

TO WHOMSOEVER IT MAY CONCERN

I have investigated the title to an area admeasuring 8725.87 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2, situate, lying and being at Village Kashi, Taluka and District Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation owned by M/s. Sonam Homes Pvt. Ltd., and have to state as hereunder:

1. Shri Dattatray Govind Patil was the original owner of land bearing Survey No. 20, Hissa No. 2, admeasuring 8930 sq. meters, situate at Village Kashi, Taluka & District Thane within the Registration District and Sub-District of Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation (for short hereinafter referred to as the "Larger Property").

2. Smt. Bhimabai Govind Patil is the mother of Smt. Thakubai Vasant Kadu, Smt. Devkubai Janardhan Kini, Smt. Vasthalabai Harishchandra Kadu and Shri Dattatray Govind Patil. By a Mutation Entry No. 533, dated 2nd April, 1976, the names of Smt. Bhimabai Govind Patil, Smt. Thakubai Vasant Kadu, Smt. Devkubai Janardhan Kini, Smt. Vasthalabai Harishchandra Kadu came to be recorded in the 7/12 extract of the larger property to the extent of an area admeasuring 10 Guntha, being the portion of the larger property.

3. Smt. Bhimabai Govind Patil died intestate on 20th October, 1977 leaving behind her two sons namely Shri Janardhan Govind Patil, Shri Dattatray Govind Patil, three married daughters namely Smt. Thakubai Vasant Kadu, Smt. Devkubai Janardhan Kini and Smt. Vasthalabai Harishchandra Kadu as her only heirs and legal representatives entitled to the estate of the deceased including the undivided share of the deceased in an admeasuring 10 Gunthas forming the portion of the larger property.

4. By a Declaration, dated 3rd April, 2006 registered in the office of the Sub-Registrar of Assurance at Thane under Sr. No. TNN-10/3041/2007, Shri Dattatray Govind Patil had confirmed the execution of an Affidavit, dated 15th April, 1996 signed by Shri Janardhan Govind Patil to put on record that he had given up his right, title, interest and claim in the larger property in favour of Shri Dattatray Govind Patil.
5. The Dy. Collector & Competent Authority, Thane Urban Agglomeration vide an Order No. ULC/TA/ Kashi/SR-24, dated 13th August, 1984 had declared that the larger property is within the ceiling limits of Urban Land (Ceiling and Regulation) Act, 1976.
6. Smt. Thakubai Vasant Kadu, Smt. Devkubai Janardhan Kini and Smt. Vasthalabai Harishchandra Kadu had executed a Power of Attorney, dated 10th August, 2006 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-4/6973/2006 in favour of Shri Dattatray Govind Patil conferring upon him several powers inter-alia power to deal with their undivided share in an area admeasuring 1000 sq. meters forming the portion of the larger property.
7. By Development Agreement, dated 10th August, 2006 registered with the Sub-Registrar of Assurance, Thane under Sr. No. TNN-4/07003/2006, Shri Dattatray Govind Patil had agreed to grant the development rights of the larger property to M/s. Guru Sankalp Developers for the consideration mentioned therein. In pursuance of the Development Agreement, dated 10th August, 2006, Shri Dattatray Govind Patil had executed a General Power of Attorney, dated 11th August, 2006 in favour of the partners of M/s. Guru Sankalp Developers conferring upon them several powers inter-alia power to deal with the larger property in their absolute discretion as the developer thereof.

8. By a Deed of Release, dated 10th October, 2006 registered in the office of the Sub-Registrar of Assurance at Thane under Sr. No. TNN-10/10698/2006, Smt.Thakubai Vasant Kadu, Smt.Devkubai Janardhan Kini and Smt.Vasthalabai Harishchandra Kadu had released and relinquished all their right, title, interest and share in respect of an area admeasuring 10 Guntha comprising the larger property in favour of Shri Dattatray Govind Patil.

9. Shri Dattatray Govind Patil and the partners of M/s. Guru Sankalp Developers had jointly executed a Deed of Confirmation, dated 3rd April, 2007 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-10/3042/2007 to confirm and ratify the execution of a Development Agreement, dated 10th August, 2006 and also to confirm the payment of consideration made by M/s. Guru Sankalp Developers to the family members of Shri Dattatray Govind Patil as mentioned in the Deed of Confirmation, dated 3rd April, 2007 executed by and between the parties thereto in respect of the larger property.

