

VISHAL V. JAJU

Advocate, High Court,
B. Com., L.L.B.

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TITLE CUM SEARCH REPORT

TO WHOMSOEVER IT MAY CONCERN

Ref.: In respect of Plot No. 259,
Sector - 10, Village- Kopra,
Kharghar, Navi Mumbai, hereinafter
referred to as the "SAID PLOT".

I, under the instructions of my client, M/s. SHIVSHANKAR BUILDERS & DEVELOPERS, represented by its Partners 1) Mr. Satish Shivshankar Tripathi and 2) Mrs. Sanju satish Tripathi, having office at Shop No. 1, 2 & 3, Shivshankar Building No. 2, Plot No. 17, Sector No.- 15, Sanpada, Navi Mumbai, investigated the title of Plot bearing No. 259, admeasuring about 2789.19 Sq. Mtrs., situated at Sector - 10, Village- Kopra, Kharghar, Navi Mumbai, hereinafter referred to as the "SAID PLOT" and the said Plot is more particularly described in the Schedule written hereunder.

1. The said Plot is in the limits of area of the City and Industrial Development Corporation of Maharashtra Ltd., (CIDCO), a company within the meaning of the Companies Act, 1956 having its registered office at 2nd Floor, Nirmal, Nariman Point, Mumbai and in the limits of revenue district of Thane and within the municipal area of Navi Mumbai Municipal Corporation.
2. The CIDCO has been declared as a New Town Development Authority under the provisions of sub-Section 3-A of section 113 of Maharashtra Regional and Town Planning Act, 1966 (Maharashtra Act No. XXXVIII of 1966 (hereinafter referred to as the said Act) for the New Town of New Bombay by Government of Maharashtra in exercise of its powers for the area designated as site for the New Town under Sub- Section (i) of Section 113 of the said Act.



3. By virtue of being the Development Authority, the CIDCO has been empowered under Section 118 of the said Act to dispose off any land acquired by it or vested in it in accordance with the proposal approved by the State Government under the said Act.

The following documents are produced before me by M/S. SHIVSHANKAR BUILDERS & DEVELOPERS for my inspection.

- a) Agreement to Lease dated 18th March, 2008 in respect of Plot bearing No. 259, admeasuring about 2789.19 Sq. Mtrs, Sector - 10, Village- Kopra, Kharghar, Navi Mumbai.
- b) Tripartite Agreement dated 1st April, 2008 in respect of Plot bearing No. 259, admeasuring about 2789.19 Sq. Mtrs, Sector - 10, Village- Kopra, Kharghar, Navi Mumbai.
- c) Commencement Certificate dated 16th July, 2010 bearing letter no. CIDCO/ATPO (BP)/934.
- d) Corrigendum letter 12.10.2012 bearing reference No. CIDCO / BP - 6400 / ATPO (NM & K) / 2012 / 1961.
- e) CIDCO letter dated 06.04.2017, bearing reference No. CIDCO / VASAT / SATYO / KHARGHAR / 219 / 2017 / 18393

Except the above mentioned documents, no other documents are produced before me by M/S.SHIVSHANKAR BUILDERS & DEVELOPERS.

My observations and remarks in respect of the document made available to me for my inspection in respect of properties under Search are as under:-

1. It is revealed from the said Agreement to Lease dated 18th March, 2008 entered into and executed between City and Industrial Development Corporation of Maharashtra Ltd., therein referred to as the CIDCO of the One Part and 1) Mr. Gokiram Janu Todekar, 2) Mr. Ganu Janu Todekar, 3) Mr. Undir Janu Todekar, 4) Mr. Trimbak Janu Todekar, 5) Mrs. Maibai Padu Todekar 5) Mr. Prakash Padu Todekar, 7) Mr. Baburao Padu Todekar, 8) Mr. Joma Padu Todekar, 9) Mrs. Shobha Padu Todekar @ Shobha Julesh Nighukar, (hereinafter referred to as the 'Original Licensees') of the Other Part, the CIDCO has granted to the said Original Licensees, a lease of all that piece or parcel of land bearing Plot No. 259, admeasuring about 2789.19 Sq. Mtrs., in Sector - 10,

Village- Kopra, Kharghar, Navi Mumbai (hereinafter referred to as the "Said Plot") containing by and as more particularly described in the schedule here under written for a period of 60 years with a right to Develop the same as permissible under General Development Control Regulations for Navi Mumbai, 1975. The said Agreement to Lease is registered before the sub-registrar of Assurance at Panvel under its Sr. No. 3298/2003.

