 2010 before Hon'ble District Judge-1, Vasai. Thereafter, the Hon'ble District Judge-1 vide an Order dated 22<sup>nd</sup> December, 2010 Hon'ble District Judge-1 had set aside and quashed the said Order dated 20<sup>th</sup> November, 2010. Being aggrieved by the said Order dated 22<sup>nd</sup> December, 2010, Mr. Padman Damodar Bhoir & Ors. had filed a Writ Petition bearing No.1567 of 2011 before Hon'ble High Court of Judicature at Bombay. By and under an Order dated 31<sup>st</sup> March, 2012, the Hon'ble High Court, was pleased to dismiss the said W.P.No.1567 of 2011 and presently the said Suit is pending.
- (r) Survey No. 213.
- (i) Shri Padman Damodar Bhoir and 7 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 213, admeasuring 11,630 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai, Taluka and Registration Sub-District, Vasai, District and Registration District Thane and (hereinafter referred to as the "the said Eighteenth property").



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(ii) The said Shri Padman Damodar Bhoir and 7 Ors. by a Deed of Conveyance dated 9<sup>th</sup> April, 1997 and registered at the Sub- Registrar of Assurances at Vasai-2, Under No.935/97 dated 9<sup>th</sup> April, 1997 granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri Nayan A. Shah, the said Eighteenth property.

(s) Survey No.214.

(i) Shri Padman Damodar Bhoir and 7 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 214, admeasuring 12,490 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai, Taluka and Registration Sub-District, Vasai, District and Registration District Thane and (hereinafter referred to as the "the said Nineteenth property").

(ii) The said Shri Padman Damodar Bhoir and 7 Ors. by a Deed of Conveyance dated 9<sup>th</sup> April, 1997, and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 934/97 dated 9<sup>th</sup> April, 1997 granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri Nayan A. Shah, the said Nineteenth property.

(t) Survey No.215.

(i) One Shri Padman Damodar Bhoir and 7 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 215, admeasuring 6,900 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai, Taluka and Registration Sub-District, Vasai, District and Registration District Thane and (hereinafter referred to as the "the said Twentieth property").

(ii) The said Shri Padman Damodar Bhoir and 7 Ors. by a Deed of Conveyance dated 9<sup>th</sup> April, 1997 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No.934/97 on 9<sup>th</sup> April, 1997, granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri Nayan A. Shah the said Twentieth property.

(aa) Survey No.216.

(i) One Shri Padman Damodar Bhoir and 7 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 216, admeasuring 9,510 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai, Taluka and Registration Sub-District,



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Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty First property")

- (ii) The said Shri Padman Damodar Bhoir and 7 Ors. by a Deed of Conveyance dated 9<sup>th</sup> April, 1997 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 932/97 dated 9<sup>th</sup> April, 1997 granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri Nayan A. Shah, the said Twenty First property.

(ab) Survey No. 227 Hissa No. 1.

- (i) Shri Dattatraya Babu Vaze and 3 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 227 Hissa No. 1, admeasuring 1,270 square meters situate, lying and being in the Revenue Village Bolinj, within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Second property").

- (ii) The said Shri Dattatray Babu Vaze and 3 Ors. by a Deed of Conveyance dated 23<sup>rd</sup> May, 1995 and registered at the office of the Sub-Registrar of Assurances at Vasai-2, Under No. 1360/95 on 23<sup>rd</sup> May, 1995, granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Mr. Nayan A. Shah the said Twenty Second property.

(ac) Survey No. 211 Hissa No. 11/1/3.

- (i) One Shri Laxman Govind Naik and 4 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 211 Hissa No. 11/1/3, admeasuring 1,310 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Third property").

- (ii) The said Shri Laxman Govind Naik and 4 Ors. by a Deed of Conveyance dated 10<sup>th</sup> March, 1995 and registered at the Office of the Sub- Registrar of Assurances at Vasai-2, Under No. 381/95 on 10<sup>th</sup> March, 1995 granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri. Nayan A. Shah the said Twenty Third property.

(ad) Survey No. 211 Hissa No. 14/1.

- (i) One Shri Vishwanath Jagannath Vaze was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 211 Hissa No. 14/1, admeasuring 1,000 sq m, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla



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Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Fourth property")

(ii) The said Shri Vishwanath Jagannath Vaze by a Dced of Conveyance dated 10<sup>th</sup> May, 1995, and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 1105/95 on 10<sup>th</sup> May, 1995 granted, sold, assigned and conveyed to the said Smt. Vasumati A. Shah and said Shri. Nayan A. Shah the said Twenty Fourth Property.

