

MARK D'MELLO

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Vile Parle Chamber:

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Dixit Road, Off Shradhanand Rd.,
Near Thakkar Hall, Vile Parle (E),
Mumbai - 400 057.

Telefax : 2610 4636 / 7

Ref. No.:

Date: 26th March, 2024

To:-

MahaRERA,

Mumbai Headquarters,

6th & 7th Floor, Housefin Bhavan,

Plot No: C - 21, E - Block,

Bandra Kurla Complex,

Bandra (East), Mumbai 400051.

LEGAL TITLE REPORT

Sub:- Title Clearance Certificate with respect to **ALL THOSE** pieces and parcels of lands, grounds, hereditaments and premises bearing (1) S/H.114/1/A/2/1/1/A corr. to City Survey No.942/A/1/2 admeasuring 773.90 square meters, (2) S/H.114/2 corr. to City Survey No.930 admeasuring 1,982.80 square meters (3) S/H.115/1/3 (part) corr. to City Survey No.931-C admeasuring 340.70 square meters, and (4) S/H.115/1/2 (part) corr. to City Survey No.929D admeasuring 700 square meters, totally admeasuring **3797.40 square meters** or thereabouts as per Property Register Card situate, lying and being in the revenue village of Eksar, Taluka Borivali, Mumbai Suburban District and otherwise situated at near C.P. Goenka International School, I. C. Colony, Borivali (West), Mumbai 400 103 and in the Registration District of Mumbai Suburban at Borivali and within the limits of the Municipal Corporation of Greater Mumbai (hereinafter collectively referred to as "**the said Property**").

A. We have investigated the title of **M/s. ROMELL REAL ESTATE PRIVATE LIMITED** (hereinafter referred to as "**the Owner**") a company incorporated under the Companies Act, 1956 having its registered office at 101, First Floor, Gharkul CHS, Wing-B, Azad Road, Vile Parle (East),



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Mumbai 400 057 and corporate office at 'Prius Infinity', 4th Floor, Subhash Road, Vile Parle (East), Mumbai 400 057 and following documents i.e.:-

1) **DESCRIPTION OF THE SAID PROPERTY:**

ALL THOSE pieces and parcels of land, ground hereditaments and premises bearing **(1)** S/H.114/1/A/2/1/1/A corr. to City Survey No.942/A/1/2 admeasuring 773.90 square meters, **(2)** S/H.114/2 corr. to City Survey No.930 admeasuring 1,982.80 square meters **(3)** S/H.115/1/3 (part) corr. to City Survey No.931-C admeasuring 340.70 square meters, and **(4)** S/H.115/1/2 (part) corr. to City Survey No.929D admeasuring 700 square meters, totally admeasuring **3797.40 square meters** or thereabouts as per Property Register Card situate, lying and being in the revenue village of Eksar, Taluka Borivali, Mumbai Suburban District and otherwise situated at near C.P. Goenka International School, I. C. Colony, Borivali (West), Mumbai 400 103 and in the Registration District of Mumbai Suburban at Borivali and within the limits of the Municipal Corporation of Greater Mumbai and bounded by as under :-

On or towards the North : Partly by 13.40 meter wide DP Road (CTS 929C), CTS 929A & 942/A/2
On or towards the South : CTS No. 942/A/1/1
On or towards the East : CTS No. 942/A/2 & 931A
On or towards the West : CTS No. 942/A/2, 613B

2) **THE DOCUMENTS OF TITLE OF SAID PROPERTY**

(i) **Document of Title of City Survey No. 942/A/1/2**

- (a) Deed of Conveyance dt. 7th March, 1979
- (b) Deed of Confirmation dt. 3rd January, 2006
- (c) Deed of Conveyance dt. 31st July, 2018

(ii) **Document of Title of City Survey No.931-C**

- (a) Deed of Conveyance dt. 12th May, 2016
- (b) Deed of Conveyance dt. 1st September, 2020


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(iii) Document of Title of City Survey No.930

- (a) Deed of Release dt. 11th October, 2005
- (b) Release Confirmation Deed dt. 2nd January, 2015
- (c) Deed of Ratification-cum-Rectification dt. 27th May, 2021
- (d) Deed of Ratification-cum-Rectification dt. 20th March, 2021
- (e) Deed of Ratification-cum-Rectification dt. 20th March, 2021
- (f) Deed of Ratification-cum-Rectification dt. 27th March, 2021
- (g) Deed of Ratification-cum-Rectification dt. 14th October 2022
- (h) Deed of Conveyance dt. 10th October, 2023

(iv) Document of Title of City Survey No.929D

- (a) Indenture of Conveyance dt. 29th July, 1995
- (b) Indenture of Conveyance dt. 29th September, 2007
- (c) Indenture of Conveyance dt. 22nd July, 2008
- (d) Indenture of Conveyance dt. 22nd May, 1995
- (e) Indenture of Conveyance dt. 29th September, 2007
- (f) Indenture of Conveyance dt. 22nd July, 2008

3) PROPERTY REGISTER CARD and MUTATION ENTRIES
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We have perused the Property Register Card (PRC) and the Mutation Entries and we have not found any encumbrance to the said Property.

