



**KIRAN BADGUJAR**

**B.A., LL. B.**

**Advocate High Court**

4/576, Suryodaya C.H.S. Ltd.,

Kher Section, Ambarnath (E), Thane - 421 501.

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Ref. No. : Kolshet-85/7

Date : 23 DEC 2022

To,  
MahaRERA,  
Bandra Kurla Complex, Mumbai

**LEGAL TITLE REPORT**

**Sub:-** Title clearance certificate with respect to plot bearing Survey No. 85/7, admeasuring 8184.00 square meters or thereabouts, situate at Village Kolshet, Taluka and District Thane, (hereinafter referred as the "said plot").

1/- I have investigated the title of said plot on the request of M/s D. D. Associates, an Association of Persons, (the Owner/Promoter), having office at Lawrence & Mayo House, First Floor, 276, Dr. D. N. Road, Fort, Mumbai 40000, and following documents i.e. :-

**1) Description of the property :-**

All that piece and parcel of plot bearing Non-Agricultural Survey No. 85/7, admeasuring 8184.00 square meters or thereabouts, situate at Village Kolshet, Taluka and District Thane and within the limits of the Municipal Corporation of the City of Thane and within the Registration and Sub-Registration District of Thane and owned by M/s D. D. Associates.

**2) The documents of allotment of said Plot:-**

Various documents in respect of said plot as more particularly described in Annexure "A" have been executed and registered with Sub-Registrar of Assurances.

3) 7/12 extract in respect of said plot dated 03.11.2022 has been issued by Talathi Saza Kolshet, Taluka and District Thane and the name of M/s D. D. Associates has been recorded as the Owner under necessary Mutation.

4) Search Report in respect of said plot for 30 years from 1992 till 2022 in the office of Sub-Registrar of Assurances shows no adverse transactions so as to affect the title of said plot.

2/- On perusal of the above mentioned documents and all other relevant documents relating to title of the said plot, I am of the opinion that the title of M/s D. D. Associates, the Owner/Promoter is clear, marketable and without any encumbrances.

**Owner of the land:-**

Owner/Promoter	Survey Nos'
M/s D. D. Associates	85/7



**Qualifying comments/remarks if any :**


- i. By and under above mentioned registered documents, said M/s D. D. Associates is the absolute owner of the said plot.
- ii. iii. On perusal of 7/12 extract, it appears prima facie that the said plot has not been declared as "Forest", under the provisions of Indian Forest Act, 1927 and/or Maharashtra Private Forest Act, 1975.
- v. On perusal of 7/12 extract, prima facie it appears that the said plot is not Adivasi land.
- vi. The Owner/Promoter desirous to commence the construction on the said plot in accordance with the Development Permission dated 15.06.2022 issued by The Thane Municipal Corporation, Thane and as may be amended from time to time.

3/- The report reflecting the flow of the title of said M/s D. D. Associates, the Owner/Promoter in respect of said plot is enclosed herewith as **Annexure A**.

Encl : Annexure as above

Date : 23 DEC 2022



  
(KIRAN BADGUJAR)  
Advocate



## ANNEXURE "A"

## FLOW OF THE TITLE OF THE SAID PLOT :

Re.: Immovable property being land situated, lying and being at Village Kolshet, Taluka and District Thane and within the limits of the Municipal Corporation of the City of Thane and having following description :

Survey No/Hissa No.	Area (Sq. Mtrs.)	Village
85/7	8184.00 Out of total area 9290.00	Kolshet, Taluka and District Thane
<p><b>M/s. D.D. Associates (Association of Persons) -- Owner</b></p> <p>1. M/s Thana Industrial Development Corporation, (Partnership Firm) -- <b>(Predecessors in title No. 1)</b></p> <p>2. M/s. Darshan Enterprises (Partnership Firm) as Constituted Attorney of :            (i) Shri Basudeo Hanumanprasad Pasari and Shri Anilkumar Basudeo Pasari            (ii) M/s National Engineering and Electroplating Works            (iii) M/s Zenith Paper Products            (iv) M/s Steel Products of India            (v) M/s Arun Engineering Industries) - <b>(Predecessors in title No.2)</b></p>		

(hereinafter referred to as the "SAID LAND").

