

**Annexure "A"**  
**Flow of title in respect of the Property**

Re: All those pieces and parcels of lands bearing Survey No. 153/B, Survey No. 153/1/A, Survey No. 161/3/A, Survey No. 161/2/A, Survey No. 161/1 admeasuring in aggregate 28,935 square meters situate, lying and being at Village Navghar, Taluka Thane and District Thane ("**Property**").

We have investigated the (i) ownership rights of the Owners, and (ii) development rights of Sunteck Lifespace Private Limited ("**Sunteck**") in respect of the Property:

For the purposes of this Legal Title Report:

1. We have caused searches to be conducted by Mr. Ashish Javeri (Title Investigator), who has conducted searches in the concerned office of the Sub-Registrar of Assurances in respect of the Property and the same is separately provided. Upon perusal of the Search Report, we observe that the same does not reveal any adverse entries or any *lis pendens* in respect of the Property.
2. We have caused issuance of public notices in Free Press Journal (English Edition) and Navshakti (Marathi Edition) on 28 February 2023, inviting objections, if any, to the (i) ownership rights of the Owners, and (ii) development rights of Sunteck in respect of the Property.
3. Since our scope of work does not include considering aspects within the domain of an architect or a surveyor, we have not carried out any physical inspection of the Property nor have commented on the zoning and development aspects etc., thereof.
4. Since verifying pending litigations in respect of properties becomes difficult due to various reasons including (i) litigations can be filed/instituted in various fora depending upon the relief claimed; and/or (ii) records of litigations maintained by courts and other authorities (judicial or otherwise) are neither updated, nor maintained descriptively and nor are they easily available/accessible; and/or (iii) no registers are maintained in respect of matters referred to arbitration, we have not conducted any searches before any court of law or before any other authority (judicial or otherwise) to verify whether the Property is a subject matter of any litigation.
5. We have relied upon:
  - copies of the documents where original documents of title were not available; and
  - information provided by the Owners and the representatives of Sunteck.
6. We have assumed that:
  - all documents submitted to us as photocopies or other copies of originals conform to the originals and all such originals are authentic and complete;
  - all signatures and seals on any documents submitted to us are genuine;
  - there have been no amendments or changes to the documents examined by us; and
  - the legal capacity of all natural persons are as they purport it to be.

## FLOW OF TITLE

1. By and under various sale deeds, Suresh Devchand Shah, Jitendra Devchand Shah, Atul Devchand Shah, Suresh Devchand Shah as the Karta / Manager of Suresh Devchand Shah (HUF), Jitendra Devchand Shah as the Karta / Manager of Jitendra Devchand Shah (HUF), and Atul Devchand Shah as the Karta / Manager of Atul Devchand Shah (HUF) jointly and / or severally became entitled to the Property i.e. all those pieces and parcels of lands admeasuring in aggregate 28,935 square meters situate, lying and being at Village Navghar, Taluka Thane and District Thane and bearing the following Survey Numbers:

Sr No.	Survey Nos. and Hissa Nos.	Area (in square meters)	Owners
1.	162/1/A	2,600	(i) Suresh Devchand Shah, (ii) Jitendra Devchand Shah, and (iii) Atul Devchand Shah.
2.	153/1	5,815	
3.	153/2	10,720	
4.	162/1/B	6,700	(i) Suresh Devchand Shah as the Karta / Manager of Suresh Devchand Shah (HUF), (ii) Jitendra Devchand Shah as the Karta / Manager of Jitendra Devchand Shah (HUF), and (iii) Atul Devchand Shah as the Karta / Manager of Atul Devchand Shah (HUF).
5.	161/3	1,310	
6.	161/2	1,420	
7.	161/1	370 out of 11,040	

(collectively referred to as "**Erstwhile Property**")