4) SEARCH REPORT

We have also taken the necessary search with the concerned Sub-Registrar of Assurances from the last 30 years, and we have not found any encumbrance to the said Property.



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5) **PUBLIC NOTICE**

We have issued Public Notice in the newspapers, "The Free Press Journal" in English and "Navshakti" in Marathi and "Mumbai Samachar" in Gujarati all published on 9th March, 2024 calling from the public-at-large for objections and claims, if any, in respect of the said Property. We have not received any objections or claims in reply to the said public notices.

B. On perusal of the above-mentioned documents and all other relevant documents relating to the title of the said Property, we are of the opinion that **M/s. ROMELL REAL ESTATE PRIVATE LIMITED** has a clear and marketable title to the said Property.

Sr. No.	Owner of the Land	CTS No.	Area (square meters)
1.	Romell Real Estate Pvt. Ltd.	942/A/1/2	773.90
2.	Romell Real Estate Pvt. Ltd.	930	1,982.80
3.	Romell Real Estate Pvt. Ltd.	931-C	340.70
4.	Romell Real Estate Pvt. Ltd.	929D	700.00

C. The report reflecting the flow of the title of the said Property is enclosed herewith as Annexure A.



(Mark D'Mello)
Advocate, High Court

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Place: Mumbai

Date: 26th March, 2024

Encl: Annexure A :- Flow of Title of the said Property

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Annexure A

Vile Parle Chamber:

101, Rose Residency, 1st Floor,
Dixit Road, Off Shradhanand Rd.,
Near Thakkar Hall, Vile Parle (E),
Mumbai - 400 057.

Telefax : 2610 4636 / 7

Ref. No.:

Date: 26th March, 2024

I. FLOW OF TITLE OF THE SAID PROPERTY

We have investigated the title of **M/s. ROMELL REAL ESTATE PRIVATE LIMITED** (hereinafter referred to as "**the Owner**"), a company incorporated under the Companies Act, 1956 having its registered office at 101, First Floor, Gharkul CHS, Wing-B, Azad Road, Vile Parle (East), Mumbai 400 057 and corporate office at 'Prius Infinity', 4th Floor, Subhash Road, Vile Parle (East), Mumbai 400 057 in respect of **ALL THOSE** pieces and parcels of lands, grounds hereditaments and premises bearing **(1)** S/H.114/1/A/2/1/1/A corr. to City Survey No. 942/A/1/2 admeasuring 773.90 square meters [Plot No.1], **(2)** S/H.114/2 corr. to City Survey No.930 admeasuring 1,982.80 square meters [Plot No.2], **(3)** S/H.115/1/3 (part) corr. to City Survey No.931-C admeasuring 340.70 square meters [Plot No.3] and **(4)** S/H.115/1/2 (part) corr. to City Survey No.929D admeasuring 700 square meters [Plot No.4], totally admeasuring **3797.40 square meters** or thereabouts as per Property Register Card situate, lying and being in the revenue village of Eksar, Taluka Borivali, Mumbai Suburban District and otherwise situated at near C.P. Goenka International School, I. C. Colony, Borivali (West), Mumbai 400 103 and in the Registration District of Mumbai Suburban at Borivali and within the limits of the Municipal Corporation of Greater Mumbai (hereinafter collectively referred to as "**the said Property**") and our findings are as under :-

(A) Root of Title of land bearing CTS No.942/A/1/2
(hereinafter referred to as "the said Plot No.1"):-

1. From the revenue records it is seen that one Mr. Ramchandra Dharmaji Patil was, *inter alia*, the owner of the said Plot No.1.



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2. From the land revenue records and also from the Declarations recorded in the registered deeds of conveyances of the said Plot No.1, it is seen that the said Ramchandra Dharmaji Patil died intestate on or about 3rd March, 1996 leaving behind (1) Sunderabai Ramchandra Patil (wife), (2) Jayshree Waman Mhatre (married daughter), (3) Pramila Ratilal Raut (married daughter) and (4) Gangaram Ramchandra Patil (son) as his only heirs and legal representatives and next-of-kin as per the Hindu Succession Act, 1956 by which he was governed at the time of his death. By virtue of inheritance the name of the legal heirs of the said Ramchandra Dharmaji Patil was recorded in the record of rights of the said Plot No.1 vide Mutation Entry No. 4774 date 11th August, 1998.
3. It is seen that prior to the death of the said Ramchandra Dharmaji Patil, he had, vide Deed of Conveyance dated 7th March, 1979, sold, transferred and conveyed the said Plot No.1 in favour of (1) Anchidevi Devichandji Jain & (2) Ashok Devichandji Jain for valuable consideration more particularly set out therein.
4. It is seen that the said Deed of Conveyance dated 7th March, 1979 was duly adjudicated by the Collector of Stamps under Case No. 3943/D/11893 on 13th December, 2005 and stamp duty in the sum of Rs.8,000/- with penalty of Rs.16,000/- was paid on the said Deed of Conveyance after which the same was duly registered vide a Deed of Confirmation dated 3rd January, 2006 duly registered with the Sub-Registrar of Assurances at Borivali No.6 bearing Registration Sr. No.BDR-12/23/2006 made between the aforesaid legal heirs of the said Ramchandra Dharmaji Patil viz., (1) Sunderabai Ramchandra Patil, (2) Jayshree Waman Mhatre, (3) Pramila Ratilal Raut and (4) Gangaram Ramchandra Patil, therein called 'the Vendors' of the One Part and the said (1) Anchidevi Devichandji Jain & (2) Ashok Devichandji Jain, therein called the 'the Purchasers' of the Other Part, wherein the aforesaid legal heirs of Ramchandra Dharmaji Patil ratified and confirmed


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the said Deed of Conveyance dated 7th March, 1979 executed by the said Ramchandra Dharmaji Patil in favour of the said (1) Anchidevi Devichandji Jain & (2) Ashok Devichandji Jain.

