



TITLE CERTIFICATE

To,
United Builders
702, Marathon Max,
Mulund-Goregaon Link Road,
Mumbai - 400080.

Re : ALL THAT piece and parcel of land bearing Survey No. 1000 (Part), Plot No. 69 (Part), and Survey No. 203 and Hissa No. 1 (Part), corresponding to CTS. No. 1224, 1224/1 to 1224/14, admeasuring 1254 square meters, lying, being and situated at Village Mulund, Mulund (West), Taluka Kurla, Mumbai Suburban District, hereinafter for brevity sake be referred to as "**said Property**" and more particularly described in the First Schedule hereunder mentioned.

I have prepared this opinion on title in respect of the said Property on the basis of (i) Search Report dated 29th November, 2017 issued by Mr. Bhavesh. D. Mhaske for the searches conducted in the relevant offices of Sub-Registrar of Assurances in respect of the said Property for the year 1968 to 2017 (50 years) and (ii) Papers/Documents and Information provided in relation to the said Property by M/s. United Builders to me at the time of due diligence and on perusal of the same I hereby note as under:

A. Title Flow

From the recitals of the Indenture dated 11th October, 1988(*referred hereinafter*), it appears that :

- a. Shri Savarkundla Jain Vidyarthi Gruha, a Society duly registered under the Societies Registration Act, 1860 and a Charitable Trust duly registered with the Charity Commissioner, Bombay Region under P.T.R. No. F-842 (Bom) was seized and possessed of or otherwise sufficiently entitled to the said Property.
- b. By virtue of Indenture dated 11th October, 1988, registered with the Office of Sub-Registrar of Assurances at Mumbai under Serial Number PBBJ/2741/1988, the said Shri Savarkundla Jain Vidyarthi Gruha through its Trustees 1) Kantilal Laxmichand Seth, 2) Bhupatrai Devchand Shah, 3) Bhupatrai Hirachand Doshi, 4) Dinesh Balchand Doshi @ Shah and 5)



Mahendra Kalidas Sheth, have sold and conveyed the said Property to M/s. United Builders through its partners 1) Chetan Ramniklal Shah, 2) Anusaya Ramniklal Shah and 3) Sonal Mayur Shah.

- c. The then Hon'ble Charity Commissioner Shri. M. M. Tule, Maharashtra State, Bombay, vide its Order dated 05/08/1988 bearing No. J/4/41-88/13075/88, accorded its sanction under Section 36(1)(a) of Bombay Public Trusts Act, 1950 to the sale of the said Property in favour of M/s United Builders.

B. Permission and Approvals

1. I have been furnished with Proposal dated 07th September, 2015 submitted by the Architect, M/s. Matrix to Executive Engineer (E.S.), Building Proposal, MCGM, Vikhroli (West), Mumbai for proposed Residential Building on the said Property.
2. I have been furnished with NOC dated 18th January, 2016, bearing reference No. FB/HR/RVI/264, issued by Chief Fire Officer, Mumbai Fire Brigade, MCGM to M/s. Matrix, Architect, stipulating fire protection and fire fighting requirements for proposed re-development of the said property.
3. I have been furnished with permission dated 28th November, 2016, bearing reference no. DYSG/TA/MC/529/ES for cutting/transplantation of existing trees coming in the construction of proposed building on the said Property.
4. I have been furnished with Intimation of Disapproval (IOD) dated 10th October, 2016, bearing reference No. CHE/ES/1989/T/337(NEW) issued by MCGM to M/s. United Builders in respect of the proposed re-development of the said property subject to terms and condition contained therein. I bring to your attention that I have not seen the interim documents at each stage leading up to the issuance of IOD and I presume that the IOD has been duly issued.
5. I have been furnished with NOC dated 03rd April, 2017, bearing reference No. EE/MND/T/1064 for release of connection issued by Mahavitaran to M/s. United Builders in respect of proposed re-development of the said Property.
6. I have been furnished with Remarks dated 08th June, 2017, bearing reference No. DyChe/6369/SWD/ES, issued by MCGM to M/s. Matrix, Architect, regarding S.W. Drains/Nallas for proposed re-development of the said Property.



