



HARAKHCHAND & CO.

ADVOCATES & SOLICITORS

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Harakhchand K. Gada

Advocate & Solicitor

Ref. No. 304/2012

Date : _____

TITLE CERTIFICATE

Re: In the matter of immovable property being a Plot of land bearing Final Plot No.1036 of TPS-IV of Mahim, situate at Jiwba Atmaram Raul Marg (earlier known as Khed Gully), Sayani Road, Prabhadevi, Mumbai - 400 025 admeasuring 2645.50 sq. metres or thereabout bearing Cadastral Survey No.1140 & 7/1139 of Lower Parel Division and bearing G/South Municipal Ward Nos.3063(1BA), 3063(1AA), 3063(1A) & 3063(3), & 3063(1B), Street No.5BB, 5CA, 5C & 5B and more particularly described in the First Schedule hereunder written (hereinafter referred to as the **First Property**).

And

Re: In the matter of immovable property being a Plot of land bearing Final Plot No. 1038 of TPS-IV of Mahim situate at Jiwba Atmaram Raul Marg (earlier known as Khed Gully), Sayani Road, Prabhadevi, Mumbai - 400 025 admeasuring 168.06 sq.metres or thereabout bearing Cadastral Survey No.5/1139 of Lower Parel Division and bearing G/South Municipal Ward Nos.3057(5), Street No.7 and more particularly described in the Second Schedule hereunder written (hereinafter referred to as the **Second Property**).

THIS IS TO CERTIFY that we have investigated title of M/s. Sona Developers to the above mentioned First Property and Second Property more particularly described firstly and secondly in the schedule hereunder written and as regards their title to the said properties we have to state as under:-

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1. By a registered Deed of Conveyance dated 5th August, 2000 made between Mahesh Jagshi Cheda and others therein called the Vendors of the One Part and M/s. Sona Developers, a sole proprietary firm through its proprietor Mr. Nilesh P. Gada therein called the Purchaser of the Other Part for consideration therein mentioned the said M/s. Sona Developers purchased the above mentioned First Property together with structures thereon bearing Municipal Ward Nos.3063-1A, 1B, 1C, 1D, 2, 3 and 3064, Street Nos.5C, 5B, 5A, 5, 527(C), 527(D) and 528. Subsequently after sanction of new building plans all the old structures were demolished and a new rehab building with four wings 'A', 'B', 'C' and 'D' is constructed on the said property as per municipal sanctioned plans. The said Deed of Conveyance is registered with the Sub-Registrar of Assurances at Mumbai under serial No. BBE/3894 of 2000 on 24th April, 2001.

2. Since area of the aforesaid First Property under T.P.S. IV of Mahim was varied at 2645.50 sq. mtrs. and given a new Final Plot No.1036 of T.P.S. IV of Mahim and further since there was no mention of Final Plot No.1036 of TPS IV of Mahim in the aforesaid Deed of Conveyance dated 5th August, 2000 and in the Schedule thereto, the parties to the said Conveyance dated 5th August, 2000 made a Deed of Rectification dated 3rd October, 2007 thereby rectifying the incorporation of the said Final Plot No. 1036 of T.P.S. IV of Mahim in the Schedule to the said Deed of Conveyance dated 5th August, 2000, which Deed of Rectification was duly signed by the parties thereto and was registered with the Sub-Registrar of



Assurances at Mumbai under serial No. BBE-2/7894 of 2007 on 3rd October, 2007.

3. By registered Indenture of Conveyance dated 5th April, 1963 made between Narayan Ganesh Akolkar and others therein called the Vendors of the First Part and one Tarabai Sahebrao Shingate therein called the Purchaser of the Second Part for the consideration therein mentioned the said Tarabai Sahebrao Shingate purchased the above mentioned Second Property as therein mentioned. The said Deed of Conveyance dated 5th April, 1963 is registered with the Sub-Registrar of Assurances at Mumbai under serial No.1183 of 63 on 9th October, 1964.

