



Ref. No.: 1666/ 35 /2022

**FORMAT - A**  
(Circular No. 28/2021)

To,

**The Maharashtra Real Estate Regulatory Authority,  
Mumbai.**

**LEGAL TITLE REPORT / CERTIFICATE**

**Sub:** Title clearance certificate with respect to all that piece and parcel of land admeasuring about 3719 sq. mtrs. bearing C.T.S. Nos. 143B, 143B-9 to 62 of Village Kanheri corresponding to Original Plot No. 29, Final Plot No. 20 of Town Planning Scheme Borivali III at Village Kanheri, Taluka Borivali situate, being and lying at S.V. Road, Opp. Sony Mony Show Room, Borivali (West), Mumbai - 400092 within the Registration District of Mumbai Suburban (hereinafter referred to as the "Plot").

I. We have investigated the title of the Plot on the request of Mr. Alpesh K. Ajmera through his Sole Proprietorship concern M/s. Shreenath Construction (the "Promoter"), together with the following documents, i.e.:

**1) Description of the property:**

All that the piece and parcel of Land admeasuring about 3719 sq. mtrs or thereabouts, bearing C.T.S. Nos. 143B, 143B-9 to 62 of Village Kanheri corresponding to Original Plot No. 29, Final Plot No. 20 of Town Planning Scheme Borivali III at Village Kanheri, Taluka Borivali within the Registration District of Mumbai Suburban ("Plot") together with the Buildings No. 2 constructed thereon known as "Krishna Nagari" comprising of Wings A, B, C and D ("Building") situate, being and lying at S.V. Road, Opp. Sony Mony Show Room, Borivali (West), Mumbai - 400092. The Plot and Building together are known as the "Property".

**2) The documents of allotment of the Property:**

Deed of Conveyance dated 1<sup>st</sup> November, 2001 entered into between Mr. Haridas Trikamdas Kapadia (therein referred to as the "Vendor") of the One Part and M/s. Shreenath Construction, a Sole Proprietary concern of Mr. Alpesh K.

Ajmera (therein referred to as the "Purchaser") duly registered with the Sub-Registrar of Assurances at Bombay under Serial No. BBJ-10060 of 2001.

- 3) Property Register Card with respect to Final Plot No.20 of Town Planning Scheme Borivali III corresponding to C.T.S. Nos. 143B, 143B-9 to 62 of Village Kanheri / Borivali, Taluka Borivali within the Registration District of Mumbai Suburban CTS Nos. 143B, 143B-9 to 62 issued by the Maharashtra State Land Records Department.
- 4) Search reports for 45 years for the period from 1977 to 2021.

II. On the perusal of the above-mentioned documents, and all other relevant documents relating to title of the Plot, we are of the opinion that the title of the following Owner is clear, marketable and without any encumbrances:

**1) Owner of the Land:**

M/s. Shreenath Construction through its Sole Proprietor Mr. Alpesh K. Ajmera (the "Promoter") is seized and possessed of and well and sufficiently entitled to the Plot of Land admeasuring about 3719 sq. mtrs. bearing C.T.S. Nos. 143B, 143B-9 to 62 of Village Kanheri, Taluka Borivali corresponding to Original Plot No. 29, Final Plot No. 20 of Town Planning Scheme Borivali III at Village Kanheri, Taluka Borivali within the Registration District of Mumbai Suburban, and as such is further sufficiently entitled to all the right, title and interest in the Plot including but not limited to the development rights in respect of the Plot.

**2) Qualifying comments:**

For the purposes of this Opinion on Title, we have made certain assumptions as follows:

- a) This Title Certificate is based on information provided by the Promoter, documents furnished to us by the Promoter and search carried out in the offices of Sub-Registrar of Assurances at Mumbai and the Search Report of Mr. Ganesh Gawde and if there are any documents which are not furnished to us or the facts or circumstances that may be different or received after this date, it could have a material impact on our conclusions.



