



## CIRCULAR NO. 28/2021

**To**

**Maha RERA**

### **LEGAL TITLE REPORT**

Sub: Title Clearance Certificate with respect to the land bearing Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane, admeasuring 2730 sq. Meters total plot area, upon which the project SKY AVENUE is being constructed. The said plot is situated at Revenue Village Goddev, Taluka and District Thane, within the jurisdiction of the Sub-District of Thane and the limits of the MBMC Office, Thane (hereinafter referred to as 'the said plot').

I have investigated the title of the said plot on the request of M/s Shree Balaji Infradevelopers LLP following documents i.e.: -

1) Description of the property.

- a) Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane, admeasuring 2730 sq. Meters lying being and situate at Revenue village Goddev, Bhayandar, Taluka & District Thane.

2) The documents of allotment of plot

- I. Judgment dated 13<sup>th</sup> June 2023, by Before The Joint Charity Commissioner-I Maharashtra State, Mumbai, granted the necessary permission in respect of the said Land, inter-alia, authorizing the Church to convey the said Land in its favour.



II. Conveyance Deed Dated: 28/12/2023 bearing No. TNN1-9127-2023 between said Our Lady of Nazareth Church a trust registered under the provision of Bombay Public Trust Act bearing its registration no D/32(Thane) dated 6<sup>th</sup> January, 1955, has conveyance total admeasuring area 2730 sq. Meters situated at Old Survey No 335, New Survey No 25, Hissa No 14, Village-Goddev, Tal. Thane, Dist. Thane has assigned Ownership rights of the Said Land in favour of Shri Jatin Vinodchandra Shukla proprietor of M/s Shree Developers, at and on the terms and conditions and for considerations which are more particularly described in the said Conveyance Deed.

III. Development Deed dated 4/10/2024 bearing No. TNN4-19735/2024 between said Shri Jatin Vinodchandra Shukla propreitor of M/s Shree Developers had assigned development rights to M/s Shree Balaji Infradevelopers LLP, at and on the terms and conditions and for the consideration which are more particularly described in the said Development Deed.

3) 7 /'12 extracts with mutation entry 859.

4) Search report for 30 years from 1993 till 30/11/2024.

I. 2/ - On perusal of the above-mentioned documents and all other relevant documents relating to title of the said property pertaining to the aforesaid property and CERTIFY that in my opinion the title in view of M/s Shree Balaji Infradevelopers LLP become solely entitled to carry out development in the said land,



And deal with the construction area thereon, the land is freehold private land and there have been no changes in the tenure of the land and the title of the land is clear, marketable and without any encumbrances

### **Owners of the land**

1. **Shri Jatin Vinodchandra Shukla**, bearing Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane, admeasuring 2730 sq. Meters lying being and situate at Revenue village Goddev, Bhayandar, Taluka & District Thane.

### 2) Qualifying comments/remarks if any...

- i. The name of the Estate Holder viz: - The Estate Investment Co. Pvt Ltd, is appearing in the kabjedar Column in the 7/12 Extract of the said Land and the necessary formalities of execution of Release Deed by it in favor is yet to be completed and upon execution of the Release Deed by the said Estate Investment Company Pvt Ltd.

3/- The report reflecting the flow of the title of the Owner on the said land is enclosed herewith as annexure.

Encl: Annexure.

**SWAPNIL GAWDE**

Bsclt. GDCA. LL. B

**ADVOCATE**



☎ 9167244335

☎ 8286971351

adv. sdgawde@gmail.com

(CIRCULAR- 28/2021)

FLOW OF THE TITLE OF THE SAID LAND

Sr. No.

- 1) 7 / 12 extract
- 2) Search report for 30 years from 1993 till 2024.
- 4) Any other relevant title.
- 5) Litigations if any NO.

Date: 24/01/2025

  
**SWAPNIL D. GAWDE**  
ADVOCATE HIGH COURT  
(MAH / 12603 / 2021)

35/745, Adarsh Nagar, Prabhadevi  
Mumbai - 400 030.  
Mob.: 9167244335

**FLOW OF TITLE OF THE SAID PROPERTY**

This is to certify that I have investigated the title in respect of land bearing Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane, admeasuring 2730 sq. Meters, lying being and situate at Revenue village Goddev, Taluka & District Thane, upon which the project "Sky Avenue" is being constructed and within the limits of (Mira Bhayandar Municipal Corporation) MBMC Office Thane developed by 1. M/s Shree Balaj Infradevelopers LLP (hereinafter referred as Landowner) and have to state as hereunder.

1. Originally, Our Lady of Nazareth Church (herein after referred as Church), a trust registered under the provisions of Bombay Public Trust Act bearing its Registration No. D/32(Thane) was absolutely seized and possessed of and otherwise well and sufficiently entitled to all those pieces and parcels of land Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane, admeasuring 2730 sq. Meters, lying being and situate at Revenue village Goddev, Taluka & District Thane. Hereinafter referred to as "the said Land".
2. Since, 20<sup>th</sup> January, 1951 Shri Janardhan Babli Patil was claiming to have personally cultivated the said property and as such, the name of Shri Janardhan Babli Patil was recorded in the Other Right Column of the 7/12 extract of the said land. Shri Janardhan Babli Patil died interstate on 20<sup>th</sup> August 1992, leaving behind his widow Smt. Radhabai Janardhan Patil and a son named Shri Ashok Janardhan



Patil as his heirs and legal representative entitled to the estate of the deceased including the said land.