2. By and under (i) Development Agreement dated September 9, 2022, registered with the Sub-Registrar of Assurances under Serial No. 11627 of 2022, (ii) Development Agreement dated September 9, 2022, registered with the Sub-Registrar of Assurances under Serial No. 11629 of 2022, (iii) Development Agreement dated September 9, 2022, registered with the Sub-Registrar of Assurances under Serial No. 11632 of 2022, the Owners granted development rights in respect of the Erstwhile Property in favour of the developer i.e. Sunteck Lifespace Private Limited, for the consideration and on the terms and conditions contained therein
3. Pursuant to the aforesaid Development Agreements, the Owners also executed a Power of Attorney dated September 9, 2022, registered with the Sub-Registrar of Assurances under Serial No. 11637 of 2022, in favour of Sunteck to undertake all acts, deeds and things in respect of development of the Erstwhile Property in the manner more particularly set out therein.
4. We have been informed that the survey numbers of the Erstwhile Property have been rectified and allotted the following survey numbers and that Mutation Entry No. 3257 dated January 27, 2023 also confirms the same:

Sr No.	Survey Nos.	Area (in square meters)
1.	153/B	27,260
2.	153/1/A	743 out of 1,458
3.	161/3/A	218
4.	161/2/A	344
5.	161/1	370 out of 11,040

## REVENUE RECORDS

5. Upon perusal of the 7/12 extracts pertaining to the Property, we note the following:

Survey No.	Name of the Holders	Area (in square meters)
153/B	Suresh Devchand Shah, Jitendra Devchand Shah, and Atul Devchand Shah	18,392 out of 27,260
	Suresh Devchand Shah as the Karta / Manager of Suresh Devchand Shah (HUF), Jitendra Devchand Shah as the Karta / Manager of Jitendra Devchand Shah (HUF), and Atul Devchand Shah as the Karta / Manager of Atul Devchand Shah (HUF).	8,868 out of 27,260
153/1/A	Suresh Devchand Shah, Jitendra Devchand Shah, and Atul Devchand Shah	743 out of 1,458
161/3/A	Suresh Devchand Shah as the Karta / Manager of Suresh Devchand Shah (HUF),	218
161/2/A	Jitendra Devchand Shah as the Karta / Manager of Jitendra Devchand Shah (HUF), and	344
161/1	Atul Devchand Shah as the Karta / Manager of Atul Devchand Shah (HUF).	370 out of 11,040

## LITIGATIONS

1. Miscellaneous Application No. 868 of 2009

Regular Civil Suit No. 851/1996 was filed in respect of the captioned property. By order dated January 22, 2009, Regular Civil Suit No. 851/1996 was dismissed for want of prosecution. Sureshchandra Devchand Shah, Jitendra Devchand Shah and Atul Devchand Shah filed a suit being Miscellaneous Application 868 of 2009 for restoration of the suit.

2. Stamp Duty Proceedings

- (a) By its order dated June 23, 2016, the Joint District Registrar cum Collector of Stamps passed an order stating that Suresh Shah, Jitendra Shah and Atul Shah did not pay adequate stamp duty on the Deed of Conveyance dated January 12, 2016 registered under Serial No. 214 of 2016 and demanded deficit stamp duty of Rs.1,14,04,200/- alongwith interest thereon.
- (b) Suresh Shah, Jitendra Shah and Atul Shah filed an appeal being Appeal No. 290 of 2016 before the Hon'ble Chief Controlling Revenue Authority cum Inspector

General of Registration and Collector of Stamps Pune against the aforementioned order dated June 23, 2016.

- (c) By its order dated May 6, 2021, the Joint District Registrar cum Collector of Stamps passed an order stating that Suresh Shah, Jitendra Shah and Atul Shah did not pay adequate stamp duty on the Deed of Release dated April 16, 2016 registered under Serial No. 7552 of 2016 and demanded deficit stamp duty of Rs.87,61,100/- alongwith interest thereon.
- (d) Suresh Shah, Jitendra Shah and Atul Shah filed an appeal being Appeal No. 142 of 2021 before the Hon'ble Chief Controlling Revenue Authority cum Inspector General of Registration and Collector of Stamps Pune against the aforementioned order dated May 6, 2021.

#### **OPINION**

Subject to what is stated hereinabove and the outcome of the aforementioned Litigations, the title of the Owners to the Property is clear and marketable and that Sunteck is entitled to the development rights in respect of the Property.

Our Legal Title Report is based on the provisions of applicable law, prevailing at the present time and the facts of the matter, as we understand them to be. Our understanding is based upon and limited to the information provided to us. Any variance of facts or of law may cause a corresponding change in our Legal Title Report.

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