2. It is revealed from the said Tripartite Agreement dated 1st April, 2008 made and executed between the CIDCO as First part, and the Original Licensee as the Second part and M/S. SHIVSHANKAR BUILDERS & DEVELOPERS through its partner MR. SATISH SHIVSHANKAR TRIPATHI and Mrs. Sanju Satish Tripathi of the Third Part, the CIDCO has granted to said M/S. SHIVSHANKAR BUILDERS & DEVELOPERS, a license to enter upon the said Plot No. 259, admeasuring about 2789 19 Sq. Mtrs., Sector - 10, Village- Kopra, Kharghar, Navi Mumbai for a period of 60 years with a right to develop the same as permissible under General Development Control Rules for Navi Mumbai, 1975. The said Tripartite Agreement has been registered before the Sub Registrar of Assurances at Panvel-3, on 02.04.2008, under Sr. No. 3698/2008

3. It is revealed from the said Commencement Certificate dated 16th July, 2010 letter No. CIDCO/ATPO(BP)/934, the CIDCO has granted permission to M/s. Shivshankar Builders & Developers through its Partner Mr. Satish Shivshankar Tripathi, under section 45 (i) (iii) of the Maharashtra Regional and Town Planning Act, 1966 and Section 253 and 254 of Bombay Provisional Municipal Corporation Act, 1949, to construct residential building of Ground + 13 floor on the said plot with a total built up area of 3991.607 Sq. Meter [No. of units Residential - 88 (3652.178 Sq. Mtrs.) and commercial units - 07 (339.429 Sq. Mtrs.)] with a total F.S.I. of 1.5 upon the said Plot. The said Development Permission was issued and granted subject to pending Special Civil Suit No. 123/2007 and the order passed by Hon'ble Court in the said suit shall be binding of M/s. Shivshankar Builders and Developers.

4. It is revealed from the said Corrigendum dated 12.10.2012, bearing reference No. CIDCO / BP - 6400 / ATPO (NM & K) / 2012 / 1961, that



the Development permission granted in respect of the said Plot was subject to pending Special Civil Suit No. 123/2007 and as the said suit was withdrawn, the condition mentioned in the Development Permission bearing No. CIDCo/ATPO (BP)/934 dated 16/07/2010 regarding development permission granted subject to pending Special Civil Suit No. 123/2007 also stands withdrawn and the said corrigendum shall form part of commencement certificate granted by the CIDCO vide letter dated 16th July, 2007.

5. It is revealed from the said letter dated 06.04.2017, bearing reference No. CIDCO / VASAT / SATYO / KHARGHAR / 219 / 2017 / 18393, wherein the CIDCO has extended the time to construct the said residential cum commercial buildings over the said Plot till 17/03/2018.

I had also taken the search of Index-II Register from 2008 to 2017 till date (10 Years) in the office of Sub-Registrar Saheb at Panvel, through my search clerk Mr. Sameer Mokul. My detailed Search Notes are as under :

TRANSACTION	
(Sub- Registrar office Panvel - 1)	
1	In Sub- Registrar office at Panvel - 1, all available records from the year 2008 to 2017 are checked.
2	Records for the year 2015 till date were not ready.

TRANSACTION	
(Sub- Registrar office Panvel - 2)	
1	In Sub- Registrar office at Panvel - 2, all available records from the year 2008 to 2017 are checked.
2	Records for the year 2017 were not ready.

TRANSACTION	
(Sub- Registrar office Panvel -3)	
1	In Sub- Registrar office at Panvel -3, all available records from the year 2008 to 2017 are checked.
2	Records for the year 2017 were not ready.



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TRANSACTION (Sub- Registrar office Panvel -4)	
1	In Sub-Registrar office at Panvel -4, all available records from the year 2012 to 2017 are checked.
2	Records for the year 2015 till date were not ready.

TRANSACTION (Sub- Registrar office Panvel -5)	
1	In Sub-Registrar office at Panvel -5, all available records from the year 2016 till date are checked.
2	Records for the year 2017 were not ready.