1. On perusal of 7/12 extract of the said Land prima-facie it appears that the said land has not been declared as "Forest" Land, under the provisions of Indian Forest Act, 1927 and/or Maharashtra Private Forest Act, 1975.
2. Further on perusal of the 7/12 extract of the said land prima-facie it appears that the said land is not "Adivasi" land.
3. Under the Consent Decrees dated 3<sup>rd</sup> September, 1998 passed by the Hon'ble High Court of the Bombay in its Original Civil Jurisdiction in Suits bearing Nos. 121 to 125 of 1975 ("said 5 Suits") and which are registered at Serial No. TNN5/5549 on 26<sup>th</sup> June, 2012 and TNN5/5575 to TNN5/5578 on 27<sup>th</sup> June, 2012, M/s Thana Industrial Development Corporation (TIDC), the Predecessors in title No. 1 became entitled to 62% share of undivided right, title, interest and claim in lands referred to in all the said 5 Suits totally admeasuring 1,52,234 Sq. Yards (hereinafter referred to as "the entire land") which includes the said land and the balance 38% share of undivided right, title, interest and claim in the entire lands including the said land came to the share of No. 2 (i) to (v), the Predecessors in title No. 2, i.e. Plaintiffs in the said 5 Suits in proportion as stated herein below.
4. As per said Consent Decrees, the Predecessors in title No. 2 (i.e. the Plaintiffs in each of the said 5 Suits) had agreed to distribute their said 38% share in the following manner :



- 53.50% Shri. Basudeo Hanumanprasad Pasari and Shri. Anilkumar Basudeo Pasari, the Plaintiffs in Suit No.121/1975.
- 09.00% M/s National Engineering and Electroplating Works, the Plaintiffs in Suit No.122/1975.
- 10.00% M/s Zenith Paper Products, the Plaintiffs in Suit No.123/1975.
- 08.10% M/s Steel Products of India, the Plaintiffs in Suit No 124/1975.
- 19.40% M/s Arun Engineering Industries, the Plaintiffs in Suit No. 125/1975.

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Total :100.00%  
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5. By and under 8 (Eight) duly registered Irrevocable Power of Attorneys, the said Predecessors in title No. 2, for consideration, appointed and entitled M/s. Darshan Enterprises through its Partners, to deal with their said 38% share of undivided right, title, interest and claim in the entire lands including the said land as referred to in each of the said irrevocable Power of Attorneys. The details of the said registered irrevocable Power of Attorneys are as follows;

Sr No.	Name of the Grantor	Names of the Grantee	Date of Execution	Registration No.
1.	M/s. National engineering and Electroplating works through its partner Mr. Shashikant Basudeo Pasari	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	6.12.2005	TNN-5 8064/2005
2.	Mrs. Usha A. Pasari Mr. Aditya A. Pasari Mrs. Smita More through her brother Aditya Pasari	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	17.12.2004	TNN-5 09041/2004
3.	Mrs. Usha A. Pasari Aditya A. Pasari Smita More through her brother Aditya Pasari	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	17.12.2004	TNN- 509040/2004
4.	Basudeo H. Pasari	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	8.12.2004	TNN-5 08794/2004





5.	Basudeo H. Pasari	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	8.12.2004	TNN-508795/2004
6.	M/s. Zenith paper Products Pvt Ltd through its Director Mr. Sanjay Goyanka	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	17.02.2005	TNN-501368/2005
7.	M/s. Arun Engineering Industries through its proprietor Mr. Arunkumar Pasari son of Radheshyam Pasari	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	20.01.2005	TNN-500572/2005
8.	Mr. Giridharilal Modi, Partner of M/s Steel Products of India	M/s. Darshan Enterprises through its Partners 1.Mr. Naresh Khetwani & 2.Mr. Suresh Jain	17.02.2005	TNN-501367/2005

6. By and under Consent Decrees, passed by the 4<sup>th</sup> Jt. Civil Judge, Senior Division, Thane in five Special Civil Suits bearing Nos. 534 to 537 of 2008 and 1 of 2009, M/s Thana Industrial Development Corporation (TIDC), the Predecessors in title No.1, for consideration, transferred and assigned its entire 62% share of undivided right, title, interest and claim in the entire lands including the said land acquired under the earlier Consent Decree dated 3<sup>rd</sup> September, 1998 to and in favour of M/s. D. D. Associates, an Association of Persons consisting of M/s. Darshan Enterprises and M/s. Friends Development Corporation as members thereof. The said five Consent Decrees in said five Special Civil Suits bearing Nos. 534 to 537 of 2008 and 1 of 2009 have been registered at Serial No. TNN/5/6923 to TNN/5/6927 respectively on 14<sup>th</sup> August, 2012.
7. Pursuant to said Consent Decrees passed by the 4<sup>th</sup> Jt. Civil Judge, Senior Division, Thane in five Special Civil Suits bearing Nos. 534 to 537 of 2008 and 1 of 2009 Mrs. Bakhtawar Bezan Chenoy for self and as the Partner of M/s. Thana Industrial Development Corporation (TIDC), the Predecessors in title No. 1, executed an Irrevocable General Power of Attorney, which is registered at Sr. No. TNN5/ 647 of 2012 on 14<sup>th</sup> August, 2012, has appointed (1) Mr. Deepak Kishan Goradia, (2) Mr. Rajul Vrajilal Vora, Partners of M/s Friends Development Corporation and (3) Mr. Suresh Devichand Mehta alias Suresh Devichand Jain, the partner of M/s



Darshan Enterprises, the constituents of M/s D. D. Associates (AOP), jointly and each of them severally and individually to be true and lawful Attorneys for herself and TIDC for and on their behalf and in their names to do and execute all or any of the acts, deeds, matters and things including the Conveyance of lands as mentioned in the said Power of Attorney including the said land.