5. By virtue of the said Deed of Conveyance dated 7th March, 1979 read with Deed of Confirmation dated 3rd January, 2006 the said (1) Anchidevi Devichandji Jain & (2) Ashok Devichandji Jain became the sole and absolute owners of the said Plot No.1 and their names were recorded as owners thereof in the Record of Rights (7/12 Extract) of the said Plot No.1 vide Mutation Entry No.4912 dated 15th January, 2006.
6. From the land revenue records it is seen that the said Anchidevi Devichandji Jain died intestate on or about 29th January, 2012 leaving behind her only son, Ashok Devichandji Jain as her only heir and legal representative and next-of-kin as per the Hindu Succession Act, 1956 by which she was governed at the time of her death and in pursuant thereto the name Ashok Devichandji Jain was recorded as the sole owner in the Record of Rights of the said Plot No.1 vide Mutation Entry No.5499 dated 9th March, 2018.
7. It is seen that by a Deed of Conveyance dated 31st July, 2018 duly registered with the Sub-Registrar of Assurances at Borivali No.4 under registration serial number BRL-4-11260/2018, the said Ashok Devichandji Jain sold, transferred and conveyed the said Plot No.1 unto and in favour of the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more particularly set out in the said Deed of Conveyance dated 31st July, 2018.
8. In pursuance of the said Deed of Conveyance dated 31st July, 2018 the name of, M/s. Romell Real Estate Private Limited is recorded as owner thereof in the Record of Rights of the said Plot No.1 vide Mutation Entry No.5531 dated 23rd October, 2018. However, the Property Register Card of the said Plot No.1 is shown as Agricultural Tenue, the name of the Owner/Kabjedar is


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therefore will not be recorded thereon until tenure is changed to NA.

(B) Root of Title of land bearing CTS No. 930 (hereinafter referred to as "the said Plot No.2"):-

1. From the land revenue records, it is seen that one Shri Gopal Kamlya Patil alias Agari (hereinafter called "**Gopal Kamlya Patil**") was, inter alia, the owner of the said Plot No.2.
2. As per Mutation Entry No. 325 dated 28th July, 1932 of Village Eksar, it is seen that one Sukur Pandu alias Agari was the owner/kabjedar of the said Plot No.2 as recorded in the Akarphod Patrak dated 22nd October, 1929 maintained by the District Inspector of Land Records, Andheri.
3. As per Mutation Entry No.395 dated 20th April, 1935, it is seen that vide Kharedi Khat (Deed of Conveyance) dated 13th November, 1933 the said Gopal Kamlya Patil had purchased the said Plot No.2 from the erstwhile owner, the said Sukur Pandu alias Agari for consideration of Rs.100/-.
4. From the land revenue records as well as from the declarations and representations recorded in the various registered documents viz., deeds of release, deed of ratification cum rectifications and deed of conveyance as narrated below, it is seen that the said Gopal Kamlya Patil died intestate in or about the month of October, 1958, leaving behind his 5 sons viz., (1) Mukund Gopal Patil, (2) Shankar Gopal Patil, (3) Hira alias Hiraji Gopal Patil, (4) Namdeo Gopal Patil and (5) Damodar Gopal Patil as his only heirs, legal representatives and next-of-kin and none else as per Section 8(a) of the Hindu Succession Act, 1956 under which he was governed at the time of his death. By virtue of inheritance each son of Gopal Kamlya Patil become entitled to 1/5th undivided share each in the said Plot No.2 and their names were mutated in the record of rights of the said Plot No.2 vide Mutation Entry No. 2097 dated 14th May, 1959.


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1/5th Share of Mukund Gopal Patil