- b) We have not conducted physical inspection/search of the Plot.
- c) This Title Certificate is given on the basis that it is to be governed by and construed in accordance with Indian laws prevailing as on date.
- d) This Title Certificate is confined and limited to the state of affairs as on the date hereof. We are not aware of any information to the contrary, which would lead us to believe that the observations stated herein are no longer valid.
- e) We express no opinion as to the consequence or application of any law existing and applicable after such date, and expressly decline any continuing obligation to advise after the date of this Title Certificate of any changes in the foregoing or any changes of circumstances of which we may become aware that may affect our observations contained herein.
- f) A Declaration-cum-indemnity has **not been** furnished to us by the Promoter with regards to the title of the Promoter in respect of the said Plot and Permissions/Restrictions/Sanctions obtained in respect of the Plot.
- g) We are informed that the Promoter has partly developed the Plot by constructing Building No.2 known as "Krishna Nagari" comprising of Wings A, B, C and D on portion of the Plot, and the balance portion of the Plot is being developed by the Promoter (which was occupied by then tenants / occupants).
- h) We assume that technical diligence in respect of the Plot as regards the requisite building permissions, compliance of all the terms and conditions of the orders passed under the Urban Land (Ceiling and Regulation) Act, 1976, NA Order(s), physical surveys, reservations, grant of environmental clearances, development permissions, requisite approvals, sanctions, NOCs including Aviation NOC, Fire NOC, building permissions, FSI/TDR utilized/loaded, setback area, right of way, or any other permissions/ sanctions/ restrictions from any authority whatsoever, required to be complied with or obtained, from time to time, will be duly complied with by

the Promoter and the same does not fall within the purview of this Certificate.

We expressly disclaim any liability, which may arise due to any decision taken by any person or persons, on the basis of this Title Certificate.

III. The report reflecting the flow of the title of the Promoter to the Plot is enclosed herewith as Annexure.

For M/s. Taurus Legal  
  
(Partner)  
Advocates & Solicitors

Date: 14<sup>th</sup> March, 2022

Encl.: Annexure



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**ANNEXURE**

**FLOW OF TITLE TO THE PLOT**

**1. P.R. Card as on date of application for registration**

We have perused the Property Register Card ("P.R. Card") in respect of the piece and parcel of land or ground hereditaments bearing Final Plot No. 20 of Town Planning Scheme Borivali III at Village Kanheri, Taluka Borivali admeasuring about 3719 sq. mtrs or thereabouts and situate, being and lying at S.V. Road, Opp. Sony Mony Show Room, Borivali (West), Mumbai - 400092 corresponding to C.T.S. No. 143B, 143B-9 to 62 of Village Kanheri, Taluka Borivali, within the Registration District of Mumbai Suburban (the "Plot"). The P.R. Card duly records the name of M/s. Shreenath Construction through its Sole Proprietor Alpesh Ajmera (the "Promoter") as the holder of the Plot.

**2. Mutation Entry Nos.48 of 2002 dated 26.08.2002 and 914 dated 15.06.2015**

- i. We have perused the copy of Mutation Entry No. 48 of 2002 dated 26.08.2002 in respect of the Plot of Land bearing Final Plot No.20 of Village Kanheri / Borivali, which records name of the Promoter as the holder in respect of the Plot, in pursuance of the Deed of Conveyance dated 1<sup>st</sup> November 2001 registered with Sub-Registrar of Assurances at Bombay under Serial No. BBJ/10060 of 2001.
- ii. We have also perused the copy of Mutation Entry No. 914 dated 15.06.2015 in respect of the Plot under which the area of the Plot i.e. 3719 sq. mtrs. is also recorded in words.

**3. Search reports of 45 years from 1977 to 2021 taken from Sub-Registrar's Offices**

On our instructions, title investigator and search clerk, Mr. Ganesh Gawde, has taken searches for a period of 45 years in the offices of the Sub-Registrar of Assurances for the years 1977 to 2021. We have not observed any transaction being

recorded in respect of the Plot of Land post conveyance being registered in favour of the Promoter.

**4. Public Notices**

We have issued and published 2 (two) Public Notices both dated 22<sup>nd</sup> December, 2021 in The Free Press Journal (English), Mumbai edition and Navshakti (Marathi), Mumbai edition inviting claim, share, right, title, demand or objection, if any, by any person/s against or to the Plot, within 14 (fourteen) days from the date of publication of the notice. Till date no claims and/or objections have been received by us in response to the above referred Public Notices or otherwise.

**5. Documents perused by us:**

We have perused the copies of the following documents with respect to the Plot:

- i. P.R. Card in respect of the Plot of Land bearing Final Plot No.20 of Village Kanheri / Borivali;
- ii. Mutation Entry Nos. 48 of 2002 dated 26.08.2002 as well as 914 dated 15.06.2015 in respect of the Plot;
- iii. Deed of Conveyance dated 1<sup>st</sup> November 2001 entered into between Mr. Haridas Trikamdas Kapadia (therein referred to as the "*Vendor*") of the One Part and M/s. Shreenath Construction, a Sole Proprietary concern of Mr. Alpesh K. Ajmera (therein referred to as the "*Purchaser*") duly registered with the Sub-Registrar of Assurances at Bombay under Serial No. BBJ/10060 of 2001.