10. By an Order No. TD/T-6/KV/VP/SR-203/2007, dated 7th September, 2007, the Sub-Divisional Officer, Thane had relaxed the provisions of Section 43 of the Maharashtra Tenancy and Agricultural Land Act, 1948 pertaining to the larger property.

11. On 6th May, 2010, Shri Dattatray Govind Patil and the partners of M/s. Guru Sankalp Developers had executed a Supplemental Deed registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-4/4836/2010 to confirm and ratify the terms and conditions stipulated in Development Agreement, dated 10th August, 2006 and Deed of Confirmation, dated 3rd April, 2007 executed by and between them in respect of the larger property.

12. On 26th November, 2010, Shri Dattatray Govind Patil and the partners of M/s. Guru Sankalp Developers had executed a Deed of Rectification-cum-Declaration registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-4/10802/2010 and thereby the discrepancy of the larger property as mentioned in Development Agreement, dated 10th August, 2006, Deed of Confirmation, dated 3rd April, 2007 and Supplemental Agreement, dated 6th May, 2010 came to be rectified by substituting an area admeasuring 8930 sq. meters in place and stead of an area admeasuring 9034.31 sq. meters comprising the larger property as mentioned in the Development Agreement, dated 10th August, 2006, Deed of Confirmation, dated 3rd April, 2007 and Supplemental Agreement, dated 6th May, 2010.

13. Pursuant to an application made by the partners of M/s. Guru Sankalp Developers, the Collector of Thane had granted non-agricultural permission to an area admeasuring 8790.05 sq. meters forming the portion of the larger property vide an Order No. Revenue/K-1/T-1/NAP/Village-Kashi/Taluka & District Thane/SR-79/2012, dated 15th March, 2013.

14. Pursuant to an application made by the partners of M/s. Guru Sankalp Developers, the Chief Fire Officer of the Mira Bhayandar Municipal Corporation had granted Fire NOC vide Letter Ref. No. MB/MC/Fire/1032/2013-14, dated 20th January, 2014 for construction of residential and commercial buildings in the layout of an area admeasuring 8725.87 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2 of Village Kashi, Taluka and District Thane.

15. On 28th May, 2014, the Mira Bhayandar Municipal Corporation had granted provisional permission for construction of the buildings i.e. Building No. 1, consisting of Stilt + Three Upper Floors, admeasuring 614.28 sq. meters of F.S.I, Building No. 2, consisting of Stilt + Three Upper Floors, admeasuring 604.58 sq. meters of F.S.I, Building No. 3, consisting of Stilt +

Three Upper Floors, admeasuring 523.63 sq. meters of F.S.I. , Building No. 4, consisting of Stilt + Fourteen Upper Floors, admeasuring 2359.34 sq. meters of F.S.I. and Building No. 5, consisting of Stilt + Fourteen Upper Floors, admeasuring 2732 sq. meters of F.S.I. in the layout of the said property vide V.P. No. MB/MNP/NR/379/2014-15, dated 28th May, 2014 and accordingly, the Mira Bhayandar Municipal Corporation has issued Commencement Certificate No. MB/MNP/NR/379/2014-15, dated 28th May, 2014 to commence with the work of construction of the buildings in the layout of the said property.

16. By a Deed of Conveyance, dated 21st May, 2014 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/4106/2014, Shri Dattatray Govind Patil had sold, transferred and conveyed the larger property to M/s. Guru Sankalp Developers for the consideration mentioned therein.

17. By a Mutation Entry No. 1411, dated 19th June, 2014, the name of M/s. Guru Sankalp Developers came to be recorded in the 7/12 extract of the larger property as the owner thereof.

18. By an Agreement, dated 1st July, 2014 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/5187/2014, the partners of M/s. Guru Sankalp Developers in the capacity of constitute attorney of Shri Dattatray Govind Patil had surrendered an area admeasuring 204.13 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2 of Village Kashi, Taluka and District Thane being area effected by 18 meter wide D.P. Road to the Mira Bhayandar Municipal Corporation.

19. Shri Pravin Laxmanchand Chheda was one of the partners of M/s. Guru Sankalp Developers, who retired from the partnership business of M/s. Guru Sankalp Developers vide a Deed of Retirement, dated 20th

July, 2017 and accordingly, Shri Pravin Laxmanchand Chheda had executed a Deed of Release, dated 19th April, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-1/6186/2018 and thereby Shri Pravin Laxmanchand Chheda had released and relinquished his share in the larger property in favour of continuing partners of M/s. Guru Sankalp Developers.