4. The City Survey Property Register Card in respect of the above mentioned First Property stand in the name of M/s.Sona Developers and it's then proprietor Mr. Nilesh P. Gada. The City Survey Property Register Card in respect of the above mentioned Second Property stand in the name of Smt.Tarabai Sahebrao Shingate.

5. Municipal Property tax bills in respect of the said First Property stand in the name of M/s. Sona Developers. Municipal Property tax bills in respect of the said Second Property stand in the name of Smt. Tarabai Sahebrao Shingate. Municipal Property tax bills in respect of both the above properties are paid upto 31st March, 2012.

6. Thereafter by a registered Development Agreement

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dated 5th May, 2010 made between the said Tarabai Sahebrao Shingate alias Patil therein called the Owner of the First Part and the said M/s. Sona Developers therein called the Developer of the Second Part and Mrs. Shashikala Sudam Patil and three others therein called the Tenants of the Third Part for consideration therein mentioned, the said M/s. Sona Developers acquired the development rights in respect of the said Second Property from the said Smt. Tarabai Sahebrao Shingate alias Patil upon the terms and conditions therein mentioned. The said Development Agreement dated 5th May, 2010 is registered with the Sub-Registrar of Assurances at Bombay under serial No. BBE-3/4477 of 2010 on 7th July, 2010.

7. The said Development Agreement dated 5th May, 2010 is still valid and subsisting and the same is neither terminated nor cancelled in any manner whatsoever.

8. Originally on the said First Property there were seven residential chawls, out of which six chawls were of ground floor, one was ground plus one upper floor structure. All the said structures were in occupation of 126 tenants/occupants who have been allotted permanent alternate accommodation on the said First property by constructing four new rehab buildings known as Shivdarshan 'A', 'B', 'C' and 'D' wings, which buildings consist of ground plus seven upper floors. The said buildings known as Shivdarshan are already constructed in accordance with the sanctioned municipal plans, which have been sanctioned by

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Municipal Corporation of Greater Mumbai vide its IOD letter bearing No.EEBPR/2739/G/S/AR of 93-94 dated 21st December, 1993 and possession of rehab flats in the said rehab building Shivdarshan 'A', 'B', 'C' and 'D' have already been given to the said Tenants/Occupants.

9. In pursuance of an application made by M/s. Sona Developers for amalgamation of the above mentioned two properties viz. First Property and Second Property being Final Plot No.1036 and Final Plot No.1038 of TPS IV of Mahim to the Executive Engineer, Building proposal (City)- I, the said Executive Engineer, Building Proposal (City)-I by its letter bearing No.EB/6233/GS/AL dated 29th June, 2012 approved the amalgamation of the said two plots of land bearing Final Plot No.1036 and 1038 of TPS IV of Mahim subject to the terms, conditions and covenants registered under No.BBE-1/5063 /1 to 14 /2012 dated 25th May, 2012.

10. On the date of the aforesaid Development Agreement dated 5th May, 2010 the said M/s. Sona Developers was a partnership firm constituting Shri Nilesh P.Gada, Smt.Champaben P. Gada and Shri Babubhai Bhawanji as the partners of M/s. Sona Developers by virtue of Deed of partnership dated 1st April, 2010. Thereafter there was a change in the constitution of the said partnership of M/s. Sona Developers whereby the said Smt.Champaben P. Gada retired from the partnership of M/s.Sona Developers by virtue of a Deed of Retirement-cum-Partnership

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Deeds dated 1st April, 2012 and the remaining partners Mr. Nilesh P. Gada and Mr. Babubhai Bhawanji continued to be the partners of the said firm of M/s. Sona Developers. As on today the partners of the said firm of M/s. Sona Developers are Mr. Nilesh P. Gada and Mr. Babubhai Bhawanji.

11. We have perused two search reports one dated 15th October 1988 of Mr. A.D. Giridhar, Search Clerk, as regards searches taken by him at the office of the Sub-Registrar at Mumbai in respect of First Property for the period of 52 years i.e. from 1937 to 1988 and at the office of the Sub-Registrar at Bandra for the period of 16 years i.e. from 1973 to 1988 and another Search Report dated 15th May 2012 of Mr. N.A. Giridhar, who has taken searches at the office of the Sub-Registrar at Mumbai in respect of the First Property for the period of 25 years i.e. from 1988 to 2012 and have not come across any encumbrances affecting the said First property.

