

Pradip R. Kadam

ADVOCATE

Office : 3A, Chandar Niwas CHS, Near Gauridatta High School, 186, Namdeo Koli Marg, Sion (East), Mumbai - 400 022.

Corr./Resi. : 602/702, Laxmi Apartments, Above Chembur Nagrik Bank, Gulmohar Marg, Chunabhatti, Sion, Mumbai 400 022.

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FORMAT- A

(Circular No.28/2021 Dated 08/03/2021)

To MahaRERA

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to property having Plot no.3 admeasuring about 3753.89 sq. mtrs. thereabout bearing CTS no. 303/A/3/A/2 New Survey no.209, (Old Survey Nos. 55 & 56 (Part)) situated lying and being at Village Bhandup(W), Datta Mandir Road, Taluka-Kurla, Mumbai Suburban District (hereinafter referred as "the said Property").

I have investigated the title of the said Property on the request of M/s. Shree Ashapura Combine, and following documents i.e.: -

- 1) Description of the Property.
- 2) Indenture of Lease dated 23/06/1962
- 3) Suit No. 2679 of 2012.
- 4) Indenture of Sub-Lease dated 11/10/2013.
- 5) T.E Suit No. 69 of 2016.
- 6) Order of the Collector.
- 7) Search Notes dated 05/12/2011 & 04/04/2014.

On perusal of the above-mentioned documents and all other relevant documents relating to title of the said Property, I am of the opinion that the title of Mr. Mahadeo Damodar Keni and Ors, are the owner and M/s. Shree Ashapura Combine, are the sub-lease and Developers and the title of the said Property is clear, marketable and free from any encumbrances subject to the once disclosed.

Owner of the Property:

The heirs of Mr. Mahadeo Damodar Keni and Ors. - Plot no.3 admeasuring about 3753.89 sq. mtrs thereabout bearing CTS no. 303/A/3/A/2 New Survey no.209, (Old Survey Nos. 55 & 56 (Part)) situated lying and being at Village Bhandup(W), Datta Mandir Road, Taluka-Kurla, Mumbai Suburban District and M/s. K. Mahadeo & Co. Pvt., Ltd., is head lessee.

Sub- lessee and Developer of the Property:

M/s. Shree Ashapura Combine- Plot no.3 admeasuring about 3753.89 square mtrs thereabout bearing CTS no. 303/A/3/A/2 New Survey no.209 (Old Survey Nos. 55 & 56 (Part)) situated lying and being at Village Bhandup(W), Datta Mandir Road, Taluka-Kurla, Mumbai Suburban District.

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The report reflecting the flow of the title of the Mr. Mahadeo Damodar Keni & Ors. as the owner and M/s. Shree Ashapura Combine as the sub-lessee and Developer on the said Property is enclosed herewith.

FLOW OF THE TITLE OF THE SAID PROPERTY.

Sr.No.

- 1) **Indenture of lease dated 23.06.1962 duly registered vide entry no. BND/1595/1/15** between owners Mr. Mahadeo Damodar Keni & Ors and M/s. K. Mahadev & Co. Pvt. Ltd leased out land admeasuring 53767 square yards bearing survey no. 209 for period of 99 years commencing 1.1.1963 for agreed rent.
- 2) **Suit No. 2679 of 2012**, filed by K. Mahadev & Co. Pvt; Ltd., against Dwarkabai Ramchandra Kini & Ors., seeking Conveyance of the entire property based on the clause in the original Lease Deed. The said suit is pending final hearing.
- 3) **Indenture of Sub-lease dated 11.10.2013 duly registered with Sub-Registrar of Assurance vide no. KRL-1-10657-2013**, the said M/s. K. Mahadeo & Co. Pvt. Ltd., granted sub-lease in favour of the Shree Ashapura Combine for the balance period of the lease which is subsisting.
- 4) **T.E Suit No. 69 of 2016**, Mr. Madhukar Ramchandra Kini representing one branch of Kini family has filed the T.E Suit No. 69 of 2016 against K. Mahadeo & Co. Pvt. Ltd., seeking eviction. The said suit is pending the final hearing. The injunction application therein has been dismissed.
- 5) **Order of the Collector Mumbai Suburban District 07.12-2016 bearing no. C/Off. - 2D/SD/SRK- 1862**, by the said Order, the Collector has ordered sub-division of the larger land and given separate CTS no. 303/A/3/A/2 to the said property.
- 6) **Search Report dated 05/12/2011 & 04/04/2014.**

Date: 4/2/2022


Advocate