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Ref. No.: Dosti-Pine/2020

Date : 05 AUG 2020

CERTIFICATE OF TITLE

Re. :- Real Estate project known as "DOSTI WEST COUNTY - PHASE 4 - DOSTI PINE" comprising of one building to be known as "DOSTI PINE" having 5 wings, viz., Wing "A", Wing "B", Wing "C", Wing "D" and Wing "E" (i.e. Building Nos. 19, 18, 17, 7 & 8 respectively in the Municipal Sanctioned Plan) ("the said Buildings") to be constructed on a portion of the Land admeasuring 2940 square meters or thereabouts, bearing New Survey No. 17/4 (pt), 17/5(pt), 17/7A(pt), 17/7B(pt), 17/8(pt), 17/9(pt), 17/11A(pt), 17/11B(pt), 17/11C(pt), 18/3(pt),18/4(pt),18/5(pt), 18/6B(pt), 18/7(pt), 18/8(pt), 18/9(pt), 18/10A(pt), 18/11A(pt), 19/37(pt), 19/45 situate, lying and being at Village Balkum, Taluka and District Thane ("the said Lands") (the said Buildings and the said Lands are hereinafter collectively referred to as "the said Project").

M/S. DOSTI ENTERPRISES OWNERS/DEVELOPERS/PROMOTERS

TO WHOMSOEVER IT MAY CONCERN

THIS IS TO CERTIFY THAT, I have investigated the title of the Promoters, M/s Dosti Enterprises, a Partnership Firm, having its registered office at Lawrence & Mayo, 1st floor, 276, D.N. Road, Fort Mumbai-400 001, in respect of all that piece and parcel of immovable property being Non-Agricultural lands bearing New Survey No. 17/4 (pt), 17/5(pt), 17/7A(pt), 17/7B(pt), 17/8(pt), 17/9(pt), 17/11A(pt), 17/11B(pt), 17/11C(pt), 18/3(pt),18/4(pt),18/5(pt), 18/6B(pt), 18/7(pt), 18/8(pt), 18/9(pt), 18/10A(pt),



18/11A(pt), 19/37(pt), 19/45 lying, being and situated at Village Balkum, Thane, Taluka and District Thane and within the limits of the Municipal Corporation of the City of Thane and on the basis of search caused to be taken at the office of the Sub-Registrar of Assurances, Thane; on perusal of Revenue Records, Sanctioned Plans and documents submitted, I have observed as under:-

1. By and under various registered deeds and documents, the Promoters have acquired rights, title and interest in the said lands with actual physical and legal possession thereof, for valuable consideration and on terms and conditions as more particularly described therein.
2. On perusal of various Orders issued under Urban Land (Ceiling and Regulations) Act, 1976 (for short "ULC ACT")- since repealed w.e.f. 29th November, 2007 in respect of said lands, it is clear that there is no legal impediment for holding, development and transfer in respect thereof.
3. On perusal of 7/12 extracts of said lands, it appears that the said lands have not been declared as "Forest", under the provisions of Indian Forest Act, 1927 and/or Maharashtra Private Forest Act, 1975.
4. On perusal of 7/12 extracts of said lands, prima-facie it appears that said lands are not Adivasi lands.
5. In respect of land parcel forming part of said lands, which were previously Class-II, the proper permissions from the Competent Authority has been obtained as per the provisions of Section 43 of B.T. & A. L. Act, 1948.
6. In view of sanctioned Development Plan, land parcel forming part of said lands has been sub-divided as per Village Form No. 12 prepared as per Survey carried out by Deputy Superintendence Land Records, Thane, as the same was affected by various reservations. Accordingly, vide registered Declaration, the possession of such land parcels has been handed over to the Thane Municipal Corporation and effect of the same has been given on 7/12 extracts.