12. We have also perused two search Reports one dated 7th October 2007 of the said Mr. A.D. Giridhar, Search Clerk as regards searches taken by him at the office of the Sub-Registrar at Mumbai in respect of the Second Property for the period of 32 years i.e. from 1976 to 2007 and another Search Report dated 14th May 2012 of the said Mr. N.A. Giridhar who has taken searches at the office of the Sub-Registrar at Mumbai in respect of the Second Property for the period of 6 years i.e. from 2007 to 2012 and have not come across any encumbrances affecting the said Second

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property.

13. We have issued Notices/Advertisements inviting claims, if any, to or against the said First and Second properties which were published in Free Press Journal English Daily of 27th June 2012, in Mumbai Samachar Gujarati Daily of 27th June 2012 and in Navshakti Marathi Daily of 27th June 2012 and in response to the said Notices/Advertisements till today neither our clients nor we have received any claims of whatsoever nature to or against the title of M/s. Sona Developers to or in respect of the said First Property and the title of Smt. Tarabai Sahebrao Shingate alias Patil to or in respect of the said Second property.

14. In view of what is stated hereinabove, we are of the opinion that the title of M/s. Sona Developers in respect of the said First Property and the title of the said Smt. Tarabai Sahebrao Shingate to the Second Property is marketable and free from all encumbrances also subject to what is stated herein and rights of the said M/s. Sona Developers to the said Second Property under the aforesaid Development agreement dated 05/05/2010 are also free from all encumbrances subject to what is stated herein.

THE FIRST SCHEDULE ABOVE REFERRED TO

ALL that piece or parcel of land or ground of pension and tax tenure together with the messuages, tenements or dwelling houses standing thereon situated, lying and being at Jiwba Atmaram Raul Marg (earlier known as Khed Gully), Sayani Road,

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Prabhadevi, Mumbai - 400 025 in the Registration District and Sub district of Mumbai containing by admeasurement 3164.00 sq.yards equivalent to 2645.50 sq.metres or thereabout bearing Cadastral Survey No.1140 & 7/1139 of Lower Parel Division and bearing Final Plot No.1036 of T.P.S IV of Mahim and registered in the books of Collector of Land Records under Collectors Rent Roll No.54 and assessed by the Assessor and Collector of Municipal Rates and Taxes under G/South Ward Nos.3063(1BA), 3063(1AA), 3063(1A) & 3063(3), & 3063(1B), Street No.5BB, 5CA, 5C & 5B and bounded as follows:-

- On or towards North : by Final Plot Nos.1033, 1037, 1038 & 1039 of T.P.S. IV of Mahim,
- On or towards South: by Final Plot Nos.1035 & 1053 of T.P.S. IV of Mahim,
- On or towards West : by Khed Gully.
- On or towards East : by Final Plot Nos.1043 & 1053 of T.P.S. IV of Mahim.

THE SECOND SCHEDULE ABOVE REFERRED TO

All that piece or parcel of land admeasuring 201 sq. yards i.e. 168.06 square meters or thereabout being a portion of large piece of land registered in the books of the Collector Of Bombay under Old No.467, Collector's New No.4261, Old Survey No.1/522 and New Survey No.1/1851 and bearing Final Plot No.1038 of T.P.S.IV of Mahim, Cadastral Survey No.5/1139 of Lower Parel Division on the District & Sub District Of Bombay and

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bearing G-Ward No.3057(5), Street No.7, 1st Khed Gully, Bombay and bounded as follows :-

- On or towards the North : By F.P No.1037 of T.P.S. IV of Mahim,
On or towards the West : By F.P No.1036 of T.P.S. IV of Mahim,
On or towards the South : By F.P No.1039 of T.P.S. IV of Mahim &
On or towards the East : By public road known as Sayani Road.

Dated this 11th day of August, 2012.

For M/s. Harakhchand & Co.,

Harakhchand

Proprietor
Advocates & Solicitors.