5. It is seen that the said **Mukund Gopal Patil** died intestate on or about 10th October, 1962 and his widow, Parvatibai Mukund Patil also died intestate on or about 7th June, 1970, leaving behind (1) Harishchandra Mukund Patil (son) (*since deceased*), (2) Pandurang Mukund Patil (son) (*since deceased*), (3) Sudhakar Mukund Patil (son), (4) Anusaya Ganpat Chaudhary (married daughter) (*since deceased*) and (5) Kumudini Mahendra Patil (married daughter), as their only legal heirs and next-of-kin as per Hindu Succession Act, 1956. Thus, each of the 5 children of Mukund Gopal Patil became entitled to 1/25th undivided share, right, title and interest in the said Property and accordingly their names were mutated in the record of rights of the said Property vide Mutation Entry No. 4451 dated 4th September, 1980
6. The said Harishchandra Mukund Patil died on or about 6th December, 2005 leaving behind (1) Sunanda alias Hemlata Harishchandra Patil (widow), (2) Jagdish Harishchandra Patil (son) and (3) Pratishta Pradeep Garge nee Bhavna Harishchandra Patil (married daughter), as his only legal heirs and next-of-kin as per Hindu Succession Act, 1956.
7. The said Pandurang Mukund Patil died on or about 26th March, 2015 and his widow, Manda Pandurang Patil died on or about 20th May, 2016 leaving behind (1) Hemant Pandurang Patil (son), (2) Urmila Harishchandra Patil (married daughter), (3) Smt. Nalini Ramchandra Mhatre (married daughter) and (4) Jayprakash Pandurang Patil (son), as their only legal heirs and next-of-kin as per Hindu Succession Act, 1956.
8. The said Anusaya Ganpat Chaudhary died on or about 30th October, 2002 leaving behind (1) Ganpat Mahadev Chaudhary (husband), (2) Arun Ganpat Chaudhary (son), (2) Govardhan Ganpat Chaudhary (son), (3) Nayana Padman Patil (married daughter) and (4) Hemlata Vasant Patil (married daughter), as


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her only legal heirs and next-of-kin as per Hindu Succession Act, 1956.

1/5th Share of Shankar Gopal Patil

9. It is seen that the said **Shankar Gopal Patil** died intestate on or about 23rd October, 1978 and his wife, Smt. Laxmibai Shankar Patil also died intestate on or about 7th September, 1980 leaving behind 3 sons and 1 daughter viz., (1) Manohar Shankar Patil (*since deceased*), (2) Vishnu Shankar Patil (*since deceased*), (3) Vishwanath alias Vinayak Shankar Patil, (4) Smt. Hirabai Govind Mhatre alias Patil (*since deceased*) as their only heirs, legal representatives and next-of-kin as per Hindu Succession Act, 1956; Thus each of the 4 children of Shankar Gopal Patil became entitled to 1/20th undivided share, right, title and interest in the said Property and accordingly their names were mutated in the record of rights of the said Property vide Mutation Entry No.4451 dated 4th September, 1980.
10. The said Manohar Shankar Patil died intestate on or about 7th August, 2008 leaving behind his widow, 2 sons and 1 daughter viz., (1) Smt. Jayashri Manohar Patil, (2) Amit Manohar Patil, (3) Rupesh Manohar Patil and (4) Smt. Shobha Nilesh Patil, as his only legal heirs and next-of-kin as per Hindu Succession Act, 1956.
11. The said Vishnu Shankar Patil died intestate on or about 21st February, 2008 leaving behind his widow, 1 son and 2 daughters viz., (1) Smt. Vasundhara Vishnu Patil, (2) Bhushan Vishnu Patil, (3) Devyani Deepak Bhoir and (4) Maya Sunil Kudu, as his only legal heirs and next-of-kin as per Hindu Succession Act, 1956.
12. The said Hirabai Govind Mhatre alias Patil died intestate on or about 20th November, 2010 and her husband has predeceased her leaving behind daughter viz., Jaymala Tulsidas Patil, as her only legal heir and next-of-kin as per Hindu Succession Act, 1956.


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1/5th Share of Hira alias Hiraji Gopal Patil

13. It is seen that the said **Hira alias Hiraji Gopal Patil** died intestate on or about 4th June, 1960 and his wife, Smt. Kamlibai Hiraji Patil, predeceased him, leaving behind 3 sons and 2 daughters, viz., (1) Kamalakar Hiraji Patil (*since deceased*), (2) Sadanand Hiraji Patil (*since deceased*), (3) Nandkumar alias Nandu Hiraji Patil (*since deceased*), (4) Hausa Laxman Mhatre and (5) Radhabai alias Rajani Tanaji Patil (*since deceased*), as their only legal heirs and next-of-kin as per Hindu Succession Act, 1956. Thus, each of the 5 children of Hira alias Hiraji Gopal Patil became entitled to 1/25th undivided share, right, title and interest in the said Plot No.2.
14. The said Kamalakar Hiraji Patil died intestate on or about 29th September, 2011 leaving behind his widow, 1 son and 2 daughters, viz., (1) Narmada Kamalakar Patil, (2) Milan Kamalakar Patil, (3) Vanita alias Vaneeta Mahendra Mhatre and (4) Bharati Ashok Karbhari, as his only legal heirs and next-of-kin as per Hindu Succession Act, 1956.
15. The said Sadanand Hiraji Patil died intestate on or about 22nd October, 2017, and his wife Smt. Prabhavati Sadanand Patil predeceased him in or about the year 2005 leaving behind their children, viz., (1) Bhalchandra Sadanand Patil (*since deceased*), (2) Jotsna alias Jyostna Rajesh Patil and (3) Shashikant Sadanand Patil, as their only legal heirs and next-of-kin as per Hindu Succession Act, 1956. The said Bhalchandra son of Sadanand Patil was a bachelor and died intestate on or about 20th February, 2009.
16. The said Nandkumar alias Nandu Hiraji Patil died intestate on or about 19th June, 1987 leaving behind his widow and 2 sons, viz., (1) Yamuna Nandkumar alias Nandu Patil, (2) Santosh Nandkumar alias Nandu Patil and (3) Mangesh Nandkumar alias



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Nandu Patil, as his only legal heirs and next-of-kin as per Hindu Succession Act, 1956.

