



Atta Mithun Parikh
B.Com LL.B.

Mob. : 7498694458
9892394447

Advocate High Court

Shop No. 22, 1st Floor, Crystal Plaza, Station Road, Mira Road (E), Dist. Thane - 401107

REPORT ON TITLE
TO WHOMSOEVER IT MAY CONCERN

I. DESCRIPTION OF THE PROPERTY:

All that piece and parcel of land bearing Old Survey Nos. 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 208, 209, 210, 211, 212, 213, 214, 734, 735, 736, 738, 745, 746, 747, 739, 740, 741, 742, 743, 744 and lying being and situate at Village Mira / Penkarpada and Bhayander, Taluka and District Thane within the limits of Mira Bhayander Municipal Corporation and in the Registration District and Sub District of Thane (hereinafter referred to as the said Property)

II. DOCUMENTS:

We have perused photocopies of the following documents:-

1. Copy of Reclamation Lease dated 9th February, 1905, executed between Secretary of State for India in Council (therein referred to as the Lessor), of the One Part and Dinanth Harishchandra (therein referred to as the Lessee) of the Other Part
2. Copy of Order No. HWS-1077/XXXV dated 11th January, 1978 sanctioned under Section 20 read with Section 21 issued by the Competent Authority under Urban Land (Ceiling and Regulation) Act, 1976.
3. Copies of Property Register Card / 7X12 extracts for the said Property.
4. Search Report dated 31/8/2015 of Searches carried out by S. Pawar Search Clerk for the last 40 years .



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III. DEVOLUTION OF TITLE:

1. By and under a Reclamation Lease dated 9th February, 1905, executed between Secretary of State for India in Council (therein referred to as the Lessor) , of the One Part and Dinanth Harishchandra (therein referred to as the Original Lessee) of the Other Part, the said Dinanth Harishchandra interalia acquired leasehold rights in respect several pieces and parcels of contiguous agricultural land in Village Mira Penkarpada and Bhayander, in Taluka and District Thane (being the above mentioned Property) for a term of 999 years and on such other terms and conditions more specifically contained therein.
- b. Thereafter by and under diverse agreements and deeds, the said leasehold rights under the said Reclamation Lease in respect of the said Property which is subject matter of this Title Report have been assigned and transferred to its present Lessees namely (1) Kumarpal Vadilal Shah (2) Navinchandra Vadilal Shah (3) Champaben Vadilal Shah (4) Vasantlal Shah (5) Babulal Vadilal Shah (6) Pushpa Mangaldas Shah (7) Nirmala Hiralal Shah (8) Shakuntala Tansukhlal Parekh and (9) Madhubala Vadilal Shah, for the residual term of 999 years.
- c) Substantial portion of the said Property was affected by the provisions of Urban Land (Ceiling and Regulation) Act , 1976 (hereinafter referred to as the said Act) and in view thereof, pursuant to an application in that behalf, the Competent Authority under the said Act by an order, being Order No. HWS-1077/XXXV dated 11th January, 1978 sanctioned a Scheme under Section 20 read with Section 21 of the said Act for developing part of the said Property that was affected by the said Act by construction of certain number of tenements for the economically weaker section of the society as



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contemplated by the said order. The said Order was extended from time to time and has since been complied with by construction of required number of tenements for the weaker section as stated in the said Order. The said Act has since been repealed and as such the said Property is no longer affected either by the provisions of the Scheme under Section 20 (the same having been complied with)or the said Act;

d) The aforesaid Lessees had entered into an Agreement for Development dated 24th December, 1976 with one Amrit Mohanlal Patel, sole proprietor of M/s Star Builders in respect of the said Property. M/s Star Builders have thereafter entered into a joint development agreement dated 3rd July, 1981 with one M/s Shanti Builders and under the said Agreement dated 3rd July, 1981, it was decided to develop the said Property by and under a joint venture name of "M/S Shanti-star Builders". Thereafter by and under a further Joint Venture Agreement dated 28th February, 1984, Mr. Chotulal Ajmera and Mr. Rajnikant Ajmera (the said Ajmeras for brevity) joined as Joint Venture partners in the said joint venture for development of the said Property with M/s Star Builders and the said M/s Shati Builders. Thereafter by and under a Deed of Partnership dated 9th November, 1985, the said Amrit Mohanlal Patel, sole Proprietor of M/s Star Builders, brought the said Property and the rights in respect thereof as an asset of a Partnership firm called M/s. Shanti star Builders . The said Partnership firm of M/s Shanti star Builders continued with the aforesaid joint venture with the Shanti Builders and the said Ajmeras.

e) In the circumstances aforesaid, it is clarified that the M/s Shanti-star Builders herein is a joint venture/ AOP of the aforesaid parties and has



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became absolutely entitled to develop the said Property and has been developing a building project consisting of residential and/or commercial units known as "Shanti Nagar" in a phase wise manner on the said Property.

IV. SEARCH REPORT

1. We had caused usual searches to be made in the records of the Sub-Registrar of Assurances at Thane and Bombay, and the concerned Sub-Registrar of Assurances in Mumbai and Thane and the Office of City Survey through a Search Clerk for the period of last 40 years in respect of the said Property .

V. TITLE

In view of aforesaid and subject to whatever stated hereinabove, we are of the opinion that leasehold rights in respect of the said Property are vested in the said (1) Kumarpal Vadilal Shah and 8 others and the development rights in respect of the said Property are in favour of M/s Shantistar Builders (AOP) as stated above.

Dated: 18th day of September, 2015

Advocate

Akta M. Parikh

(Advocate High Court)