7. The Promoters proposes to develop the said Buildings on the said lands in accordance with the Amended Permission / Commencement Certificate bearing No. 4219 dated 1st March 2019 granted by the Thane Municipal Corporation, Thane, as may be amended from time to time.
8. The said Project is affected by following Mortgages viz;
 - a. Registered Mortgage Deed, dated 08/12/2017, registered at Sr. No. TNN-5/14440/2017 on 08/12/2017 executed with mortgagee Kotak Mahindra Investment Limited;
 - b. Registered Mortgage Deed dated 18/06/2018, registered at Sr. No. TNN-5/8694/2018 on 18/06/2018 executed with mortgagee Kotak Mahindra Prime Limited,
 - c. Registered Mortgage Deed dated 13/02/2019, registered at Sr. No. TNN-5/2305/2019 on 14/02/2019 executed with mortgagee Kotak Mahindra Investment Limited,
 - d. Registered Mortgage Deed dated 17/04/2019, registered at Sr. No. TNN-5/6218/2019 on 18/04/2019 executed with mortgagee Kotak Mahindra Investment Limited,
 - e. Registered Mortgage Deed dated 17/04/2019, registered at Sr. No. TNN-5/6219/2019 on 18/04/2019 executed with mortgagee Kotak Mahindra Prime Limited,
 - f. Registered Mortgage Deed, dated 17/04/2019, registered at Sr. No. TNN-5/6222/2019 on 18/04/2019 executed with mortgagee Kotak Mahindra Investment Limited,
 - g. Registered Mortgage Deed dated 17/10/2019, registered at Sr. No. TNN-2/15807/2019 on 17/10/2019 executed with mortgagee Kotak Mahindra Prime Limited.
9. In respect of said lands, there are pending litigations, details whereof, are more particularly set out in Annexure "A" hereto. In the said litigations, no adverse orders have been passed by any of the Hon'ble Courts in any way affecting the title of the Promoters to the said lands.



10. **IN VIEW OF THE ABOVE, IN MY OPINION,**

- a) The title of M/s Dosti Enterprises to the lands forming part of said Project is clear, marketable and free from all encumbrances and reasonable doubts and;
- b) M/s. Dosti Enterprises has full rights and absolute authority to construct the said Buildings on the said lands as per the sanctioned plans, as may be amended from time to time and to sell, assign, transfer, lease, give license and / or deal with the said lands and all the flats and premises constructed or to be constructed thereon on what is commonly known as "Ownership basis" or otherwise.

Date : 05 AUG 2020




(KIRAN BADGUJAR)
Advocate

Annexure-A

(Details of the Pending Litigations affecting the Project)

Sr. No.	New Survey Nos' of the Project affected by Pending Litigation	Particulars of the Litigation
1.	17/9(pt), 18/10 A(pt)	Civil suit bearing SCS No. 8/2016, before the C.J.S.D., Thane, filed by one Chandribai Ramchandra Patil for the reliefs as more particularly contended therein.
2.	17/5(pt), 17/7A(pt), 17/7B(pt), 18/6B(pt)	i) Civil suit bearing SCS No. 389/2017 before the C.J.S.D., at Thane, filed by M/s Dosti Enterprises for the reliefs as more particularly contended therein, ii) Civil suit bearing SCS 35/2017 before the C.J.S.D., at Thane, filed by one Sachin Vinayak Gharat and others for the reliefs as more particularly contended therein, iii) Civil suit bearing SCS 16/2013 before the C.J.S.D., at Thane, filed by one Sudhakar Yashwant Bhoir and others for the reliefs as more particularly contended therein, iv) Civil suit bearing RCS 586/2011 before the C.J.J.D., at Thane, filed by one Yamunabai Hajare and others for the reliefs as more particularly contended therein, v) Civil W.P. No. 4299/2017 before the Hon'ble High Court, Mumbai, filed by one Sudhakar Yashwant Bhoir and others for the reliefs as more particularly contended therein.
3.	19/37(pt)	Revenue proceeding bearing RTS Appeal No. 193 of 2019, before the S.D.O., Thane, filed by Manda Vasant Bhoir and others for the reliefs as more particularly contended therein.
4.	17/11/C(pt)	i) Civil suit bearing RCS No. 313 of 2018, before CJJD, Thane, filed by Vasant Kashinath Patil and others for the reliefs as more particularly contended therein. ii) Revenue proceeding bearing complaint case No. 25 of 2017, before Tahasildar, Thane, filed by M/s Dosti Enterprises for the reliefs as more particularly contended therein.