20. By a Deed of Conveyance, dated 20th April, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr.No.TNN-7/6216/2018, M/s. Guru Sankalp Developers had sold, transferred and conveyed an area admeasuring 8930 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2 of Village Kashi, Taluka and District Thane to M/s. Sonam Homes Pvt. Ltd., for the consideration mentioned therein.

21. The partners of M/s. Guru Sankalp Developers had executed a General Power of Attorney, dated 20th April, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/6217/2018 in favour of Shri Bharat Mithalal Jain one of the directors of M/s. Sonam Homes Pvt. Ltd., conferring upon him several powers inter-alia power to develop an area admeasuring 8930 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2 of Village Kashi, Taluka and District Thane by constructing the buildings thereon.

22. In the Recital No. (d) of Deed of Conveyance, dated 21st May, 2014 on Registration Page No.TNN-7/4106/2014, the date of Declaration was wrongly mentioned as 3rd April, 2006 instead of 3rd April, 2007 and to rectify the said error, Shri Dattatray Govind Patil and M/s. Guru Sankalp Developers had jointly executed a Deed of Rectification, dated 9th May, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/7057/2018 and thereby, the error as regard the date of declaration as mentioned in the deed of conveyance came to be rectified by

declaration as mentioned in the deed of conveyance came to be rectified by substituting the date of Declaration as 3rd April, 2007 in place of 3rd April, 2006.

23. M/s. Sonam Homes Pvt. Ltd., had purchased an area admeasuring 8725.87 sq. meters forming the portion of the total area admeasuring 8930 sq. meters of land bearing Survey No. 20, Hissa No. 2 of Village Kashi, Taluka and District Thane and in the Deed of Conveyance, dated 20th April, 2018 particularly on Registration Page No. TNN-7/6216/2018/4, Registration Page No. TNN-7/6216/2018/8 and Registration Page No. TNN-7/6216/2018/10, area of the said property was wrongly written as 8930 sq. meters instead of an area admeasuring 8725.87 sq. meters and the said error came to be rectified between the parties to the Deed of Conveyance, dated 20th April, 2018 by executing a Deed of Rectification, dated 9th May, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/7058/2018. Similarly, in the Recital No. 4 on Registration Page No. TNN-7/6216/2018/5 of Deed of Conveyance, dated 20th April, 2018, the date of Declaration was wrongly mentioned as 3rd April, 2006 instead of 3rd April, 2007 and by a Deed of Rectification, dated 9th May, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/7057/2018, the date of declaration came to be corrected by substituting date of Declaration as 3rd April, 2007 in place of 3rd April, 2006.

24. By an Indenture of Mortgage, dated 21st April, 2018 registered in the office of Sub-Registrar of Assurance at Thane under Sr. No. TNN-7/6245/2018, M/s. Sonam Homes Pvt. Ltd., had mortgaged an area admeasuring 8725.87 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2, situate, lying and being at Village Kashi, Taluka and District Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation to Vistra ITCL (India) Ltd., against the loan advanced to it by Vistra ITCL (India) Ltd.,

25. I have also considered the search report of Shri D. K. Patil taken in the office of Sub-Registrar of Assurance at Thane-I & II and also considered the Title Certificate, dated 10th January, 2012 issued by Advocate Shri S. P. Singh in respect of the larger property.

26. On the whole from the searches taken in the office of Sub-Registrar of Assurance at Thane and also on the basis of documents furnished to me as well as on the basis of information provided to me, I hereby state and certify that subject to the mortgage created by M/s. Sonam Homes Pvt. Ltd., in respect of an area admeasuring 8725.87 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2, situate, lying and being at Village Kashi, Taluka and District Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation in favour of Vistra ITCL (India) Ltd., title to an area admeasuring 8725.87 sq. meters forming the portion of land bearing Survey No. 20, Hissa No. 2, situate, lying and being at Village Kashi, Taluka and District Thane, in the Registration District and Sub-District of Thane and now within the limits of the Mira Bhayandar Municipal Corporation owned by M/s. Sonam Homes Pvt. Ltd., is clear and marketable.

Date : 26th May, 2018.


Advocate