



ADVOCATE

ADV. SHANKAR R. BARUD

ADVOCATE HIGH COURT

B.com, LLB

**Add.: Premises No. 08, Rajiv Gandhi Comp., Near Sliver Arch Building,
Samta Nager, Thane (W) 400601,**

Email ID : advshankarbarud@gmail.com Mobile No. 9769549154

Date: 18/04/2024

To,

Maha RERA

6th & 7th floor, Housefin Bhavan,

Plot no. C-21, E-Block,

Bandra Kurla Complex,

Bandra (E), Mumbai 400051.

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all that pieces and parcels of land bearing 1) portion admeasuring 1300 square meters from and out of Gat no. 86/5, 2) Gat no. 86/6 admeasuring 2100 square meters, 3) Gat no. 86/7 admeasuring 2100 square meters and 4) Gat no. 86/8 admeasuring 1600 square meters admeasuring in aggregate 7100 square meters, having corresponding CTS no. 195/A/3A, 195/A/3B and 195/D, lying being and situate at village Parsik, Taluka and District Thane, within limits of Thane Municipal Corporation.

1/- I have investigated the title of Said Property more particularly described in the Annexure on the request of Promoter **Mr. Nandkumar Balkrishna Salvi, Proprietor Of M/S. Sunita Enterprises** by perusing the following documents i.e.
:

- a. Current 7/12 extracts
- b. All relevant Mutation entries
- c. Search Report
- d. Owner's Title Deeds
- e. Other antecedent documents

2/- On the perusal of the above mentioned documents and all other relevant documents relating to title of the Said Property I am of the opinion that, the title of Owner and development rights of the Promoter is clear marketable and without any encumbrances.

Name of the Owner of the land: : 1) Smt. Manjula Suresh Patil, 2) Shri Roshan Suresh Patil, 3) Shri Rohan Suresh Patil, 4) Smt. Malati Naresh Patil, 5) Shri Ashish Naresh Patil and 6) Priyanka Naresh Patil

Name of the Promoter of the land: **Mr. Nandkumar Balkrishna Salvi, Proprietor Of M/S. Sunita Enterprises**

Address : : Ground floor, Yashwant Apartments, behind Shraddha Hotel, Manisha Nagar 2, Thane west 400605

Details of Land: all that pieces and parcels of land bearing 1) portion admeasuring 1300 square meters from and out of Gat no. 86/5, 2) Gat no. 86/6 admeasuring 2100 square meters, 3) Gat no. 86/7 admeasuring 2100 square meters and 4) Gat no. 86/8 admeasuring 1600 square meters admeasuring in aggregate 7100 square meters, having corresponding CTS no. 195/A/3A, 195/A/3B and 195/D, lying being and situate at village Parsik, Taluka and District Thane, within limits of Thane Municipal Corporation.

The Report reflecting the flow of the title of Promoter on the said property enclosed herewith an Annexure


Advocate Shankar R. Barud
ADVOCATE SHANKAR R. BARUD
B.Com., LL.B
Reg No MAH/2447/2017

Encl: Annexure:- Title flow of the Said Property

ANNEXURE

1. DETAILS OF THE LAND AS PER THE CURRENT 7/12 EXTRACT & PROPERTY CARD:

Sr. no.	Particulars	Remark
1.	Name of the Owners	Mr. Roshan Suresh Patil and others
2.	Name of Developer	Mr. Nandkumar Balkrishna Salvi, Proprietor of M/S. Sunita Enterprises
3.	Survey no./Gat no.	portion admeasuring 1300 square meters from and out of Gat no. 86/5, 2) Gat no.86/6 admeasuring 2100 square meters, 3) Gat no. 86/7 admeasuring 2100 square meters and 4) Gat no. 86/7 admeasuring 1600 square meters admeasuring in aggregate 7100 square meters
4.	CTS no.	195/A/3A, 195/A/3B and 195/D
5.	Area (in sq. mtrs.)	7100
6.	Potkharaba (in sq. mtrs.)	Nil
7.	Total area (in sq. mtrs.) as per property card	7100
8.	Village	Parsik
9.	Taluka	Thane
10.	District	Thane
11.	Occupancy class	I
12.	Details in other rights column	Nil
13.	Mutation entry nos.	458, 631, 791, 809, 824, 1094, 1096, 1097, 1159, 1229, 1230, 1252, 1290, 1296, 1300

2. **OBSERVATIONS IN RESPECT OF MUTATION ENTRIES REFLECTED
IN CURRENT AND OLD 7/12 EXTRACTS:**

3.1 **Mutation Entry No.458 dated 15/09/1936:**

The Sale Certificate has been issued by Tahasildar and Agricultural Land Tribunal, Thane in favour of tenant purchaser Shri Maruti Kashinath Patil vide certificate bearing no. IRL IV P30 dated 05/05/1965 as per the procedure followed under the provisions of Bombay Tenancy and Agricultural Lands Act, 1948. Accordingly the name of tenant Purchaser was recorded in the occupants column of the land bearing Gat no. 86/P.

