



Advocates and Associates LLP

Veljibhai G. Bhorania

B. Sc (Agri) LLB
Advocate (High Court)
Managing Partner

Levatio Advocates and Associates LLP

Date: 01 Jul 2017

To whom it may concern

Subject: Legal scrutiny report.

Document: Sagarika/EssGee Tradefin/Title Certificate

Ref: Investigation of title to the plot

- (a) Property : Plot number 32
- (b) Admeasuring : 600 sq mts
- (c) Location : Sector 55, Dronagiri, Taluka Uran, Navi Mumbai
- (d) District : Raigad
- (e) Owner/New Licensee : **ESS GEE Tradefin Pvt. Ltd.**, (PAN Number AAACE4342E) a company duly incorporated under the provision of Companies Act, 1956, through its Director **Shri. Rajesh Kumar Surana** having address at 158-159, APMC Market I, Phase II, Vashi, Navi Mumbai

This is to certify that I have investigated the title of **M/s ESS GEE Tradefin Pvt. Ltd.**, (PAN Number AAACE4342E) a company duly incorporated under the provision of Companies Act, 1956, through its Director **Shri. Rajesh Kumar Surana** having address at 158-159, APMC Market I, Phase II, Vashi, Navi Mumbai to the above referred plot in their name and the same I state as under.

I am asked to give my opinion in certificate with regards to title of the captioned of the plot and the same is as under.

The City and Industrial Development, Corporation of Maharashtra Ltd., a Govt. Company within the meaning of the Companies Act, 1956, (I of 1956) (hereinafter referred to as 'CIDCO) having its registered office at Nirmal, 2nd Floor, Nariman Point, Mumbai-400 021, is a New Town Development Authority, under the provision of sub-sec. (3-a) of Section 113 of Maharashtra Regional & Town Planning Act, 1966.



The state Government is pursuant to section 113(A) of the said Act, acquiring lands described therein and vesting the land in the Corporation for development and disposal.

1. History of the title of the caption property

- 1.1. Whereas state government in pursuant to section 113 (I) of the said Act, acquired the land described therein and vested such lands to CIDCO for development. Such piece of land so acquired by the State Government was subsequently vested by the State Government to the CIDCO for being leased to its intending Lessees.
- 1.2. Whereas by an Intent Letter **CIDCO/Bhumi/Saty/Dronagiri/S.Sodat/657/2007** dated **21 August 2007**, CIDCO has offered to grant on lease all that Piece and Parcel of Land bearing **Plot No. 32, admeasuring 600 Square Meters, situated at Sector 55, Dronagiri Node, Taluka - Uran, District - Raigad allotted under 12.5% Gaothan Expansion Scheme (CIDCO File No: Dronagiri - 1764)** (hereinafter referred to as "Said Plot") to **(1) Mr. Santaram Arjun Gharat (2) Mr. Kaluram Arjun Gharat (3) Mrs. Sunanda Dhanji Patil and (4) Mrs. Janabai Baburav Thakur (hereinafter collectively referred as "Original Licensee")** subject to the terms and conditions mentioned therein.
- 1.3. Vide allotment letter **CIDCO/Bhumi/Saty/Dronagiri/1764/2010** dated **27 Dec 2010** and Agreement to lease dated **7 Jan 2011** registered with the Sub Registrar of Assurance at Uran Sr. No **Uran/44/2011**, CIDCO allotted leasehold said plot, which is more particularly described in the schedule attached hereunder for consideration and upon the terms & conditions contained in the said Agreement to **Original Licensee**.
- 1.4. The said **Original Licensees** had sold the said plot to **M/s. Ashapura Land Private Limited**, a company duly incorporated under the provision of Companies Act, 1956, through its Director Mr. Paresh Lodaya hereinafter referred to as "**Ashapura Ltd.**" vide tripartite agreement Sr. No. **395/2011** dated **10 March 2011** between **Original Licensee, Ashapura Ltd. and CIDCO**
- 1.5. The CIDCO transferred the aforesaid Plot in the name of **Ashapura Ltd.** by transfer order **CIDCO/Vasahat/Saty/Dronagiri/1764/2011** dated **15 March 2011**
- 1.6. The **Ashapura Ltd.** has sold the said plot to **EssGee Tradefin Pvt. Ltd.** a Company incorporated under the Companies Act, 1956 represented by its Director **Mr. Rajesh Kumar Surana** (herein after referred as "**Promoter**") vide tripartite agreement Sr. No. **787/2015** dated **27 January 2015** between **Ashapura Ltd., EssGee Tradefin Pvt. Ltd and CIDCO**.
- 1.7. For that title purpose **Ashapura Ltd.** had issued a public notice in **Vashi Times** dated 01 Nov 2014 and **Kroyshival News Paper** dated **30 Oct 2014** before the execution and registration of Tripartite agreement. After completion of notice period there is no objection from anyone for the said purpose