8. By and under Agreement for Development and Sale dated 23<sup>rd</sup> March, 2013, registered at Sr. No TNN5-7153/2013 on 8<sup>th</sup> July, 2013, both the Predecessors in title No. 1 and 2 have granted development rights in respect of larger properties inter alia of the said land to M/s D.D. Associates. Thus, the Owners M/s. D. D. Associates become entitled to 100% share in the said land.
9. By and under Conveyance Deed, registered at Sr. No. TNN-9/2118/2014, on 01/04/2014, said Predecessors in title No. 1 and 2 through their respective Partners and Power of Attorney holders, in pursuance of Consent Decrees registered at Serial No. TNN5/5549 dated 26<sup>th</sup> June, 2012 and Serial No. TNN5/5575 to TNN5/5578 dated 27<sup>th</sup> June, 2012, and Serial No. TNN/5/6923 to TNN/5/6927 respectively on 14<sup>th</sup> August, 2012, have sold, conveyed and transferred the larger property including the said land to and in favour of M/s D.D. Associates, for consideration and as per the terms and conditions as contained therein and delivered the legal and physical possession of said land to said M/s D. D. Associates, and accordingly said M/s D. D. Associates become the absolute owner of said land, and by virtue of said Conveyance Deed the name of M/s D. D. Associates has been recorded on 7/12 extract of said land.
10. By and under Agreement for Sale, registered at Sr. No. TNN5-1752/2013 on 16<sup>th</sup> February, 2013 read with Deed of Conveyance, registered at Sr. No. TNN-9/5732/2015 on 24.08.2015, a part area admeasuring 1106.18 Sq. Mtrs.out of total area 9290 Sq. Mtrs.of said land has been conveyed and transferred to and in favour of one Mr. Laxman Jaggu Shelke (who was the Watchman/Chowkidar over the said land and other lands) as per the terms and conditions contained therein.
11. Civil suit bearing SCS No. 217/2010, filed by one Chandrakant Gopal Desale against Sadashiv Sakharam Patil and other 24 including M/s Darshan Enterprises is pending in the Court of C.J.S.D., at Thane in respect of said land and other various properties for declaration and injunctions. In the said suit no adverse or prohibitory order affecting the title of said Owners to the said land is passed by the Hon'ble Court.
12. Civil suit bearing SCS No. 31/20200, filed by one Niranjana Kanchan Nanavati against M/s Thane Industrial Development Corporation and other 24 including M/s D. D. Associates and others as the defendants is pending in the Court of C.J.S.D., at Thane in respect of said land and other various properties for declaration and injunctions. In the said suit no adverse or prohibitory order affecting the title of said Owners to the said land is passed by the Hon'ble Court.
13. In view of sanctioned development plan, a part area admeasuring 1040.00 Sq. Mtrs. of the said land has been transferred to and in favour of Thane Municipal Corporation vide Transfer Deed registered at Sr. No. TNN-5/6114/2019 on





16.04.2019 as the said area is reserved for 40 Mtr. wide D.P. Road. However, effect of the same is yet to be given on revenue record.

14. Vide Retirement cum Re-constituted Agreement of Association of Persons and Establishment of Undertaking dated 31.03.2022, the constituent i.e. M/s Darshan Enterprises has retired from the M/s D. D. Associates being an Association of Persons and one Bhavanika Buildcon Private Limited has been admitted and become the new member of said M/s D. D. Associates as per the terms more particularly contained therein. Thus w.e.f. 31.03.2022 M/s Friends Development Corporation and Bhavanika Buildcon Private Limited have taken over the business of and are the constituents of said M/s D. D. Associates, the Owner herein.
15. In view of above, in my opinion, the title of the Owners to the said land is clear, marketable and free from all encumbrances and reasonable doubts and the Owner have full rights and absolute authority to develop the said land as per the plans sanctioned/to be sanctioned and as may be amended time to time and to sell, assign, transfer, lease, give license and/or deal with the said land and all the flats and premises constructed or to be constructed thereon on what is commonly known as "ownership basis" or otherwise.

Date : 23 DEC 2022



  
(KIRAN BADGUJAR)  
ADVOCATE

