



A. K. MAHAJAN
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CERTIFICATE OF TITLE

In the matter of investigation of title in respect of property being a Plot of land bearing Survey No.40 Hissa No.4 admeasuring 0H-04R-5P lying being and situate at mouje Vadavli, Taluka & District Thane. , owned by late Moreshwar Kondu Joshi (Tattu).

This is to certify that I have investigated the Title in respect of the Plot of land bearing Survey No.40 Hissa No.4 adm. 0H-04R-5P lying, being and situate at mouje Vadavli, Taluka & District Thane, owned by late Moreshwar Kondu Joshi (Tattu), and am giving this Certificate of Title accordingly.

1) One Moreshwar Kondu Joshi (Tattu) was the owner and Gopal Gana Gavali was the protected tenant of land Survey No.40/4, hereinafter referred to as "said land". The said Gopal Gana Gavali became owner of said land under the provisions of Bombay Tenancy & Agricultural Lands Act, 1948 (hereinafter, referred to as the "said Act"). He expired in the year 1982 leaving behind him four sons viz. Rama Gopal Gavali, Arjun Gopal Gavali, Kashinath Gopal Gavali, Ganpat Gopal Gavali and one daughter Sou Janaki Balaram Shinge as per M.E. No.250.

2) Since Sou Janaki Balaram Shinge was married, the said land viz. S.No.40/4 came to be mutated in the name of the aforesaid four sons of deceased Gopal Gana Gavali.

Since daughter Sou Janaki Balaram Shinge's name was not mutated in the revenue records, she filed R.T.S. Appeal No.13/99 before the Sub-Divisional Officer, Thane Division, Thane. The said Appeal came to be dismissed. Thereafter, the said Sou Janaki Balaram Shinge applied to the Talathi, Ovale, for mutating her name to the lands of her father deceased Gopal Ganu Gavali. The Talathi, Ovale, accordingly mutated her name vide Mutation Entry No.511 and issued notices to her aforesaid brothers. The said brothers took objection to the certification of said M.E. No.511. The objection was

registered in Dispute Register S.R. No.7/2004. The same was decided and M.E.No.511 came to be certified. The said brothers thereafter filed R.T.S. Appeal No.53 of 2004 before the Sub-Divisional Officer, Thane Division, against the decision in Dispute Register S.R. No.7/2004.

3) It appears from the documents that Shri Rama Gopal Gavali also filed Regular Civil Suit No.485/2006 against Mr Milind Harishchandra Rane, Proprietor of M/s Madhuban Developers & others.

4) All the Parties thereafter held negotiations inter se between them and settled their dispute by execution of a Deed of Partition-cum-Deed of Release dt.7th December 2007, which came to be duly registered with the office of Sub-Registrar of Assurances, Thane-5, at Serial No.9102/2007. By virtue of the said Release Deed/Partition Deed, the said land has come to the share of Shri Rama Gopal Gavali, which was otherwise in his use and occupation. It was in terms of the said Release Deed/Partition Deed that all the litigations by and between the parties concerned were agreed to be withdrawn.

5) In the said Deed of Partition, the said land came to the share of Shri Rama Gopal Gavali. The said fact has been mutated vide M.E.No.1313 dt.06-06-2012. The effect of said mutation has been given in the 7/12 Extract of said land. So also, the said Shri Rama Gopal Gavali also got in the said partition the land Survey No.42 Hissa No.3 admeasuring 0-03-0 H.

6) The said Shri Rama Gopal Gavali having owned and being in exclusive possession of the said land, was desirous of alienating and/or creating third party interests therein. On coming to know of the intention of said Shri Rama Gopal Gavali, the partners of Monarch Developers approached him and placed a proposal for development



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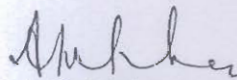
of the said land. The said proposal was accepted by said Shri Rama Gopal Gavali. With a view to making out clear & marketable title to the said land, Monarch Developers, through Advocate, published a Public Notice in the local daily "Thane Vaibhav" in its edition of 8th October 2013 inviting objections from the concerned to the said deal. No objections, however, have been received. Likewise, Monarch Developers took search of the records for 30 years, from 1985 to 2014, pertaining to the said land. In the said search, save & except the Development Agreement of 2007 between Smt Kusumtai Harishchandra Shinge and others in favour of Madhuban Developers, through its Proprietor Milind Harishchandra Rane and the 2014 Agreement with Rama Gopa Gavli, no other transactions are reflected in the said Search. The transaction of 2007 formed part of the Release Deed/Partition Deed inter se between the parties.

6) In respect of the said land, and land Survey No.42/3 of mouje Vadavli,, the said Shri Rama Gopal Gavali & Family executed Development Agreement on 11th February 2014 in favour of Monarch Developers, a registered Partnership Firm, having its office at 302, 3rd Floor, Rajashree Plaza Co-operative Premises Limited, Noori Baba Dargah Road, Makhmali Talav, Panchpakhadi, Thane. The said Development Agreement was registered in the office of Sub-Registrar of Assurances, Thane-5, at Serial No.1475/2014.

Contemporaneously, said Shri Rama Gopal Gavali also executed a Power of Attorney to and in favour of Monarch Developers, which came to be duly registered with the office of Sub-Registrar of Assurances, Thane-5, at Serial No.1476/2014.

On the instructions received in the matter and on the basis of aforesaid legal documents shown to me, and subject to various permissions that are required to be obtained, to the best of my knowledge I state that the Title of M/s Monarch Developers to develop the said land S.No.40 Hissa No.4 adm. 0H-04R-05P at mouje Vadavli, Taluka & Dist.Thane is free, clear and marketable and free from all encumbrances whatsoever.

Dated : This 18th Day of February, 2014


(A.K. Mahajan)
Advocate