17. The said Radhabai alias Rajani Tanaji Patil died intestate on or about 20th June, 2008 and her husband, viz., Tanaji Sudam Patil also died intestate on or about 9th December, 2009 leaving behind 2 sons and 1 daughter, viz., (1) Kishor Tanaji Patil, (2) Rajesh Tanaji Patil and (3) Smt. Pratiksha Murlidhar Rajhans, as their only legal heirs and next-of-kin as per Hindu Succession Act, 1956.

1/5th Share of Namdeo Gopal Patil

18. It is seen that the said **Namdeo Gopal Patil** died intestate on or about 27th April, 1986 leaving behind his widow and 6 children viz., (1) Jayantibai Namdeo Patil, (2) Kesarinath alias Ashok Namdeo Patil, (3) Swati Subhash Patil, (4) Pratibha Pandharinath More, (5) Shobha Bhalchandra Mali, (6) Vidya Vasant Kini and (7) Narsinh Namdeo Patil, as his only heirs, legal representatives and next-of-kin as per Hindu Succession Act, 1956. Thus the wife and 6 children of Namdeo Gopal Patil, each became entitled to 1/35th undivided share, right, title and interest in the said Property and accordingly their names were mutated in the record of rights of the said Property vide Mutation Entry No.5321 dated 12th January, 2015.
19. It is seen that Jayantibai Namdeo Patil died intestate on or about 28th September, 2020 leaving behind aforesaid legal heirs.

1/5th Share of Damodar Gopal Patil

20. It is seen that the said **Damodar Gopal Patil** died intestate on or about 14th August, 1973 and his widow Jamnabai Damodar Patil also died intestate on or about 23rd November, 1973, leaving behind 1 son and 4 daughters, viz., (1) Shri Avinash Damodar Patil, (2) Smt. Dwarkabai Kamlakar Patil, (3) Smt. Kusum Raghunath Mhatre (*since deceased*), (4) Smt. Sushila Tulsidas



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alias Tulshiram Bhoir, and (5) Smt. Gangabai Baburao Patil, as their only heirs, legal representatives and next-of-kin as per Hindu Succession Act, 1956; Thus each of the 5 children of Damodar Gopal Patil became entitled to 1/25th undivided share, right, title and interest in the said Plot No.2 and accordingly their names were mutated in the record of rights of the said Plot No.2 vide Mutation Entry No.4451 dated 4th September, 1980.

21. The said Kusum Raghunath Mhatre died intestate on or about 3rd December, 2010 and her husband Shri Raghunath Bhau Mhatre predeceased her intestate on or about 7th July, 2003, leaving behind her 2 daughters viz., (1) Smt. Vijaya Vinayak Patil and (2) Smt. Hema Tukaram Bhoir, as her only heirs, legal representatives and next-of-kin as per Hindu Succession Act, 1956.
22. In the above circumstances, the legal heirs of (1) Mukund Gopal Patil, (2) Shankar Gopal Patil, (3) Hira alias Hiraji Gopal Patil, (4) Namdeo Gopal Patil and (5) Damodar Gopal Patil as described in clause 3 (a), (b), (c), (d) & (e) above became sufficiently entitled to the said Plot No.2 by virtue of inheritance and the aforesaid persons are hereinafter for brevity's sake collectively referred to as "the LR's of Gopal Kamlya Patil".
23. That one of the LR's of Gopal Kamlya Patil viz., Narsinh Namdeo Patil who had inherited 1/35th, that is, 2.85 % share, right, title and interest in the said Plot No.2, subsequently acquired 100 % ownership to the said Plot No.2 by virtue of Deed of Release dated 11th October, 2005 read with Release Confirmation Deed dated 2nd January, 2015 duly registered with the Joint Sub-Registrar of Assurances at Borivali No.7, Mumbai Suburban District under Sr. No.BRL-7/51/2015 dated 2nd January 2015 the legal heirs of (1) Mukund Gopal Patil, (2) Shankar Gopal Patil, (3) Hira alias Hiraji Gopal Patil, (4) Namdeo Gopal Patil and (5) Damodar Gopal Patil in favour of Narsinh Namdeo Patil.