(ae) Survey No. 225 Hissa No.5

(i) Prior to 1946, one Ganpat Bhikhu Vaze and 4 others were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 225 Hissa No.5, admeasuring 1,210 square metres, situate, lying and being in the Revenue Village Bolinj within the area of Bolinj Grampanchayat and within the limits of the Panchayat Samiti - Vasai, Zilla Parishad Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Fifth Property").

(ii) Accordingly, in or about 1996, the said Twenty Fifth property stood in the names of Shri. Pandurang Babu Vaze and 20 others (all being the descendants / heirs and legal representatives of the said Shri Ganpat Bhikhu Vaze and 4 others, who were originally entitled to the said Twenty Fifth property prior to 1946.

(iii) By and under a registered conveyance dated 19<sup>th</sup> September, 1996, registered at the office of the Sub-Registrar of Assurance at Vasai-2, Under No.2466/1996 made and executed by and between the said Shri. Pandurang Babu Vaze and 20 others and (1) Shri. Balchandra Pandurang Vaze and (2) Shri Sunil Pandurang Vaze, whereby the said Shri. Pandurang Babu Vaze and 20 others sold, conveyed and assured the said Twenty Fifth property to the said (1) Shri. Balchandra Pandurang Vaze and (2) Shri Sunil Pandurang Vaze

(iv) Further by and under a registered conveyance dated 5<sup>th</sup> April, 2006, registered at the office of the Sub-Registrar of Assurance at Vasai -2, Under No.2911/2002 made and executed by and between the said (1) Shri. Balchandra Pandurang Vaze and (2) Shri Sunil Pandurang Vaze ("the Vendors"), R.K. Properties and Developers ("the Confirming Party") and Shri Nayan A. shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing ("the Purchasers"), the said (1) Shri. Balchandra Pandurang Vaze and (2) Shri Sunil Pandurang Vaze sold, conveyed and assured the said Twenty Fifth property to Shri Nayan A. shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.

(af) Survey No. 225 Hissa no. 6.

(i) By and under a registered Conveyance dated 17<sup>th</sup> November, 1992 registered at the office of the Sub-Registrar of Assurance at Vasai-2, Under No.301/1992 made and executed by and between Shri Dattatray Bhai Naik ("the First Vendor"), (1) Shri Vasant Trimbak Naik, (2) Shri Chandrakant Trimbak Naik (3)



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Smt. Kerubai Trimbak Naik (4) Meena Ramesh Mhatre (5) Smt. Indumati Govind Vaze (6) Shri Pandurang Damodar Naik (8) Smt. Taibai Janardan Naik (9) Shri Sudhakar Janardan Naik (10) Shri Prakash Janardan Naik (11) Meena Pandurang Naik (12) Bharati Pandurang Naik ("the Second Vendors") and Shri Arvind Mangaldas Shah and (2) Shri Nayan Arvind Shah ("the Purchasers"), whereby the First and the Second Vendors have granted, sold, assigned, conveyed, released and assured unto the Purchasers the land bearing Survey No.225 Hissa No.6 admeasuring 480 sq.mtrs lying, being and situate at Village Bolinj, Taluka Vasai, District Thane, within the area of Sub-Registrar at Vasai (hereinafter referred to as the "said Twenty Sixth Property") to the Purchasers