The transaction details which found in the Search are mentioned as under:

1. Agreement to Lease

Village	Kharghar Node
Sub Registrar Office	Panvel - 3
Nature of Deed	Agreement to Lease
Plot Details	Plot No. 259, Sector - 10, Village- Kopra, Kharghar.
Area	2784.19 Sq. Mtr's
Name of the Executing Party	CIDCO Ltd.
Name of claiming party	Mr. Undir Janu Todekar, Mr. Ganu Janu Todekar, Mr. Gotiram Janu Todekar, Mr. Joma Padu Todekar, Mr. Prakash Padu Todekar, Mr. Baburao Padu Todekar, Mrs. Maibai Padu Todekar, Mrs. Shobha Julesh Nagnukar & Mr. Trimbak Janu Todekar
Date of Execution	18/03/2008
Date of Registration	18/03/2008
Serial No. /Volume And Page	3298/2008
Consideration Amount	52,900/-
Market Value	52,900/-



2. Tripartite Agreement

Village	Kharghar Node
Sub Registrar Office	Panvel - 3
Nature of Deed	Tripartite Agreement
Plot Details	Plot No. 259, Sector - 10, Village- Kopra, Kharghar.
Area	2789.19 Sq. Mtrs
Name of the Executing Party	CIDCO Ltd and Mr. Undir Janu Todekar, Mr. Ganu Janu Todekar, Mr. Gotiram Janu Todekar, Mr. Joma Padu Todekar, Mr. Prakash Padu Todekar, Mr. Baburao Padu Todekar, Mrs. Maibai Padu Todekar, Mrs. Shobha Julesh Nighukar & Mr. Trimbak Janu Todekar
Name of claiming party	M/s. Shivshankar Builders & Developers through Partner Mr. Satish Shivshankar Tripathi and Mrs. Sanju Satish Tripathi
Date of Execution	02/04/2008
Date of Registration	02/04/2008
Serial No. /Volume And Page	3698/2008
Consideration Amount	3,34,71,000/-
Market Value	52,900/-

3. Notice of Lis Pendense

Village	Kharghar Node
Sub- Registrar office	Panvel - 2
Plot	Plot No. 259, Sector-10
Area	2789.19 sq. meters.
Name of the Executor	M/s. Raj Homes builders & Developers through Director Mr. Raj Motilal Kandhari
Name of Claiming
Date of Execution	01/10/2008
Date of Registration	03/10/2008
Document Serial No.	7299/2008
Consideration Amount	0.0/-



(Signature)

Market Value	0.0/-
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While taking search we have found the following entry in respect of one Sale Deed dated 22/08/2008 and the same seems to be not in respect of the said Plot.

Village	Kharghar Node
Sub- Registrar office	Panvel - 2
Plot	Plot No. 259, Sheet No. 259, Sector-10
Area	100.2 sq meters
Name of the Executing	Mrs. Anusuya Balaram Mayekar Mr. Yogesh Balaram Mayekar, Miss Rupali Balaram Mayekar, Miss Vaishali Balaram Mayekar, Miss Balaram Mayekar
Name of Claiming	Mr. Madhukar Beldar mayekar
Date of Execution	22/08/2008
Date of Registration	22/08/2008
Document Serial No.	6421/2008
Consideration Amount	40,000/-
Market Value	12,02,500/-

Note:

I have taken search of Index-II Register in respect of the said Plot pertaining to the period of last 10 years from 2008 to 2017 (till date) lying in the offices of Sub-Registrar Saheb of Assurances at Panvel 1, 2, 3, 4 and 5, and after perusal of all relevant title, records available "On as is where is basis", I have not found any entry recording any transaction of sale, gift, exchange, lease, assignment, Mortgage, Charge or otherwise in respect of the said Plot as mentioned hereinabove.

Therefore, in my opinion, the title of the present Owner M/s. SHIVSHANKAR BUILDERS & DEVELOPERS, through its Partner 1) Mr. Satish Shivshankar Tripathi and 2) Mrs. Sanju satish Tripathi., in respect of the said Plot No. 259, admeasuring about 2789.19 sq. meters, Sector - 10, Village- Kopra, Kharghar, Navi Mumbai is free from all encumbrances & Charges, beyond reasonable doubts and the said M/S. SHIVSHANKAR BUILDERS & DEVELOPERS, is well and



sufficiently entitled to the said Plot, subject to the terms and conditions laid in the said Agreement to Lease.

Dated:- 19th August, 2017

Place : Vashi



A handwritten signature in black ink, appearing to read "Vishal V. Jaju".

Adv. Vishal V. Jaju
(Advocate High Court)

THE SCHEDULE ABOVE REFERRED TO

ALL THAT piece and Parcel of Plot bearing No. 259, Sector - 10, in village-
Kopra, Kharghar, of 12.5% (Erstwhile Gaothan Expansion Scheme), containing by
measurement about 2789.19 Sq. Mtrs., or thereabout and bounded as follows
that is to say:-

On or towards the North by
On or towards the South by
On or towards the East by
On or towards the West by



24 Mts. wide Road
Plot Nos. 264 & 266
Plot No. 260
Plot No 288.

A handwritten signature in black ink, appearing to read "Vishal V. Jaju".