3. Shri Ashok Janardhan Patil is the heir of Shri Janardhan Babli Patil (Since Deceased). Shri Ashok Janardhan Patil had purported to sell his alleged right and interest in the said property to Shri Vinod P. Shukla, predecessor in title of Shukla.
4. Shri Ashok Janardhan Patil was claiming his rights over the said property on the basis of his alleged continuous and exclusive physical possession over the said property and having regards to the said fact, the Church herein filled a Special Civil Suit No 1739 of 2012 in the Court of Civil Judge (S.D.) Thane for seeking an order of declaration, possession and injunction in respect of the said property against Shri Ashok Janardhan Patil and Shri Jatin Vinodchandra Shukla (referred as "Landowner") descendent of (Shri Vinod P. Shukla).
5. Pending the hearing and final disposal of the Special Civil Suit No. 1739 of 2012, the Church and Shri Hatin Vinodchandra Shukla had amicably decided to settle their dispute in respect of the said property by executing a Memorandum of Understanding dated 10<sup>th</sup> March 2021 bearing Notary Registration No 7819 of 2021, dated 2<sup>nd</sup> April 2022. Hereinafter referred to as "MOU"



6. As per terms and condition of said MOU, the Landowner had agreed to purchase the said property from the church herein on as is where is basis subject to the condition that the Vendor shall obtain permission under Section 36 of the Maharashtra Public Trust, 1950 from the Charity Commissioner, Maharashtra. The Church and the Landowner have also agreed to withdraw all the pending litigation in respect of the said property filed by the respective parties prior to registration.
7. By an Order, dated 13<sup>th</sup> June 2023, the Jt. Charity Commissioner-I, Maharashtra had granted sale permission to the Church under section 36 of the Maharashtra Public Trust, 1950 thereby allowing the Church herein to sell, transfer and convey the said property in favour of the Landowner.
8. Conveyance Deed Dated: 28/12/2023 bearing No. TNN1-9127-2023 between said Our Lady of Nazareth Church a trust registered under the provision of Bombay Public Trust Act bearing its registration no D/32(Thane) dated 6<sup>th</sup> January, 1955, has conveyance total admeasuring area 2730 sq. Meters situated at Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane has assigned Ownership rights of the Said Land in favour of Shri Jatin Vinodchandra Shukla proprietor of M/s Shree Developers, at and on the terms and conditions and for considerations which are more particularly described in the said Conveyance Deed.
9. Development Deed dated 4/10/2024 bearing No. TNN4-19735/2024 between said Shri Jatin Vinodchandra Shukla proprietor of M/s Shree Developers had assigned development rights to M/s Shree Balaji



Infradevelopers LLP, at and on the terms and conditions and for the consideration which are more particularly described in the said Development Deed.

10. M/s Shree Balaji Infradevelopers LLP (Referred as Promoter) being assigned Development right for said land from Landowner on terms and condition as described in it. The Name of the Estate holder:- The Estate Investment Co. Pvt. Ltd is appearing in the Kabjedar Column in 7/12 Extrat of the said Land and a the necessary formalities of executing of Release Deed by it in his favour is yet to be completed and upon execution of the Release Deed by the said Estate Investment Company Pvt Ltd., Landowner name shall be entered in the Kabjedar Coloumn of the 7/12 Extrat of the said Land.

11. Subsequently, the Commencement Certificate was passed by virtue of an order bearing Building Permit Number: MBMCB/7008/2024/APL/0017/AutoDCR at MBMC Office, dated 20/09/2024.

12. That even though this document Is titled as Title Certificate it is in fact an opinion based on copies of the title documents perused by me and same is based on the assumption that:

- i. Of the legal capacity of all natural persons, genuineness of all signatures, authenticity of 7/12 and 8A extract copies of the property, documents submitted to me.
- ii. That there have been no amendments or changes in the 7/12 and 8A extract copies of the said documents examined by me.



iii. The accuracy and completeness of all the factual representations made in the documents.

iv. The above referred Conveyance Deed, Partnership Deed are genuine and not fabricated or forged or cancelled and are still valid legal and subsisting.

On the whole from the search taken at the office of Sub-Registrar Thane and Inspector General of Registration. On the basis and inspection of documents produced before me and the information provided by the Owner that the said property are not subject matter of any suit/litigation in any court of law in India, Revenue Department or the documents examined by me, considering the above facts that the said documents are genuine and not fabricated or forged and not cancelled. Subject to what is stated above without prejudice in my opinion the title of the Owner in respect of the said property are admeasuring 2730 sq. meters bearing Old Survey No 335, New Survey No 25, Hissa No 14, Village- Goddev, Tal. Thane, Dist. Thane, admeasuring 2730 sq. Meters lying being and situate at Revenue village Goddev, Bhayandar, Taluka & District Thane, are absolute clear and marketable free from all encumbrances and reasonable doubts.

Yours Faithfully



**SWAPNIL GAWDE**  
**ADVOCATE**