**(ag) Survey No. 225 Hissa no. 8.**

- (i) Prior to 1935, one Anu Pilu Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 225, Hissa No. 8, admeasuring 2530 square metres, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Seventh property")
- (ii) By and under a Conveyance dated 24<sup>th</sup> August, 1936, the said Anu Pilu Naik sold and conveyed  $\frac{1}{2}$  of the said Twenty Seventh property to one Kusha Balu Patil. The said Kusha Balu Patil expired in or around the year 1992 and his said  $\frac{1}{2}$  share in the said Twenty Seventh property devolved on to Shri Vasant Kusha Patil, Shri Dattatraya Kusha Patil, Shri Anant Kusha Patil, Shri Sadanand Kusha Patil and Smt. Rajni Moreshwar Naik, they being the sons and daughters respectively of the said Kusha Balu Patil.
- (iii) The said Anu Pilu Naik who had retained the remained  $\frac{1}{2}$  share in the said Twenty Seventh property, expired on or about 13<sup>th</sup> June, 1960 and the said  $\frac{1}{2}$  share devolved on to his son Waman Anu Naik. The said Waman Anu Naik expired on about 15<sup>th</sup> October, 1987 and thereupon the said  $\frac{1}{2}$  share devolved on Shri Jaggannath Waman Naik and the daughter of said Waman Anu Naik viz. Meena Vasant Naik. The said Meena Vasant Naik expired on or about 6<sup>th</sup> November, 1992 and her  $\frac{1}{4}$ th share devolved upon her heirs who in turn had by and under a registered Deed of Release dated 1<sup>st</sup> March, 2001, released their  $\frac{1}{4}$ th share in favour of their uncle Shri Jaggannath Waman Naik. In the circumstances, Shri Jaggannath Waman Naik became entitled to the remaining  $\frac{1}{2}$  share in to upon the said Twenty Seventh property.
- (iv) By and under a registered Conveyance dated 2<sup>nd</sup> May, 2006, registered at the office of the Sub-Registrar of Assurance at Vasai -2, Under No.3781/2006 executed and entered into by and between (1) Shri Jaggannath Waman Naik (2) Shri Vasant Kusha Patil, (3) Shri Dattatraya Kusha Patil, (4) Shri Anant Kusha Patil, (5) Shri Sadanand Kusha Patil and (6) Smt. Rajni Moreshwar Naik ("the Vendors") R.K. Properties and Developers ("the Confirming Party") and Shri





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Nayan A. shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing ("the Purchasers"), whereby (1) Shri Jaggannath Waman Naik (2) Shri Vasant Kusha Patil, (3) Shri Dattatraya Kusha Patil, (4) Shri Anant Kusha Patil, (5) Shri Sadanand Kusha Patil and (6) Smt. Rajni Moreshtwar Naik sold, conveyed and assured the said Twenty Seventh property to Shri Nayan A. shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.

**(ah) Survey No. 226 Hissa no. 3/2.**

(i) By and under a Government Grant dated 10<sup>th</sup> September, 1933, One Smt. Maribai Zuiya Alolop had acquired the said land bearing Survey No. 226, Hissa No. 3/2, approx. admeasuring 200 square metres, situate, lying and being in the Revenue Village Bolinj within the area of Bolinj Grampanchayat and within the limits of the Panchayat Samiti - Vasai, Zilla Parishad Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Eighth Property"). In view of the aforesaid Smt. Maribai Zuiya Alolop was absolutely seized and possessed of or otherwise well and sufficiently entitled to the said Twenty Eighth property.

(ii) By and under a registered Conveyance dated 5<sup>th</sup> April, 2006, registered at the office of the Sub-Registrar of Assurance at Vasai -2, Under No.2916/2006 executed and entered into by and between Smt. Maribai Zuiya Alolop ("the Vendor") R.K. Properties and Developers ("the Confirming Party") and Shri Nayan A. shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing ("the Purchasers"), whereby Smt. Maribai Zuiya Alolop sold, conveyed and assured the said Twenty Eighth property to Shri Nayan A. shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.

**(ai) Survey No. 227 Hissa no. 3**

(i) Prior to 1946, one Jaggannath Mistry was solely, absolutely and exclusively seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 227, Hissa No. 3, admeasuring 760 square metres, situate, lying and being in the Revenue Village Bolinj within the jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Twenty Ninth property")

(ii) By and under a Conveyance dated 26<sup>th</sup> August, 1946, the said Jaggannath Mistry sold and conveyed the said Twenty Ninth property to one Motya Demello. The said Motya Demello expired in or around the year 1967-1968 and said Twenty Nine property devolved upon his 5 heirs being (1) Enay Motay Demello (2) Mary Motya Demello (3) Gracy Simon Demello and one Pascol Motya Demello and one Mingoo Motya Demello. The said Mingoo Motya Demello expired in or around 1995 and accordingly his share in the said Twenty Ninth property devolved upon his heirs being (1)Koshibai Mingoo Demello (2) Dilip Mingoo Demello (3) Geeta Mingoo Demello (4) Pushpa Michael Demello. The said