- 1.8. The CIDCO transferred the aforesaid Plot in the name of **M/s. ESS GEE Tradefin Pvt. Ltd** by transfer order **CIDCO/Vasahat/Satyo/Dronagiri/1764/2015** dated **09 February 2015**
- 1.9. In the circumstances, the **M/s. ESS GEE Tradefin Pvt. Ltd** are entitled to develop the said Plot by constructing building as per the building plans that shall be sanctioned.
- 1.10. **M/s. ESS GEE Tradefin Pvt. Ltd** hereby declare and confirm that there are no litigation on project land.
- 1.11. **M/s. ESS GEE Tradefin Pvt. Ltd** hereby declare confirm that there is no encumbrances on the project plot.
- 1.12. **M/s. ESS GEE Tradefin Pvt. Ltd** has perform search on project land. Search report dated 07 Mar 2015 confirms that there are no litigation, lien, encumbrances on project land.
- 1.13. CIDCO has sanctioned the building plans, specifications and designs vide **Commencement Certificate and Development Permission Letter No. CIDCO/BP-1331/TPO(NM&K)/2015/1207** dated **16 Oct 2015**
- 1.14. Title for the said project was previously issued by me but whereas following to implementation of RERA act, the **M/s ESS GEE Tradefin Pvt. Ltd** wants to pursue for application to register the **Said Project** with **RERA Authority** as per **Real Estate (Regulations and Development) Act 2016**.
- 1.15. Vide section 55 (1) (a) of Transfer of Property Act 1882, **M/s. ESS GEE Tradefin Pvt. Ltd** has provided marketable title which is without any material defect in the property or in the title and has rights to sell the said flat. Additionally, vide section 55 (1) (b) of Transfer of Property Act 1882, **M/s. ESS GEE Tradefin Pvt. Ltd** has produce not only the documents of title in his possession but also those which are in his power to produce.
- 1.16. The said **M/s ESS GEE Tradefin Pvt. Ltd.** have sole and exclusive right to sale the flats in the building/s constructed thereon and to enter in to agreements/s with the Purchaser/s and to receive the sale price in respect thereof

2. Documents perused:

I have seen and verified the following documents with regards to the title of the captioned plot in question.

- 2.1. True copy of Letter of intent issued by CIDCO to **Original Licensee** vide letter **CIDCO/Bhumi/Satyo/Dronagiri/S.Sodat/657/2007** dated **21 Aug 2007**
- 2.2. True copy of Allotment letter issued by CIDCO to **Original Licensees** vide letter **CIDCO/Bhumi/Satyo/Dronagiri/1764/2010** dated **27 Dec 2010**
- 2.3. True copy of Agreement to lease between CIDCO and **Original Licensees** dated **7 Jan 2011** registered with the Sub Registrar of Assurance at **Uran Sr. No Uran/44/2011**



- 2.4. True copy of Tripartite agreement registered between **CIDCO, Original Licensee and M/s. Ashapura Ltd, Sr. No. 395/2011** dated **10 March 2011**
- 2.5. Copy of the transfer letter of the said plot to **Ashapura Ltd.** issued by CIDCO dated **CIDCO/Vasahat/Satyo/Dronagiri/1764/2011** dated **15 March 2011**
- 2.6. Copy of public notice issued by **Ashapura Ltd.** had in **Vashi Times** dated **01 Nov 2014** and **Kroyshival News Paper** dated **30 Oct 2014**
- 2.7. True copy of Tripartite agreement registered between **CIDCO, Ashapura Ltd and M/s ESS GEE Tradefin Pvt. Ltd, Sr. No. 787/2015** dated **27 January 2015**
- 2.8. Copy of the transfer letter of the said plot to **M/s ESS GEE Tradefin Pvt. Ltd** issued by CIDCO **CIDCO/Vasahat/Satyo/Dronagiri/1764/2015** dated **09 February 2015.**
- 2.9. Commencement certificate issued by CIDCO vide **CIDCO/BP-1331/TPO(NM&K)/2015/1207** dated **16 Oct 2015**
- 2.10. Search Report dated **07 Mar 2015** issued by Mr. Kishor Dhakad
- 2.11. Affidavit issued by **M/s ESS GEE Tradefin Pvt. Ltd** dated 13 Jan 2016 confirming that all documents provided for the purpose of this title are authentic and genuine without any manipulation to documents.

All the above documents show that **ESS GEE Tradefin Pvt. Ltd.**, (PAN Number AAACE4342E) a company duly incorporated under the provision of Companies Act, 1956, through its Director **Shri. Rajesh Kumar Surana** having address at 158-159, APMC Market I, Phase II, Vashi, Navi Mumbai is New Licensee of the captioned plot and the title of the said plot is seems to be clear, free from encumbrances and marketable subject to the **agreement to lease** dated 9 Dec 2010 and **Tripartite Agreement with Parth Developers, EssGee Tradefin Pvt. Ltd. and CIDCO** dated 18 Jan 2013 and search report. I have not taken search from any offices for records of rights of the said plot.

3. Search Duration:

During the course of search carried out by the Mr. Kishor Dhakad for the period of last 10 year made in the office of sub-register Panvel/Uran he has not found any act of encumbrance over the caption property as per search report dated 07 Mar 2015 given by the Search receipt 2020/2015 said search report is enclosed herewith.

4. Base of the title:

This title clearance certified is issued subject to the basis of documents of successive lease hold ownership over the captioned plot before me as stated in para 2 and same is confirmed by the concern party/ies.



Scheduled of the Plot

ALL that piece and parcel of Plot bearing **Plot No. 32, Sector 55, Dronagiri, Uran, Navi Mumbai** allotted under **12.5% Scheme** and containing by admeasurement an area of 600 Sq. Mtrs. and bounded as under:

On or towards the North : Plot No. 31
On or towards the South : Plot No. 33
On or towards the East : 11 mts. wide road
On or toward the West : plot 47 & 48

I am returning herewith the above documents which were produce before me for verification and title for your kind perusal and record.

Thanking you



V.G. Bhorania
B.Sc (Agri) LL.B
Advocate High Court
Managing Partner
Levatio Advocates and Associates LLP
204, Vardhaman Market, Plot 75
Sector 17, Vashi, Navi Mumbai 400703



Levatio Advocates & Associates LLP

Managing Partner

Levatio Advocates & Associates LLP

Managing Partner

For **ESS GEE TRADEFIN PVT. LTD.**



Director

Documents Submitted and confirmed as per para B by
M/s EssGee Tradefin Pvt. Ltd.
Director
Shri. Rajesh Kumar Surana