

Date: 15/11/2018

TITLE CERTIFICATE

Reference: -

ALL THOSE piece and parcel of Land bearing Tikka No. 16, City Survey No. 37 (क), admeasuring 432.28 square meter situated, lying and being at Mauje Naupada, Taluka and District Thane within the limits of the Thane Municipal Corporation and Sub Registrar District Thane, with a G+2 floor building known as "Shramadham" (hereafter referred to as '**said building**') standing on the said piece of land. Hereafter referred to as '**said property**'.

On perusal of the following documents: -

- a) Property Card of the Said Property
- b) Original, Sanad by Collector of Thane dated 27/08/1966
- c) True Copy of Amendment permission of building on the said property vide Thane Municipal Council Permit No. 125 dated 02/10/1973
- d) Photocopy of Occupation Certificate (OC) issued to the structure on the said property dated 21/02/1973
- e) Tax Assessment Record of the said property mentioned in the Reply letter by Thane Municipal Corporation dated 17/07/2018
- f) Registered Will of Late. Shri. Purshottam G. Naik bearing registration No. TNN-1 5114/2006
- g) Death Certificate of Late Shri. Purshottam G. Naik

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- h) Death Certificate of Late Shri. Pramod P. Naik
i) Order of the District Superintendent of Land Records dated 28/02/2014 in न.भू./अपील/एस.आर.८७३/१३/२०१४/७३८
j) Order of the Deputy Director of Land Records Konkan Pradesh Mumbai dated 28/11/2014 in अपील क्र. २६३/२०१४
k) Development Agreement dated 16/10/2018 bearing registration No. TNN-5 14441/2018
l) Irrevocable Power of Attorney dated 16/10/2018 bearing registration No. TNN-5 14442/2018
m) Memorandum Of Understanding (MOU) executed on 31/08/2018
n) Search report dated 01/11/2018 by Search Clerk Shri. Sachin Patil (Document Number TNN2-0-2018)

I state as hereunder: -

1. On perusal of the Property Card of the said property, it transpires that the Late Shri. P. G. Naik was the original owner of the said property and that he was well seized and possessed of the said property being land piece and parcel of Land bearing Tikka No. 16, City Survey No. 37 (क), admeasuring 432.28 square meter situated, lying and being at Mauje Naupada, Taluka and District Thane within the limits of the Thane Municipal Corporation and Sub Registrar District Thane. The property card reflects Late Shri. P.G. Naik as original owner from the year 1965 (Hereafter referred to as 'original owner').

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2. On perusal of the property card, it is evident that the said property was allowed to be used for non-agricultural purposes by the order of the Collector of Thane dated 28/02/1958 (Reference O.N. LNR/SR/1341, Office of Collector Thane).

3. I have also perused the original sanad which was issued as on 27/08/1966 by the Collector of Thane. The said sanad was issued on the application of Late Shri P.G. Naik and it allowed construction of structure on the said property in accordance to the conditions mentioned therein. I have also perused the true copy issued by the Town Planning Department, Thane Municipal Corporation. The said true copy is pertaining to the Permit No. 125 dated 02/10/1973 which was issued to the Late Shri. P.G. Naik permitting him to carry amendments in the then existing structure. The said original owner carried out the amendments which led to the G+2 storey structure which is existing till date on the said property and that it is identified by the name of 'Shramadham' Building.

4. I have perused the photocopy of the Occupation Certificate which was issued in the name of Late Shri. P.G. Naik and which was pertaining to the said property. The Occupation Certificate was issued by the Thana Municipal Council and was dated 21/02/1973.

5. The said Original Owner expired as on 08/10/2003. The said original owner had left behind a will signed by him on 14/04/2000 and registered under registration number TNN-1 5114/2006. The said will granted the rights of the part to the south of the staircase of the said building; more particularly

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rights of flat nos. 3, 4,7,8 and 11 jointly to Mr. Pouras P. Naik and Mr. Rigved P. Naik (the grandsons of the Original Owner). The said will further granted the rights of the land i.e. title of the land, along with the rights of the part to the north of the staircase of the said building; more particularly rights to flat Nos. 1,2,5,6,9 and 10 to Mrs. Sushama C. Kashalkar (the daughter of the Original Owner). I have perused the true copy of the said will.