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- (iii) Simon Motya Demello expired in or around 2004 and accordingly his share in the said Twenty Ninth property devolved upon his heirs being (1) Gracy Simon Demello (2) Richard Simon Demello (3) Rakesh Simon Demello.
- (iii) In view of the aforesaid (1)Koshibai Mingoo Demello (2) Dilip Mingoo Demello (3) Geeta Mingoo Demello (4) Pushpa Michael Demello (5) Enay Motay Demello (6) Mary Motya Demello (7) Gracy Simon Demello (8) Richard Simon Demello (9) Rakesh Simon Demello became the absolute seized and possessed of or otherwise well and sufficiently entitled to the said Twenty Ninth property.
- (iv) By and under a registered Conveyance dated 12<sup>th</sup> April, 2006, registered at the office of the Sub-Registrar of Assurance at Vasai-2, Under No.3130/2006 executed and entered into by and between (1) Koshibai Mingoo Demello (2) Dilip Mingoo Demello (3) Geeta Mingoo Demello (4) Pushpa Michael Demello (5) Enay Motay Demello (6) Mary Motya Demello (7) Gracy Simon Demello (8) Richard Simon Demello (9) Rakesh Simon Demello ("the Vendors") R.K. Properties and Developers ("the Confirming Party") and Shri Nayan A. Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing ("the Purchasers"), whereby (1) Koshibai Mingoo Demello (2) Dilip Mingoo Demello (3) Geeta Mingoo Demello (4) Pushpa Michael Demello (5) Enay Motay Demello (6) Mary Motya Demello (7) Gracy Simon Demello (8) Richard Simon Demello (9) Rakesh Simon Demello sold, conveyed and assured the said Twenty Ninth property to Shri Nayan A. Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.
- (aj) Survey No. 227 Hissa no. 4.
- (i) Prior to 1959, one Anu Pihu Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 227, Hissa No. 4, admeasuring 860 square metres, situate, lying and being in the Revenue Village Bolinj within the jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Thirtieth Property")
- (ii) The said Anu Pihu Naik, expired on or about 13<sup>th</sup> June, 1960 and the said Thirtieth Property devolved on his son Waman Anu Naik. The said Waman Anu Naik expired on about 15<sup>th</sup> October, 1987 and thereupon the said Thirtieth property devolved on Shri Jaggannath Waman Naik and the daughter of said Waman Anu Naik viz. Meena Vasant Naik. The said Meena Vasant Naik expired on or about 6<sup>th</sup> November, 1992 and her 1/2 share devolved upon her heirs who in turn had by and under a registered Deed of Release dated 1<sup>st</sup> March, 2001, released their 1/2 share in favour of their uncle Shri Jaggannath Waman Naik. In the circumstances, Shri Jaggannath Waman Naik became entitled to the remaining 1/2 share in to upon the said Thirtieth property.
- (iii) By and under a registered Conveyance dated 2<sup>nd</sup> May, 2006, registered at the office of the Sub-Registrar of Assurance at Vasai-2, Under No.3777/2006



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executed and entered into by and between Shri Jaggannath Waman Naik ("the Vendor") R.K. Properties and Developers ("the Confirming Party") and Shri Nayan A. Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing ("the Purchasers"), whereby Shri Jaggannath Waman Naik sold, conveyed and assured the said Thirtieth property to Shri Nayan A. Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.

(ak) Survey No. 227 Hissa no. 5.

(i) Prior to 1949 the ancestral joint family property of Babu Mahadev Vaze, Gopal Mahadev Vaze and Bhaskar Ramavat Vaze. A partition was effected in or around January, 1949, whereby the land bearing Survey No. 227, Hissa No. 5, admeasuring 660 square metres, situate, lying and being in the Revenue Village Bolinj within the jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Thirty First property") came to the share of the said Babu Mahadev Vaze. The said Shri Babu Mahadev Vaze expired in or around 1966, and upon his death the said Thirty First property devolved upon his 2 sons viz. Dattatray Babu Vaze, Pandurang Babu Vaze and the heirs of his predeceased 3<sup>rd</sup> son Moreswar Babu Vaze viz. his wife Chimnibai and daughter Vatsala. The said Chimnibai expired on or about 16<sup>th</sup> May, 1997. By and under a Conveyance 3<sup>rd</sup> May, 2002, made and executed between the said Dattatray Vaze, Pandurang Vaze, Vatsala Vaze and certain other persons being the family members of the said Dattatray Vaze, Pandurang Vaze, Vatsala Vaze and (1) Shri Madhukant Chimanlal Parekh and (2) Smt. Vandana Madhukant Parekh, (1) Shri Madhukant Chimanlal Parekh and (2) Smt. Vandana Madhukant Parekh acquired the said Thirty First property.