7. I have been furnished with NOC dated 13th July, 2017, bearing reference No. PCO/T/409/T/SR, issued by Pest Control Officer, T-Ward, MCGM to M/s. United Builders thereby conveying their no objection for proposed re-development of the said property and Acknowledgment Receipt dated 13th July, 2017 thereby acknowledging receipt of Rs. 2,000/- paid by M/s. United Builders to Pest Control Officer, T-Ward, MCGM towards initial advance for insecticide treatment in respect of proposed construction of building on the said Property.
8. I have been furnished with Application for Revalidation of Proposals dated 05th October, 2017 made by the Architect, M/s. Matrix to MCGM for revalidation of IOD in respect of proposed construction on the said Property and have also been furnished with Receipt of Rs.3,000/- paid by Architect, M/s. Matrix to MCGM towards Revalidation Fees in respect of revalidation of IOD.
9. I have been furnished the Self Declaration dated 09/04/2018 given by M/s. United Builders, informing me that they had constructed upon the said property the building known as "Zaver Arcade" and "Chawls" in respect of which structures the redevelopment is proposed.
10. I have been furnished the irrevocable consent letters of the shop owners, tenements and occupants for carrying out the redevelopment of the said Property.
11. M/s. United Builder have informed me that the said Redevelopment is carried out in accordance with Regulation 32 of Development Control Rules (DCR), 1991 of MCGM. M/s. United Builder have further informed me that the said Property is tenanted property and no consent for redevelopment is required.

C. Revenue Records**PROPERTY REGISTER CARD**

1. We have been provided with Property Register Cards ("PRC") dated 24.02.2016, on perusal of the same we note the following :

CTS No.	Area (in square meters)	Owner	Tenure
1224	847.0	M/s. United Builders	C
1224/1	27.8	M/s. United Builders	C
1224/2	27.8	M/s. United Builders	C
1224/3	26.2	M/s. United Builders	C
1224/4	24.9	M/s. United Builders	C



1224/5	24.9	M/s. United Builders	C
1224/6	25.3	M/s. United Builders	C
1224/7	24.9	M/s. United Builders	C
1224/8	25.3	M/s. United Builders	C
1224/9	23.7	M/s. United Builders	C
1224/10	27.0	M/s. United Builders	C
1224/11	29.4	M/s. United Builders	C
1224/12	29.0	M/s. United Builders	C
1224/13	29.0	M/s. United Builders	C
1224/14	29.4	M/s. United Builders	C

2. On perusal of Property Card in respect of CTS No. 1224, 1224/1 to 1224/14, I observe as under:

- That the name of Shri. Savarkundla Jain Vidyarthi Gruha is recorded as Original Owner in the year 1964. The said Shri. Savarkundla Jain Vidyarthi Gruha through its Trustees 1) Devchand Gulabchand Shah, 2) Nanchand Shyamji Doshi, 3) Vanmali Zaverchand Mehta, 4) Manilal Ramchand Doshi and 5) Abechand Maniklal Shah had purchased the said Property from one Hargovinddas Ramji on 05-12-1959 for consideration of Rs. 54,000/- (Rupees Fifty Four Thousand Only).
- Entry dated 22-03-1996 recorded in Property Card in respect of CTS No. 1224 states that, Ld. Asst. Engineer, (Maintenance), T-Ward, Mulund, Mumbai, MCGM had vide Order dated 22-03-1996 carried out Road Widening in respect of the said CTS No. 1224, pursuant to which an area of 95.6 sq. mtrs was deducted from the Original Area 942.6 sq. mtrs for Road Widening and after such deduction, an area of 847.0 sq. mtrs (i.e. Present Area in respect of CTS No.1224) remains available.
- By virtue of Mutation Entry No. 1531 dated 24-02-2016 in respect of CTS No. 1224, 1224/1 to 1224/14, vide Indenture dated 11th October, 1988, registered with the Office of Sub-Registrar of Assurances at Mumbai under Serial Number PBBJ/2741/1988, names of Vendors Shri. Savarkundla Jain Vidyarthi Gruha was deleted and name of Purchasers M/s. United Builders was recorded in Property Card.
- In addition to above entries, an order passed by the Office of Settlement Commissioner and Director of Land Record (Maharashtra State) Pune, is reflected on the PRC's of the said Property. However, the same do not



pertain to the title of the said Property and have not dealt with in the Opinion on title.