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24. The said Deed of Release dated 11th October, 2005 read with Release Confirmation Deed dated 2nd January, 2015 came to be ratified vide 5 separate Deeds of Ratification-cum-Rectification viz., **(1)** Deed of Ratification-cum-Rectification dated 27th May, 2021 duly registered with the Sub-Registrar of Assurances at Borivali No.4 bearing registration No.BRL-4/6632/2021 executed by the legal heirs of Mukund Gopal Patil, **(2)** Deed of Ratification-cum-Rectification dated 20th March, 2021 duly registered with the Sub-Registrar of Assurances at Borivali No.4 bearing registration No.BRL-4/4468/2021 executed by the legal heirs of Shankar Gopal Patil, **(3)** Deed of Ratification-cum-Rectification dated 20th March, 2021 duly registered with the Sub-Registrar of Assurances at Borivali No.4 bearing registration No. BRL-4/4456/2021 by the legal heirs of Hira alias Hiraji Gopal Patil, **(4)** Deed of Ratification-cum-Rectification dated 27th March, 2021 duly registered with the Sub-Registrar of Assurances at Borivali No.4 bearing registration No. BRL-4/4950/2021, the legal heirs of Damodar Gopal Patil and **(5)** Deed of Ratification-cum-Rectification dated 14th October 2022 duly registered with the Sub-Registrar of Assurances at Borivali No.7 bearing registration No. BRL-7/14059 of 2022, the legal heirs of Namdeo Gopal Patil whereby they have ratified the said Deed of Release dated 11th October, 2005 and also the Release Confirmation Deed dated 2nd January, 2015 unto and in favour of the said Narsinh Nameo Patil and have confirmed that the said Narsinh Nameo Patil is the sole and absolute owner of the said Plot No.2 and his name recorded in the Record of Rights (7/12 Extract) of the said Plot No.2 vide Mutation Entry No. 5321 dated 12th January, 2015.
25. It is seen that by a Deed of Conveyance dated 10th October, 2023 duly registered with the Sub-Registrar of Assurances at Borivali No.6 under registration serial number BRL-6/21408/2023, the said Narsinh Namdeo Patil sold, transferred and conveyed the Plot No.2 in favour of the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more


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particularly set out in the said Deed of Conveyance dated 10th October, 2023.

26. In pursuance of the said Deed of Conveyance dated 10th October, 2023 the name of, M/s. Romell Real Estate Private Limited is recorded as owner thereof in the Record of Rights of the said Plot No.2 vide Mutation Entry No.5781 dated 29th December, 2023. However, the Property Register Card of the said Plot No.2 is shown as Agricultural Tenue, the name of the Owner/Kabjedar is therefore will not be recorded thereon until tenure is changed to NA.

(C) **Root of Title of land bearing CTS No.931-C (hereinafter referred to as "the said Plot No.3"):-**

1. The said Gopal Kamlya Patil, who was the original owner of Plot No.2 (CTS No.930) recorded above was also the original owner of Plot No.3 (CTS No.931-C).
2. Both lands bearing Plot No.2 & 3 are affected by Mutation Entry No.2097 dated 14th May, 1959 which record the names of the 5 sons of Gopal Kamlya Patil, viz., (1) Mukund Gopal Patil, (2) Shankar Gopal Patil, (3) Hira alias Hiraji Gopal Patil, (4) Namdeo Gopal Patil and (5) Damodar Gopal Patil.
3. Insofar as Plot No.3 is concerned, the LR's of Gopal Kamlya Patil eventually became the owners thereof by virtue of inheritance as narrated in the matter of Plot No.2 above.
4. It is seen that the LR's of Gopal Kamlya Patil by an Agreement of Development dated 14th October, 2005 duly registered with the Sub-Registrar of Assurances at Borivali No.5 under registration serial no. BDR-11/6857/2005 granted development rights of, *inter alia*, the said Plot No.3 in favour of M/s. Asmita Enterprises (Developer) for the valuable consideration as more particularly set out in the said Agreement of Development dated 14th October, 2005. In pursuance to the said Agreement of Development dated


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14th October, 2005 the LRs of Gopal Kamlya Patil also executed a Power of Attorney also dated 14th October, 2005 duly registered with the Sub-Registrar of Assurances at Borivali No.5 under registration serial no. BDR-11/6858/2005 in favour of M/s. Asmita Enterprises conferring upon them, inter alia, right to convey and/or grant sub-development of *inter alia* the said Plot No.3.

5. The said M/s. Asmita Enterprises in turn granted the sub-development rights of *inter alia* the said Plot No.3 to M/s. Shubhivan Builders Pvt. Ltd., vide Development Agreement dated 25th September, 2007 duly registered with the Sub-Registrar of Assurances at Borivali No.5 under registration serial no. BDR-11/9435/2007 for the valuable consideration as more particularly set out therein.
6. It is seen that the said Plot No.3 was forming a part of a larger land bearing S/H 115/1/3 corresponds to CTS 931 adm. 3123.40 square meters. That vide Subdivision Order issued by the Collector, Mumbai Suburban District br. ref. no. C/Karya-7A/LND/Povi/SR-4384 dated 8th June, 2009, the said larger land bearing CTS 931 sub-divided into 8 plots and City Survey Authorities assigned new CTS numbers as under :-

Sub-division

CTS No. 931 Area 3123.40 sqm.