(ii) By and under a registered Conveyance dated 5<sup>th</sup> April, 2006, registered at the office of the Sub-Registrar of Assurance at Vasai -2, Under No.2915/2006 executed and entered into by and between (1) Shri Madhukant Chimanlal Parekh and (2) Smt. Vandana Madhukant Parekh ("the Vendor") R.K. Properties and Developers ("the Confirming Party") and Shri Nayan A. Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing ("the Purchasers"), whereby (1) Shri Madhukant Chimanlal Parekh and (2) Smt. Vandana Madhukant Parekh sold, conveyed and assured the said Thirty First property to Shri Nayan A. Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.

(al) Survey No. 212 Hissa No. 8/1

(i) Smt. Monica Pascal Ludrik and 5 Ors. were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 212 Hissa No.8/1, admeasuring 180.00 square metres, situate, lying and being in the Revenue Village Bolinj within the jurisdiction of Bolinj Grampanchayat and



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15<sup>th</sup> June, 2020

- (ii) within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Thirty Second property")  
The said Smt. Monica Pascal Ludrik and 5 Ors., by a Deed of Conveyance dated 2<sup>nd</sup> November, 2006, and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 9568/2006 on 2<sup>nd</sup> November, 2006 sold, conveyed and assured the said Thirty Second property to Mr. Nayan Arvind Shah and Smt. Vasumati A. Shah, partners of M/s. Mayfair Housing.

**(am) Survey No. 224 Hissa No. 2.**

- (i) Shri. Yashwant Pandurang Naik was absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 224 Hissa No. 2, admeasuring 100.00 square mettes, situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Thane (hereinafter referred to as the "said Thirty Third property")  
(ii) The said Shri. Yashwant Pandurang Naik, by a Deed of Conveyance dated 9<sup>th</sup> November, 1993, and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 1105/1993 on 9<sup>th</sup> November, 1993 sold, conveyed and assured the said Thirty Third property to Mr. Arvind M. Shah, partners of M/s. Mayfair Housing.

**(an Survey No, 225 Hissa No. 2.**

- (i) One Shri. Manoharlal V. Shah & Others were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 225 Hissa No. 2, admeasuring 405 square meters situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Palghar (hereinafter referred to as 'the said Thirty Four Property').  
(ii) The said Shri. Manoharlal V. Shah & Others by a Deed of Conveyance dated 5<sup>th</sup> April, 2006 and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 2912/2006 sold, conveyed and assured the said Thirty Four property to M/s. Mayfair Housing.  
(iii) One Madhuri Madhusudan Dayal & Others were absolutely seized and possessed of or otherwise well and sufficiently entitled to the land bearing Survey No. 225 Hissa No. 2, admeasuring 405 square meters situate, lying and being in the Revenue Village Bolinj within the Jurisdiction of Bolinj Grampanchayat and within the limits of the Zilla Parishad Thane, Panchayat Samiti Vasai and District Thane, Taluka and Registration Sub-District, Vasai, District and Registration District Palghar (hereinafter referred to as 'the said Thirty Five Property').



# RAJESH NAIR

Advocate, High Court

B/204, 2<sup>nd</sup> Floor, Cherish Vinayak Enclave Co-operative Housing Society Limited, Bldg no.9, Cherish Homes, Nr. Old Viva College, Virar (West), Palghar District-401303

Ref:

