

शैलेन्द्र द. जल्लावार

बी.कॉम., एलएल.बी.

अॅडव्होकेट हायकोर्ट

१०५, विकास हाईट्स, संतोषीमाता रोड, काथान (प).

फोन : २३२२५२६, २३२७४४७

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SHAIENDRA D. JALLAWAR

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105, Vikas Heights, Santoshimata Road, Kalyan (West).

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Date: 24.07.2017

To
M/s. **Tharwani Realty**,
310 - 313, Third floor,
Parsipolis Building,
Plot No. 74, Sector - 17,
Vashi, Navi Mumbai,
through its sole proprietor
Shri **Anil H. Tharwani**

TITLE CERTIFICATE

Reg : All that piece and parcel of land lying, being and situated at Village Chikhlohi, Taluka Ambarnath, District Thane, bearing Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres and Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres within the limits of the Ambarnath Municipal Council belonging to M/s Tharwani Realty.

Read:

1. Extracts of 7/12.
2. Relevant Mutation Entries.
3. Deed of Partition dated 09.04.2012 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1851/2012 made and executed between Harishchandra Vithal Bhoir and others.
4. Agreement for Sale dated 09.04.2012 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1852/2012 made and executed between Harishchandra Vithal Bhoir and three others as the Owners and M/s. Tharwani Realty as the Purchaser in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.
5. Building Commencement Certificate issued by the Ambarnath Municipal Council under No. ANP / NRV / BP / 12 -13 / 221 / 2145 -34 dated 07.07.2012 in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.
6. Non-Agricultural Permission granted by the Collector, Thane under No.Mahasul/K-1/T-14/NAP/SR-198/2012 dated 02.03.2013 in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.
7. Deed of Conveyance dated 05.03.2013 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1403/2013 made and executed between Harishchandra Vithal Bhoir and three others as the Owners and M/s. Tharwani Realty as the Purchaser in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.
8. Deed of Conveyance dated 23.10.2008 registered at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under serial No.4811/2008 made and executed between Ramesh Vithal Bhoir and others as the Owners and Ravindra Kanhu Karale as the Purchaser in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres.

9. Deed of Conveyance dated 25.09.2012 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No.4975/2012 made and executed between Shri Ravindra Kanhu Karale as the Owner and M/s. Tharwani Realty as the Purchaser in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres.
10. Non-agricultural permission granted by the Collector, Thane under No. Mahasul / K-1/T-14/NAP / SR (110/10)/ 192/ 2011 dated 27.01.2012 in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres.
11. Revised Building Permission granted by Ambarnath Municipal Council bearing No. ANP / NRV / BP / 13 -14 / 405 / 2274 - 47 dated 01.07.2013 as well as under No. ANP / NRV / BP / 14 -15 / 1126/ 846 -126 dated 20.12.2014 in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.
12. Building Completion Certificate granted by Ambarnath Municipal Council bearing No. AMP/NRV/16-17/29 dated 13.04.2016 in respect of Building Type B1, C1, C2, B2 and A and Building Completion Certificate bearing No. AMP/NRV/16-17/1288 dated 19.12.2016 in respect of Building Type G and F.
13. Revised Building Permission granted by the Ambarnath Municipal Council under No.AMP / NRV / BP / 16-17 / 537 / 8636 / 26 dated 27.07.2016 in respect of Building Type D1 & D2, E1 and E2 and further Revised Building Permission granted by the Ambarnath Municipal Council under No.AMP / NRV / BP / 17-18 / 452 / 8746/ 30 dated 26.05.2017 in respect of Building Type A1, F, H1, H2, G1, B1, B2, C1, C2, G, D1, D2, E1, E2 in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.
14. Deed of Declaration dated 14.07.2017 under section 2 of Maharashtra Apartment Ownership Act, 1970 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 7644/2017 in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.
15. Search Reports.

I have investigated the title of the Owners to the above said property and I am of the opinion that the title of the Owners to the above referred properties is clear and marketable and free from reasonable doubts and encumbrances.

It appears that the said property was ancestral property of Harishchandra Vithal Bhoir and others and by and under the Deed of Partition dated 09.04.2012 made and executed between Shri Harishchandra Vithal Bhoir and others and an area admeasuring 16000 sq. metres stood partitioned in favour of Shri Harishchandra Vithal Bhoir and three others and the said partition is registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1851/2012.

It appears that by and under Agreement for Sale dated 09.04.2012 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1852/2012 the said Shri Harishchandra Vithal Bhoir

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and three others agreed to sell the said property to M/s. Tharwani Realty and in pursuance thereof also granted the Power of Attorney in favour of M/s. Tharwani Realty and the same is also registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1853/2012 in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.