Sr.	Plot No.	Area (sqm)	Reservation
1.	931/A	1545.10	Residential
2.	931/B	408.50	DP Road
3.	931/C	340.70	New Primary School
4.	931/D	9.40	DP Road
5.	931/E	667.50	DP Road
6.	931/F	6.20	Residential
7.	931/G	11.00	Residential
8.	931/H	135.00	Residential
	Total	3123.40	


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7. In pursuance to the sub-division of City Survey No.931 as aforesaid the said Plot No.3 is now bearing City Survey No.931/C adm. 340.70 square meters.
8. It is seen that the said Plot No.3 was taken out of the purview and scope of Development Agreement dt.25th September, 2007. That there arose a dispute between Asmita & Shubhjivan, which dispute stood resolved and Supplementary Agreement dated 25th September, 2014 duly registered with the Sub-Registrar of Assurances at Borivali No.3 under registration serial no. BRL-3/5189/2014 was executed between M/s. Asmita Enterprises and M/s. Shubhjivan Builders Pvt. Ltd., recording amicable settlement of dispute, wherein Shubhjivan released, surrendered and gave up all their right, title and interest under Development Agreement dated 25th September, 2007 (BDR-11/9435/2007) in respect of land *inter alia* the said Plot No.3 br. (i) S/H No. 115-1/3 CTS 931 adm. 3123.40 sqm unto and in favour of Asmita.
9. In pursuance to the aforesaid settlement, *inter alia* the said Plot No.3 br. (i) S/H No. 115-1/3 CTS 931 adm. 3123.40 square meters came out of purview of the said Development Agreement 25th September, 2007 and become entitlement of the said Asmita, who absolutely and exclusively become entitled to develop, *inter alia*, the said Plot No.3 br. (i) S/H No. 115-1/3 CTS 931 adm. 3123.40 together with the benefit of sanctioned plan, IOD & CC together with FSI, TDR, Fungible FSI, the FSI or benefit in respect of setback area and all the FSI/area etc.
10. It is seen that the LRs of Gopal Kamlya Patil in confirmation with M/s. Asmita Enterprises vide Deed of Conveyance dated 12th May, 2016 duly registered with the Sub-Registrar of Assurances at Borivali No.3 under registration serial no. BRL-3/3805/2016 sold, transferred and conveyed the said Plot No.3 admeasuring 340.70 square meters in favour of one Chitra Bhandari, for the valuable consideration as more particularly set out in the said Deed of Conveyance dated 12th May, 2016.



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11. It is seen that subsequently, the said Chitra Bhandari vide Deed of Conveyance dated 1st September, 2020 duly registered with the Sub-Registrar of Assurances at Borivali-2 under registration no. BRL-2/5883/2020 sold, transferred and conveyed the said Plot No.3 admeasuring 340.70 square meters unto and in favour the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more particularly set out in the said Deed of Conveyance dated 1st September, 2020.
12. The name of the owner is yet to be mutated in the record of rights of the said Plot No.3.

(D) Root of Title of land bearing CTS No.929D (hereinafter referred to as "the said Plot No.4"):-

1. The Owner herein was the owner of, inter alia, a larger land bearing (1) Survey No.115 Hissa No.1/1 corresponding to City Survey No.928 admeasuring 1568.11 square meters (hereinafter referred to as "**CTS 928**") and (2) Survey No.115, Hissa No.1/2 corresponding to City Survey No.929 (part) admeasuring 1626.87 square meters (hereinafter referred to as "**CTS 929**") of Village Eksar, Taluka Borivali, MSD.

Flow of title of CTS 928

2. It is seen that (1) Chandribai Atmaram Patil, (2) Naresh Atmaram Patil, (3) Chandrakant Atmaram Patil, (4) Smt. Kamal Krishna Thakur and (5) Smt. Nanda Chandrakant Patil were the original owners of CTS 928.
3. It is seen that Indenture of Conveyance dated 29th July, 1995 registered with the Sub-Registrar of Assurances at Borivali, M.S.D. bearing Serial No.BDR-2/4616/1995, the said Chandribai Atmaram Patil and others sold, transferred and conveyed CTS 928 in favour of (1) Kasim Shabaz Khan, (2) Soheli K. Khan, (3) Jagdish C. Dhabalia and (4) Rajen J. Dhabalia, for the valuable



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consideration as more particularly set out in the said Indenture of Conveyance dated 29th July, 1995.

4. It is seen that the said Kasim Shabaz Khan died on 27th January, 2003 and his widow, Smt. Rehana Kasim Khan died on or about 16th August, 2005, leaving behind, two sons (1) Sohel K. Khan, and (2) Ahsan K. Khan and married daughters (1) Mrs. Farzana N. Khan, (2) Mrs. Shabana W. Khan, (3) Mrs. Reshma A. Khan and (4) Mrs. Nazma M. Khan as his heirs and legal representatives and none else (hereinafter referred to as "**the legal heirs of Kasim S. Khan**").
5. It is seen that by an Indenture of Conveyance dated 29th September, 2007, registered with the Sub-Registrar of Assurances at Borivali, M.S.D. bearing Serial No.BDR-2/6882/2007 the said (1) Jagdish C. Dhabalia and (2) Rajen J. Dhabalia holding 50% undivided share in CTS 928, sold, transferred and conveyed their 50% undivided share in CTS 928 in favour of the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more particularly set out in the said Indenture of Conveyance dated 29th September, 2007.
6. Similarly, it is seen that by an Indenture of Conveyance dated 22nd July, 2008, registered with the Sub-Registrar of Assurances at Borivali, M.S.D. bearing Serial No.BDR-12/5870/2008 the said Sohel K. Khan and the legal heirs of Kasim S. Khan, holding the balance 50% undivided share in CTS 928, sold, transferred and conveyed their 50% undivided share in CTS 928 in favour of the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more particularly set out in the said Indenture of Conveyance dated 22nd July, 2008.