15<sup>th</sup> June, 2020

- (iv) The said Madhuri Madhusudan Dayal & Others by a Deed of Conveyance dated 27<sup>th</sup> July, 2011 and registered at the Office of the Sub-Registrar of Assurances at Vasai-2, Under No. 9162/2011 sold, conveyed and assured the said Thirty Five property to M/s. Mayfair Housing.
2. The said Mr. Arvind M. Shah expired intestate on or about 6<sup>th</sup> December, 1993.
  3. The said Mr. Nayan A. Shah and the said Mrs. Vasumati A. Shah are the son and the wife respectively of the said Mr. Arvind M. Shah.
  4. I am informed that the said Mr. Arvind M. Shah (during his lifetime), the said Mr. Nayan A. Shah and the said Mrs. Vasumati A. Shah were partners of M/s. Mayfair Housing. The said Mr. Nayan A. Shah and the said Mrs. Vasumati A. Shah continue to be the partners of the said firm.
  5. I am further informed that the said first property, the said second property, the said third property, the said fourth property, the said fifth property, the said sixth property, the said seventh property, the said eighth property, the said ninth property, the said tenth property, the said eleventh property, the said twelfth property, the said thirteenth property, the said fourteenth property, the said fifteenth property, the said sixteenth property, the said seventeenth property, the said eighteenth property, the said nineteenth property, the said twentieth property, the said twenty first property, the said twenty second property, the said twenty third property and the said twenty fourth property, twenty fifth property, twenty sixth property, twenty seventh property, twenty eighth property, twenty ninth property, thirtieth property, thirty first property, thirty second property, thirty third property, thirty-four property and thirty-five property (hereinafter collectively referred to as "the said properties") were at all relevant times treated as the property of the said firm of M/s. Mayfair Housing.
  6. At present in the revenue records, the names of the said Mr. Nayan A. Shah and the said Mrs. Vasumati A. Shah are shown as the holders of the said properties.
  7. The amended plans for development on the said properties has been approved by the City and Industrial Development Corporation of Maharashtra Ltd., (CIDCO) vide its letter bearing No. CIDCO/VVSR/CC/BP-2910/Wy/961, dated 29/12/2004 and the same was renewed from time to time i.e. 6<sup>th</sup> November, 2009, 17<sup>th</sup> August, 2011 and lastly on 28<sup>th</sup> November, 2013 (which was issued for a period of one year).
  8. The said Developers viz. M/s Mayfair Housing (hereinafter referred to as 'Mayfair') have till date obtained various permissions, approvals as required for the development of the said Properties from CIDCO as well as Vasai Virar City Municipal Corporation from time to time.
  9. By and under a Deed of Mortgage dated 20<sup>th</sup> August, 2019 and registered with the Sub-Registrar of Assurances at Vasai no.5 under No.VASAI5-6936/2019, the said Mayfair Housing had availed of loan from one IDBI Trusteeship Services Limited (hereinafter referred to as 'Lender') in respect of certain properties viz. Survey Nos. 195/1 (part) admeasuring 433 square meters, 195/2 (part) admeasuring 269 square meters, 213 (part) admeasuring 105 square meters, 214 (part) admeasuring 6822.69 square meters,

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# RAJESH NAIR

Advocate, High Court


B/204, 2<sup>nd</sup> Floor, Cherish Vinayak Enclave Co-operative Housing Society Limited, Bidg no.9, Cherish Homes, Nr. Old Viva College, Virar (West), Palghar District-401303

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- 215 (part) admeasuring 5689.28 square meters, 216 (part) admeasuring 1465 square meters, 224/1 (part) admeasuring 1184.66 square meters and 224/2 admeasuring 100 square meters (hereinafter collectively referred to as '*the Mortgaged Properties*').
10. It is a mandatory to obtain an environmental clearance from the concerned authority (if the area is more than 20, 000 square meters as per the Notification dated 14<sup>th</sup> September, 2006) for construction of the building/s, Mayfair through their Architect's Application dated 11<sup>th</sup> October, 2019, applied for environmental clearance NOC with the concerned authority. Pursuant thereto, Vasai Virar City Municipal Corporation vide its letter dated 16<sup>th</sup> November, 2019, gave its environmental clearance NOC to the said Mayfair (hereinafter referred to as '*Environmental Clearance NOC*').
  11. The said Vasumati A. Shah has expired at Mumbai on 7<sup>th</sup> November, 2019 leaving behind a Last Will and Testament dated 20<sup>th</sup> May, 2012 (hereinafter referred to as '*the said Will*'). As per the said Will, the said Nayan A. Shah being a sole executor and beneficiary of the properties mentioned herein above.
  12. The said Nayan A. Shah after death of the said Vasumati has filed a petition bearing no.3168 of 2019 in the High Court of Judicature at Mumbai for obtaining a probate in respect of the said Will and the said Petition is still pending.
  13. I have gone through the aforesaid papers in detail and in my opinion, subject to what is stated hereinabove and also subject to the outcome of the Suit with regard to the Seventeenth Property and subject to the right of the said Lender in respect of the said Mortgaged Properties, M/s. Mayfair Housing have clear and a marketable title to the said properties and are entitled to construct buildings on the said Properties in terms of the said letter of CIDCO dated 29<sup>th</sup> December, 2004.

Yours faithfully,

  
Rajesh Nair  
Advocate  
15/06/2020