

शैलेन्द्र द. जल्लावार

बी.कॉम., एलएल.बी.

अॅडव्होकेट हायकोर्ट

१०५, विकास हाईट्स, संतोषीमता रोड, कल्याण (प).

फोन: २३२२५२६, २३२७४४७

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SHAIENDRA D. JALLAWAR

B.Com. LL.B.

Advocate High Court

105, Vikas Heights, Santoshimata Road, Kalyan (West).

Tel.: 2322526, 2327447

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Date: 28.07.2017

To
M/s. Mohan Lifespaces LLP,
G-1, Ground Floor,
Mohan Plaza, Near Mohan Pride,
Wayale Nagar, Kalyan (West),

REPORT ON TITLE

Reg: All that portion of land admeasuring 23586 sq.metres comprised of all those pieces and parcels of land lying, being and situate at village Gandhare, Taluka Kalyan, Dist Thane within the limits of Kalyan Dombivli Municipal Corporation bearing

S.No./H.No.	Area sq. mts	Name of Owners
62/2	520	Tukaram S. Patil & Ors.
15/6/2	740	Tukaram S. Patil & Ors.
17/3	3790	Tukaram S. Patil & Ors.
18/2/1	3140	Tukaram S. Patil & Ors.
23/2/1	6900	Tukaram S. Patil & Ors.
23/2/2	6800	Tukaram S. Patil & Ors.
17/2/6	7640	Bachhuram G.Karbhari & Ors.
9/4/2	6700	Bachhuram G.Karbhari & Ors.
62/1	520	Shamibai Vishnu Patil & Ors.
15/6/1	760	Shamibai Vishnu Patil & Ors.
9/5/1	2450	Shamibai Vishnu Patil & Ors.
9/5/2	2240	Tukaram S. Patil & 4 Ors.
15/5	5615	Mahubai K. Madhavi & Ors
23/1	335	Malubai K. Madhavi & Ors
Total →	48150	

deducting therefrom the area admeasuring 24564 sq. metres being affected by reservations of Road, Play Ground and Primary School.

Read:

1. Extracts of 7/12
2. Relevant Mutation Entries.
3. Agreement dated 06.12.2006 between Shri Tukaram Sukrya Patil and Others as the Owners and M/s. Mahaveer Traders and two others as Developers registered at the office of Sub Registrar of Assurances at Kalyan-2 under No. 7825/2006 in respect of the land bearing Survey Nos. 62/(part), 15 /6(part), 17/3, 18/2-B, 23/2(part), 23 (part) read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 299/2006.
4. Agreement dated 15.04.2011 between Shri Tukaram Sukrya Patil and Others as the Owners and M/s. Mahaveer Traders and two others as Assignors and M/s. Mohan Lifespaces LLP registered at the office of Sub Registrar of Assurances at Kalyan-2 under No. 3790/2011 in respect of the land bearing Survey Nos. 62/(part), 15 /6(part), 17/3, 18/2-B, 23/ 2(part), 23 (part) read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 121/2011.





5. Agreement dated 31.12.2007 between Shri Bachuram Ganpat Karbhari and Others as the Owners and M/s. Jay Khodiyar Enterprises and Shri Rajesh Omprakash Gupta as Developers registered at the office of Sub Registrar of Assurances at Kalyan-1 under No. 510/2008 in respect of the land bearing Survey Nos. 9/ 4/2 and 17 / 2/6 read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No. 68/2008.
6. Agreement dated 15.04.2011 between Shri Bachuram Ganpat Karbhari and others as Owners, M/s. Jay Khodiyar Enterprises and Shri Rajesh Omprakash Gupta as the Assignors and M/s. Mohan Lifespaces LLP registered at the office of Sub Registrar of Assurances at Kalyan-2 under No. 3789/2011 in respect of the land bearing Survey Nos. 9/ 4/2 and 17 / 2/6 read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 122/2011.
7. Agreement dated 16.06.2005 between Smt. Shamibai Vishnu Patil and Others as the Owners, Shri Laxman Kalu Patil and Others as First Confirming, M/s. Bhanu Corporation as Second Confirming Part and. Shri Chandrakant Shivram Aher and Others as Third Confirming Part and M/s. Vijay Builders and Developers as the Developer registered at the office of Sub Registrar of Assurances at Kalyan-1 under No. 4257/2005 in respect of the land bearing Survey Nos. 62/1, 15/6/1 and 9/5/1 read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No. 471/2005.
8. Agreement dated 23.12.2011 between M/s. Vijay Builders and Developers as Vendor and M/s. Mohan Lifespaces LLP registered at the office of Sub Registrar of Assurances at Kalyan-2 under No. 2106/2012 in respect of the land bearing Survey Nos. 62/1, 15/6/1 and 9/5/1 read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial No. 2107/2012.
9. Deed of Release dated 12.11.2008 registered at the office of Sub-Registrar of Assurances at Kalyan - 2 under serial No. 8617/2008 between Smt. Fasubai Sukrya Patil and Others as Releasers and Shri Ganesh Baliram Patil, Shri Balkrishna Ganpat Patil, Shri Nandu (Nanda) Sukrya Patil, Shri Tukaram Sukrya Patil and Shri Gyanba Sukrya Patil as the Releasee in respect of land bearing Survey No. 9/5/2 admeasuring 2240 sq. metres.
10. Five separate Agreements executed by Shri Ganesh Baliram Patil, Shri Balkrishna Ganpat Patil, Shri Nandu (Nanda) Sukrya Patil, Shri Tukaram Sukrya Patil and Shri Gyanba Sukrya Patil on 16.07.2011, 12.08.2011, 21.08.2012, 03.08.2011 and 03.08.2011 respectively granting their respective share, right, title, interest and holding in Survey No. 9/5/2 in favour of M/s. Mohan Lifespaces LLP registered at the office of Sub-Registrar of Assurances at Kalyan - 2 under serial Nos. 7231/2011,