**6. Flow of Title**

On the basis of the information provided by the Promoter, our observations on the title of the Promoter to the Plot are as set out herein below:

- i. Originally, one Haridas Trikamdas Kapadia (the "*Original Owner*") was the owner of and seized and possessed of or otherwise well and sufficiently entitled to all that piece and parcel of land or ground hereditaments bearing C.T.S No.



143B, 143B-9 to 62 of Village Kanheri, admeasuring about 3719 sq. mtrs of Village Kanheri corresponding to Original Plot No. 29, Final Plot No. 20 of Town Planning Scheme Borivali III at Village Kanheri, Taluka Borivali within the Registration District of Mumbai Suburban ("Plot") together with structure/building known as "Madhavji Dayal Wadi consisting of six ground floor chawls and two buildings of ground plus two floor fully occupied by tenants/ occupants paying monthly rent and situate, being and lying at S.V. Road, Opp. Sony Mony Show Room, Borivali (West), Mumbai - 400092 ("the Old Building").

- ii. The Original Owner was desirous of selling and disposing of the Plot along with the Old Building standing on Plot subject to rights of the tenants / occupants, and the Promoter herein was ready and willing to buy the Plot along with the Old Building subject to rights of the tenants / occupants.
- iii. Accordingly, by Deed of Conveyance dated 1<sup>st</sup> November 2001 entered into between Mr. Haridas Trikamdas Kapadia (therein referred to as the "Vendor") of the One Part and M/s. Shreenath Construction, a Sole Proprietary concern of Mr. Alpesh K. Ajmera (therein referred to as the "Purchaser") duly registered with the Sub-Registrar of Assurances at Bombay under Serial No. BBJ/10060 of 2001, the Original Owner sold, conveyed, transferred and assigned all his share, right, title and interest in the Plot along with the Old Building together with attornment of tenancy rights of the then tenants/ occupants in the Old Building to and in favour of M/s. Shreenath Construction a Sole Proprietary concern of Mr. Alpesh K. Ajmera, at and for the consideration and on the terms and conditions recorded therein.
- iv. Accordingly, the name of Haridas Trikamdas Kapadia was deleted and M/s. Shreenath Construction, a Sole Proprietary concern of Mr. Alpesh K. Ajmera ("Promoter") was recorded as the "Holder" in the PR Card of the Plot vide Mutation Entry No. 48 of 2002.
- v. The Promoter is thus, the owner of the Plot and as such seized and possessed of

or otherwise well and sufficiently entitled to all the share, right, title and interest in the Plot along with the existing structures, subject to the rights of the tenants / occupants in their respective tenanted premises and as such the Promoter is also entitled to develop the Plot.

- vi. In pursuance thereof, the Promoter has demolished some parts of the Old Building, and has constructed new building being Buildings No. 2 known as "Krishna Nagari" comprising of Wings A, B, C and D consisting of ground/stilt plus seven upper floors on portion of the Plot, and the balance portion of the Plot is being developed by the Promoter.
- vii. The Promoter has completed the construction of the Building No.2 comprising of Wings A, B, C and D and vide Letter No. VNG/1140-2 dated 14<sup>th</sup> June, 2003 had applied to Brihanmumbai Mahanagarpalika ("BMC") for permission to occupy the New Building. The BMC vide letter bearing Ref No. CHE/9324/BP(WS)/AR dated 6<sup>th</sup> September, 2003 granted permission to the Promoter to occupy the New Building upon fulfilment of conditions as more particularly recorded therein.
- viii. Now the Promoter is in the process of further construction of the more Buildings on the remaining portion of the Plot.

## **7. Litigations, if any:**

We have not undertaken negative list searches in the Hon'ble Bombay High Court, City Civil Court at Bombay / Dindoshi and/or Small Causes Court at Bombay / Bandra in respect of the Premises.

### **THE SCHEDULE HEREIN ABOVE REFERRED TO:**

(Description of the Plot)

ALL THAT the piece and parcel of Land admeasuring about 3719 sq. mtrs or thereabouts, bearing C.T. S. Nos. 143B, 143B-9 to 62 of Village Kanheri corresponding to Original Plot No. 29, final Plot No. 20 of Town Planning Scheme Borivali III at Village Kanheri, Taluka Borivali within the Registration District of Mumbai Suburban situate,



being and lying at S.V. Road, Opp. Sony Mony Show Room, Borivali (West), Mumbai - 400092, and bounded as under:

On or towards the North: By Property bearing C.T.S. Nos. 143A and 144  
On or towards the South: By Property bearing C.T.S. Nos. 140, 141 and 142.  
On or towards the East: By Western Railway  
On or towards the West: By S.V. Road

Dated this 14<sup>th</sup> day of March, 2022

For M/s. Taurus Legal,

(Partner)

Advocates & Solicitors

Housiey.com