6. On perusal of the property card, it is evident that the name of Mrs. Sushama C. Kashalkar was mutated as on 21/06/2010 vide mutation entry no. 1337/2010.
7. I have perused the certified copies of the order of the District Superintendent of Land Records dated 28/02/2014 in न.भू./अपील/एस.आर.८७३/१३/२०१४/७३८ and the order of the Deputy Director of Land Records Konkan Pradesh Mumbai dated 28/11/2014 in अपील क्र. २६३/२०१४. It is evident on perusal of the said orders that the land of the said property is in the sole name of Mrs. Sushama C. Kashalkar. It is further evident that Mr. Rigved P. Naik and Mr. Pouras P. Naik are joint owners of the rights of the part to the south of the staircase of the said building; more particularly rights of flat nos. 3 ,4,7,8 and 11. Thus, the parcel of rights pertaining to the said property and the said building by name Shramadham are jointly owned by Mrs. Sushama Kashalkar and Mr. Rigved P. Naik and Pouras P. Naik in the aforementioned manner who are hereafter collectively referred to as 'present owners'.

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8. The present owners have jointly entered into a Development Agreement dated 16/10/2018 bearing registration No. TNN-5 14441/2018 and an Irrevocable Power Of Attorney dated 16/10/2018 bearing registration No. TNN-5 14442/2018 with Pafilia Realtors L.L.P. pertaining to the said property and the said building also identified by the name Shramadham.
9. I have perused the tax assessment record pertaining to the said property which states the names of the occupant/tenant and the measurement of the flat/tenement in the said building on the said property. The said tax assessment record was provided vide letter dated 17/07/2018 to Mr. Shardul Pawar by the Tax Collection Department, Naupada Office, Thane Municipal Corporation, Thane (which is also annexed to the said Development Agreement dated 16/10/2018 bearing registration No. TNN-5 14441/2018). The said Pafilia Realtors L.L.P. have also entered into a Memorandum of Understanding (MOU) with the present occupants/tenants/legal heirs of the original tenants on the said property pertaining to their tenancy rights. The said MOU was executed on 31/08/2018 and is also annexed to the said Development Agreement dated 16/10/2018 bearing registration No. TNN-5 14441/2018. I have also perused the said MOU.
10. I have perused the search report dated 01/11/2018 of the said property which is provided by the Search Clerk Shri Sachin Patil. I say that the said search report is for a period of 30 years and that there is only one transaction recorded in the year 2006. The name of the person carrying out the transaction is recorded as Mrs. Sushama Kashalkar and the R.R. No. of the

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document is recorded as TNN-1-5114/2006 which is the registration number of the will of Late Shri. Purshottam G. Naik. Therefore, it is evident from record that the said transaction was pertaining to the registration of the Will of Late. Shri. Purshottam G. Naik. I say that the next transaction recorded is with Pafilia Realtors L.L.P. in the year 2018 and the details of the same are already dealt with in the aforementioned paragraph No. 8.

Thus, upon perusal of all the documents referred to hereinabove, it is my opinion that save and except for the rights of the tenants/occupants/legal heirs of the tenants in the tenements/flats in the said building (also identified by the name Shramadham) on the said property, the rights of Mr. Rigved P. Naik and Pouras P. Naik on the part to the south of the staircase of the said building which is identified as Shramadham (more particularly flat Nos. 3 ,4,7,8 and 11) on the said property and the Development rights of Pafilia Realtors L.L.P. (which includes all rights given to Pafilia Realtors L.L.P. by the present owners vide Development Agreement dated 16/10/2018 bearing registration No. TNN-5 14441/2018 and an Irrevocable Power Of Attorney dated 16/10/2018 bearing registration No. TNN-5 14442/2018 with Pafilia Realtors L.L.P) , the said property is free from all encumbrances and that the title of the said property which stands in the name of Mrs. Sushama C. Kashalkar is clear and marketable.


15/11/2018

Adv. D.R. Warang
15th November 2018

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