D. Development Plan and Remark

1. I have been furnished with Revised Development Plan Remarks dated 13th August, 2015 bearing reference no. CHE/195/DPES/T addressed by Municipal Corporation of Greater Mumbai to M/s. United Builders for CTS No. 1224 of Village Mulund West and on perusal of the same I note that the said property falls under Commercial Zone (C1).
2. I have been furnished with Survey Remarks dated 12th October, 2015 bearing reference No. Dy CE/1989/BPES/SUR for Plot bearing C.T.S. No. 1224, 1224/1 to 1224/14 of Village Mulund (West) for proposed re-development of the said property with Remarks under Draft Development Plan 2034 (Variation in SRDP).

E. Searches in the office of the Sub-Registrar of Assurances

We have been provided with a Search Report dated 29th November, 2017 with respect to searches conducted by Mr. Bhavesh D. Mhaske in the relevant Offices of the Sub-Registrar of Assurances in respect of the said Property, for the period extending from the year 1968 to 2017 (50 years). On perusal of the said Search Report, we note that save and except the registered documents hereinabove, the following documents were reflected on the Search Report:

- a. An Affidavit dated 13.02.2017 executed by M/s. United Builders through constituted attorney Shri. Chetan R. Shah in favour of Municipal Commissioner, Municipal Corporation of Greater Mumbai and registered at Office of Sub Registrar of Assurance Kurla 4 under Serial No. Kurla-4/1378/2017 on 13.02.2017.
- b. An Affidavit dated 13.02.2017 executed by M/s. United Builders through constituted attorney Shri. Chetan R. Shah in favour of Municipal Commissioner, Municipal Corporation of Greater Mumbai and registered at Office of Sub Registrar of Assurance Kurla 4 under Serial No. Kurla-4/1379/2017 on 13.02.2017.

We have not been provided with the aforesaid documents and are unable to comment on the contents thereof. The representatives of M/s. United Builders have however confirmed that aforesaid documents are not related to and do not affect the said Property or any part thereof.



F. Other Observations

1. I have issued Public Notice dated 06th November, 2017 in newspaper The Free Press Journal and Navshakti published on 10th November, 2017 calling for claims, if any to the ownership/development of the said Property. However till date I have not received any objection in that regard.
2. I have listed certain documents of title in relation to the said Property which have been listed in the Second Schedule to this opinion on title.
3. By and under the Self Declaration dated 09/04/2018 given by M/s. United Builders, I have been informed that there are no any litigation affecting the said Property or any portion thereof.

G. GENERAL:

1. This Title Certificate is issued solely on the basis of the documents provided by you as mentioned above and I have no obligation to update this Title Certificate with any information or replies or documents received by us beyond this date.
2. I am not qualified to and have not independently verified the area of the said Property. I have referred to and retained the admeasurements in Hectors, ares, acres, gunthas, square yards and square meters, as we have found them in various documents.
3. For the purpose of this Title Certificate, I have assumed:
 - i) The legal capacity of all natural persons, genuineness of all signatures, authenticity of all documents submitted to us as certified or photocopies.
 - ii) That there have been no amendments or changes to the documents examined by me.
 - iii) The accuracy and completeness of all the factual representations made in the documents.
 - iv) That all prior documents have been adequately stamped and duly registered.
 - v) Any statements in the documents, authorization or any certificates or confirmations relied upon by me for issuance of this Title Certificate is correct and otherwise genuine.
 - vi) Each document binds the parties intended to be bound thereby.
 - vii) Photocopies provided to me are accurate photocopies of originals.