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8829/2011, 6175/2012, 8406/2011, and 8411/2011 a respectively read with General Power of Attorneys registered at the office of Sub-Registrar of Assurances at Kalyan-2 under serial Nos. 7232/2011, 277/2011, 6176/2012, 8407/2011 and 8412/2011 respectively

11. Order under section 20 of the Urban Land (Ceiling and Regulation) Act, 1976 bearing No.ULC/ULN/Section 20 (new)/SR-523 dated 09.06.2005 read with extension bearing No. ULC /ULN / Section 20(new)/ SR - 523 / outward No 607 dated 08.02.2013 in respect of Survey No. 9/5/1.
12. Non-agricultural permission granted by the Collector, Thane under No.Mahasul / K-1 / T-VII / NAP / Gandhare - Kalyan / SR -201 /2012 dated 15.04.2013 for the land admeasuring 35500 sq. metres.
13. Deed of Confirmation dated 19.07.2013 executed by Suresh Namdev Mhatre and Arun Namdev Mhatre as Assignors and M/s. Mohan Lifespaces LLP as Purchaser / Developer and Smt. Shamibai Vishnu Mhatre and Others as Owners registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No. 5736/2013 in respect of Survey No. 9/5/1.
14. Building Commencement Certificate issued by the Kalyan Dombivli Municipal Corporation under No. KDMP / NRV / BP / KV/ 2012-13 / 226/40 dated 04.05.2013.
15. Agreement dated 27.04.2016 registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No.3766/2016 executed between M/s. Moreswar Builders and Developers as the Vendors / Assignors, Malubai Kashinath Madhavi as the Owners and M/s. Mohan Lifespaces LLP as Purchaser / Developer in respect of Survey No. 15/5 & 23/1 read with General Power of Attorney registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No. No.3769/2016.
16. Revised Building Commencement Certificate issued by the Kalyan Dombivli Municipal Corporation under No. KDMP / NRV / BP / KV/ 2012-13 / 226/418 dated 14.03.2017.
17. Deed of Mortgage dated 31.05.2016, registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No.5420/2016 executed by M/s. Mohan Lifespaces LLP in favour of Indiabulls Housing Finance Limited.
18. Status Report dated 20.07.2017 issued by Advocate Kajal Paryani in pending litigation bearing Special Civil Suit No.46/2015 filed in the Court of Civil Judge Senior Division at Kalyan by Shamibai Vishnu Patil and others in respect of Survey No. 62/1, 15/6/1 and 9/5/1.
19. Status Certificate dated 27.07.2017 issued by Advocate Shri Vipul N. Ambade in respect of pending litigation bearing Special Civil Suit No.03/2014 filed in the Court of Civil Judge Senior Division at Kalyan by Malubai Kashinath Madhavi and others in respect of Survey No. 15/5 and 23/1.
20. Search Reports.




On perusal of the above documents, I am of the opinion and I hereby certify that the title of the Owners to the above referred property is clear and marketable subject to the charge of Inciabulls Housing Finance Ltd. as created under the Deed of Mortgage dated 31.05.2016, registered at the office of Sub-Registrar of Assurances at Kalyan-1 under serial No.5420/2016, subject to the outcome of the pending litigation bearing Special Civil Suit No.46/2015 filed in the Court of Civil Judge Senior Division at Kalyan by Shamibai Vishnu Patil and others in respect of Survey No. 62/1, 15/6/1 and 9/5/1 as well as subject to the exemption order passed under section 20 of the Urban Land (Ceiling and Regulation) Act 1976 as regards the Survey No. 9/5/1 and further in terms of the outcome of the pending litigation bearing Special Civil Suit No.03/2014 filed in the Court of Civil Judge Senior Division at Kalyan by Malubai Kashinath Madhavi and others in respect of Survey No. 15/5 and 23/1.

I have perused the agreements, power of attorneys and other relevant deeds and documents in respect of abovesaid properties and in terms thereof as well as by and under the powers and authorities vested in M/s. Mohan Lifespaces LLP and further in accordance with the above referred sanctioned plans, permissions and orders M/s. Mohan Lifespaces LLP is well and sufficiently entitled to develop the said property and to sell the flats/shops/units to intending purchasers.

I have perused the status certificate dated 20.07.2017 issued by Advocate Shri Vipul N. Ambade in respect of pending litigation bearing Special Civil Suit No.46/2015 filed in the Court of Civil Judge Senior Division at Kalyan by Shamibai Vishnu Patil and others in respect of Survey No. 62/1, 15/6/1 stating that application for Status-Quo is rejected and there are no stay orders, status-quo or prohibitory order passed in the said pending suit and the matter is posted on 04.08.2017 for hearing.

I have perused the status certificate dated 27.07.2017 issued by Advocate Shri Vipul N. Ambade in respect of pending litigation bearing Special Civil Suit No.03/2014 filed in the Court of Civil Judge Senior Division at Kalyan by Malubai Kashinath Madhavi and others in respect of Survey No. 15/5 and 23/1 stating that the Exb.05 in said suit is rejected and there are no stay orders, status-quo or prohibitory order passed in the said pending suit and the matter is posted on 18.09.2017 for hearing.

I have also gone through the search reports taken at the office of Sub-Registrar of Assurances at Kalyan and the search reports and except the entries of Indemnity Bond for surrender of land, lis-pendens and mortgage deed there are no other entries which may fall in the category of encumbrances on the said property.


(S.D. Jallawar)
Advocate