Flow of title of CTS 929

7. That one Vithabai Bhaskar Patil & others were the original owners of CTS 929.


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8. It is seen that Indenture of Conveyance dated 22nd May, 1995 registered with the Sub-Registrar of Assurances at Borivali, M.S.D. bearing Serial No.BDR-2/2824/1995, the said Vithabai Bhaskar Patil & others sold, transferred and conveyed CTS 929 in favour of (1) Kasim Shabaz Khan, (2) Ahsan K. Khan, (3) Jagdish C. Dhabalia and (4) Mehul J. Dhabalia, for the valuable consideration as more particularly set out in the said Indenture of Conveyance dated 22nd May, 1995.
9. It is seen that by an Indenture of Conveyance dated 29th September, 2007, registered with the Sub-Registrar of Assurances at Borivali, M.S.D. bearing Serial No.BDR-2/6884/2007 the said (1) Jagdish C. Dhabalia and (2) Mehul J. Dhabalia holding 50% undivided share in CTS 929, sold, transferred and conveyed their 50% undivided share in CTS 929 in favour of the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more particularly set out in the said Indenture of Conveyance dated 29th September, 2007.
10. Similarly, it is seen that by an Indenture of Conveyance dated 22nd July, 2008, registered with the Sub-Registrar of Assurances at Borivali, M.S.D. bearing Serial No.BDR-12/5873/2008 the said Ahsan K. Khan and the legal heirs of Kasim S. Khan, holding the balance 50% undivided share in CTS 929, sold, transferred and conveyed their 50% undivided share in CTS 929 in favour of the Owner herein viz., M/s. Romell Real Estate Private Limited, for the valuable consideration as more particularly set out in the said Indenture of Conveyance dated 22nd July, 2008.

Amalgamation of CTS 928 & 929

11. It is seen that vide Order No.C/Desk-7A/Sub-Div/SRB-4332 dated 27th January, 2010, the Old CTS Nos.928 & 929 were amalgamated and sub-divided and are now bearing (1) New CTS No.929/A adm. 2,473.20 sq. mtrs., (2) New CTS No.929/B adm.


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135 sq. mtrs., (3) New CTS No.929/C adm. 478 sq. mtrs. and (4) New CTS No.929/D adm.700 sq. mtrs (that is, **the said Plot No.4**").

12. The Owner developed and constructed a building complex known as "Empress" on the land bearings (1) New CTS No.929/A adm. 2,473.20 sq. mtrs., (2) New CTS No.929/B adm. 135 sq. mtrs., (3) New CTS No.929/C adm. 478 sq. mtrs.
13. The Owner has retained unto itself the said Plot No.4 bearing New CTS No.929/D adm.700 sq. mtrs.
14. The name of the Owner has been recorded in the record of rights of the said Plot No.4 vide Mutation Entry No.5012 dated 13th August, 2008. However, the Property Register Card of the said Plot No.4 is shown as Agricultural Tenue, the name of the Owner/Kabjedar is therefore will not be recorded thereon until tenure is changed to NA.

II. In view of the aforesaid the Owner has become the sole and absolute owner of the said Property consisting of Plot Nos.1 to 4 above.

III. **Property Register Card** We have perused the land revenue records consisting of Property Register Card (PRC), Record of Rights (7/12 Extracts) and all the Mutation Entries (6/12 Extracts) and we have not found any encumbrance to the said Property.

IV. **Search Report** We have also taken necessary search with the concerned Sub-Registrar of Assurances from the last 30 years and we have not found any encumbrance to the said Property.

V. **Reservations:-** It is seen that as per the Development Control and Promotion Regulations, 2034 (DCPR 2034) the said Property is primarily affected by reservations for Municipal Primary School (MAP) as under :-


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Plot No.	CTS No.	Area (square meters)	Reservation
1.	942/A/1/2	773.90	Municipal Primary School (MAP)
2.	930	1,982.80	(1) Partly by MAP (1699.72 sqm) (2) Partly by Playground (115.36 sqm) (3) Partly by DP Road (167.72 sqm)
3.	931-C	340.70	Municipal Primary School (MAP)
4.	929D	700	Municipal Primary School (MAP)

VI. We have perused the original document of title of the said Property as enumerated in the Legal Title Report.

VII. Litigation:- as on date there is no litigation in respect of the said Property.

VIII. We have issued Public Notice in the newspapers, "The Free Press Journal" in English, "Navshakti" in Marathi and "Mumbai Samachar" in Gujarati all published on 9th March, 2024 calling from the public-at-large for objections and claims, if any, in respect of the said Property. We have not received any objections or claims in reply to the said public notices.

IX. In view of the aforesaid we are of the opinion that save and except for reservations as recorded in clause V above, the Owner viz., M/s. Romell Real Estate Private Limited has a clear and marketable title to the said Property.



(Mark D'Mello)
Advocates, High Court

Place: Mumbai

Date: 26th March, 2024

MARK D'MELLO
ADVOCATE, HIGH COURT