4. For the purposes of this Title Certificate, I have relied upon information relating to:
 - i) All of the information (including the documents) supplied to me was, when given, and remains, true, complete, and accurate and not misleading.
 - ii) Boundaries on the basis of the documents provided to me by the clients.
5. For the purposes of this Title Certificate, I have relied upon.
 - i) Original and/or Photocopies of documents.
 - ii) Certified copies of the Property card/s in respect of the said Property.
6. For the purpose of this Title Certificate, I have relied upon information relating to lineage, if applicable on the basis of revenue records and information provided to us by you.
7. I am not certifying the boundaries of the said Property nor I am qualified to express my opinion on physical identification of the said Property. I also do not express my opinion on matters related to actual physical use of the said Property.
8. I express no view about the user/reservations/FSI/or developability of the said Property.
9. I have not verified issues relating to reservation of the said Property or any portion thereof by Governmental Authorities.
10. I have not verified the market value of the property involved nor whether appropriate stamp duty has been paid on the various documents referred to herein nor do we express any opinion thereon.
11. I am not authorized or qualified to express an opinion relating to plan permissions, approvals or development potential of the said Property.
12. A certificate, determination, notification, opinion or the like will not be binding on an Indian Court or any arbitrator or judicial or regulatory body which would have to be independently satisfied, despite any provision in the documents to the contrary.
13. This Title Certificate is limited to the matters pertaining to Indian Law (as on the date of this Title Certificate) alone and we express no opinion on laws of any other jurisdiction.

H. Conclusion

In the circumstances set out hereinabove and subject to the aforesaid, I conclude that the M/s. United Builders is the holder of land bearing Survey No. 1000 (Part), Plot No. 69 (Part), and Survey No. 203 and Hissa No. 1,



corresponding to C.T.S. Nos. 1224, 1224/1 to 14. I note that Intimation of Disapproval has been issued by MCGM and M/s. United Builders is entitled to redevelop the said Property.

THE FIRST SCHEDULE REFERRED TO HEREINABOVE TO:

(Description of the said Property)

All that piece and parcel of land bearing Survey No. 1000 (Part), Plot No. 69 (Part), and Survey No. 203 and Hissa No. 1, corresponding to C.T.S. Nos. 1224, 1224/1 to 14, admeasuring 1254 square meters, lying, being and situated at Village Mulund, Mulund (West), Taluka Kurla, Mumbai Suburban District.

THE SECOND SCHEDULE REFERRED TO HEREINABOVE TO:

(List of Original Documents inspected)

1. Indenture dated 11th October, 1988, registered with the Office of Sub-Registrar of Assurances at Mumbai under Serial Number PBBJ/2741/1988, by virtue of which Shri Kantilal Laxmichand Sheth and 4 Others being the Trustees of Savarkundla Jain Vidhyarthi Gruh have sold and conveyed the said Property to 1) Shri Chetan Ramniklal Shah, 2) Mrs. Anusaya Ramniklal Shah and 3) Mrs. Sonal Mayur Shah, the Partners of M/s. United Builders.
2. Order dated 05/08/1988 bearing No. J/4/41-88/13075/88 passed by Hon'ble Charity Commissioner Shri. M. M. Tule, Maharashtra State, Bombay thereby accorded its sanction under Section 36(1)(a) of Bombay Public Trusts Act, 1950 to the sale of the said Property in favour of M/s United Builders.
3. Intimation of Disapproval (IOD) dated 10th October, 2017 bearing reference No. CHE/ES/1989/T/3379(NEW) issued by MCGM to M/s. United Builders in respect of the proposed re-development of the said property.
4. Application for Revalidation of Proposals dated 05th October, 2017 made by the Architect, M/s. Matrix to MCGM for revalidation of IOD in respect of proposed construction on the said Property and Receipt of Rs.3,000/- paid by Architect, M/s. Matrix to MCGM towards Revalidation Fees in respect of revalidation of IOD.

Dated this 09th day of April, 2018

Yours Faithfully,

Shri. Prasanna S. Tare
Advocate