It appears that M/s Tharwani Realty with the view to develop the said property have submitted the building proposal to the Town Planning Authority and the Ambarnath Municipal Council has granted the building commencement certificate under No. ANP / NRV / BP / 12 -13 / 221 / 2145 -34 dated 07.07.2012 and M/s Tharwani Realty has followed the due process of law and obtained the non agricultural permission from Collector, Thane under No. Mahasul / K-1 / T-14/ NAP / SR-198/ 2012 dated 02.03.2013 in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.

It appears that by and under Deed of Conveyance dated 05.03.2013 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 1403/2013 Harishchandra Vithal Bhoir and three others sold and conveyed the said property to M/s. Tharwani Realty and the name of the said M/s. Tharwani Realty in the records of rights as evidenced by mutation entry No. 1437 in respect of Survey No. 133 Hissa No. 1 admeasuring 16000 sq. metres.

It appears that by and under the Deed of Conveyance dated 23.10.2008 said Shri Ramesh Vithal Bhoir and others sold and conveyed the said property to Shri Ravindra Kanhu Karale and the said deed is registered at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under serial No.4811/2008 in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres.

It further appears that by and under Agreement for Sale dated 24.09.2012 registered at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under serial No.4973/2012 the said Shri Ravindra Kanhu Karale agreed to sell the said property to M/s. Tharwani Realty and in pursuance thereof also granted the Power of Attorney in favour of M/s. Tharwani Realty and the same is also registered at the office of Sub-Registrar of Assurances at Ulhasnagar-3 under serial No. 4974/2012 in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres.

It further appears that by and under Deed of Conveyance dated 25.09.2012 registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No.4975/2012 said Shri Ravindra Kanhu Karale sold and conveyed the said property to M/s. Tharwani Realty and in pursuance thereof the name of M/s. Tharwani Realty stood mutated in the records of right as Owner thereof in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres.

It further appears that the necessary building permission is granted by Ambarnath Municipal Council under No.ANP / NRV / BP / 12 -13 / 671/ 2170 -59 dated 21.09.2012 and said property is converted to non agricultural use under the permission granted by the Collector, Thane under No. Mahasul / K-1/T-14/NAP / SR (110/10)/ 192/ 2011 dated 27.01.2012 in respect of Survey No. 133 Hissa No. 1A admeasuring 4000 sq. metres

It appears that on completion of Building Type B1, C1, C2, B2 and A M/s. Tharwani Realty followed the requisite procedure and obtained the Building Completion Certificate from Ambarnath Municipal Council bearing No. AMP/NRV/16-17/29 dated 13.04.2016 and further on completion of Building Type G and F obtained Building Completion Certificate bearing No. AMP/NRV/16-17/1288 dated 19.12.2016 in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.

It appears that a Revised Building Permission is obtained from the Ambarnath Municipal Council under No.AMP / NRV / BP / 16-17 / 537 / 8636 / 26 dated 27.07.2016 in respect of construction of Building Type D1 & D2, E1 and E2 in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.

It appears that a Revised Building Permission is obtained from the Ambarnath Municipal Council under No.AMP / NRV / BP / 17-18 / 452 / 8746/ 30 dated 26.05.2017 in respect of Building Type A1, F, H1, H2, G1, B1, B2, C1, C2, G, D1, D2, E1, E2 in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.

It appears that a Deed of Declaration dated 14.07.2017 under section 2 of Maharashtra Apartment Ownership Act, 1970 is registered at the office of Sub-Registrar of Assurances at Ulhasnagar - 3 under serial No. 7644/2017 and the development on the said property is governed under the provisions of the said Act in respect of Survey No. 133 Hissa No. 1 and Survey No. 133 Hissa No. 1A totally admeasuring 20000 sq. metres.

It appears that the said M/s Tharwani Realty in accordance with the above referred sanctioned plans and permission is well and sufficiently entitled to develop the said property and to sell the flats/shops/units to intending purchasers in the constructed building as well as the proposed buildings.

On going through the 7/12 extract in respect of Survey No. 133/1 there appears an entry of notice of lis-pendens stating that a Special Civil Suit No.11/2013 is pending in the Court of Civil Judge (S.D.) Kalyan in respect of land admeasuring 4000 sq. metres out of 7240 sq. metres belonging to Vasudev Vithal Bhoir and that the said lis-pendens has no bearing to the land admeasuring 16000 sq. metres standing in the name of M/s. Tharwani Realty nor M/s. Tharwani Realty is a party to the said suit.

I have also gone through the search report taken at the office of Sub-Registrar of Assurances at Ulhasnagar and the same does not reveal any entry, which may fall in the category of encumbrances over the said property.



(S.D. Jallawar)
Advocate