3.2 **Mutation Entry No.631 dated: 22/05/1986:**

Shri Maruti Kashinath Patil and their family members have partitioned all their joint family properties between them accordingly the Said Entire Property apportioned to Shri Maruti Kashinath Patil, his family members and brother vide mutation entry no. 631. However, the said partitioned was challenged and cancelled .

3.3 **Mutation Entry No.791 dated: 08/03/2001:**

Shri. Suresh Maruti Patil died on 18th November 1996 leaving behind legal heirs as follows:

Relation	Name of legal heir
Wife	Smt. Manjula Suresh Patil
Son	Shri Roshan Suresh Patil
Son	Shri Rohan Suresh Patil

3.4 **Mutation Entry No.809 dated: 04/02/2003:**

Shri. Maruti Kashinath Patil died on 28th September 1996 leaving behind legal heirs as follows:

Relation	Name of legal heir
Wife	Smt. Lilabai Maruti Patil

Son	Shri Suresh Maruti Patil (Demised)
Son	Shri Naresh Maruti Patil (Demised)
Married daughter	Sau. Nirmala Digambar Bhoir
Married daughter	Sau. Dashribai Anant Mhatre
Married daughter	Sau. Jaya Chandrakant Bunde
Married daughter	Sau. Rekha Madhusudan Bhoir

3.5 **Mutation Entry No.824 dated: 16/08/2003:**

As per letter of Government of Maharashtra bearing no. CLR-2001/Pra.Kra.4/Bhaag-1/L-1 cell dated 13/11/2002, the new hissa numbers were allotted to the land forming part of village parsik.

3.6 **Mutation Entry No.1094 dated 27/06/2011:**

Shri. Gopinath Kashinath Patil (real brother of Late Maruti Kashinath Patil) had filed civil suit against the legal heirs of late Maruti Patil bearing Special Civil Suit no. 604 of 2003 before Civil Judge Senior Division, Thane. The legal heirs of late Maruti Kashinath Patil and the legal heirs of late Gopinath Kashinath Patil have amicably settled the dispute in the Special Civil Suit no. 604 of 2003 by filing Consent Terms dated 29/09/2010. Accordingly the Said Entire Property has been partitioned in the following manner:

Gat no.	Area as per 7/12 extract (in sq. mtrs.)	Area apportioned to the legal heirs of Maruti Kashinath Patil	Area apportioned to the legal heirs of Gopinath Kashinath Patil
86/5	2100	1300	800
86/6	2100	2100	Nil
86/7	2100	2100	Nil
86/8	1600	1600	Nil
Total	7900	7100 (Said Entire Property)	800

3.7 **Mutation Entry No.1096 dated 04/07/2011:**

Smt. Lilabai Maruti Patil also died 14/04/2010 leaving behind legal heirs as follows:

Relation	Name of legal heir
Son	<u>Shri Suresh Maruti Patil (Demised)</u> Legal heirs: Smt. Manjula Suresh Patil -wife Shri Roshan Suresh Patil -son Shri Rohan Suresh Patil- son
Son	<u>Shri Naresh Maruti Patil (Demised)</u> Legal heirs: Smt. Malati Naresh Patil -wife Shri Ashish Naresh Patil -son Priyanka Naresh Patil - daughter
Married daughter	Sau. Nirmala Digambar Bhoir
Married daughter	Sau. Dashribai Anant Mhatre
Married daughter	Sau. Jaya Chandrakant Bunde
Married daughter	Sau. Rekha Madhusudan Bhoir

3.8 **Mutation Entry No.1097 dated 08/07/2011:**

All married daughters of late Shri. Maruti Kashinath Patil i.e. 1) Sau. Nirmala Digambar Bhoir, 2) Sau. Dashribai Anant Mhatre, 3) Sau. Jaya Chandrakant Bunde and 4) Sau. Rekha Madhusudan Bhoir have released and relinquished all their undivided share, rights, title and interest in the Said Entire Property in favour of legal heirs of their late Brothers i.e. late Suresh Maruti Pateil and late Naresh Maruti Patil viz. 1) Smt. Manjula Suresh Patil, 2) Shri Roshan Suresh Patil, 3) Shri Rohan Suresh Patil, 4) Smt. Malati Naresh Patil, 5) Shri Ashish Naresh Patil and 6) Priyanka Naresh Patil by executing Release Deed dated 12th May 2011, which is duly registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-2/5337/2011.

3.9 **Mutation Entry No.1159:**

This Mutation entry is not relevant to the Said Property.

3.10 **Mutation Entry No.1229 dated 05/04/2010:**

The Sub-divisional officer, Thane granted permission u/s. 43 of Bombay (Maharashtra) Tenancy and Agricultural Lands Act, 1948 bearing permission no. TD/TE.6/KUV/VIP/SR-155/2013 dated 27/01/2014 in respect of Gat no. 86/5

3.11 **Mutation Entry No.1230 dated 05/04/2010:**

The Sub-divisional officer, Thane granted permission u/s. 43 of Bombay (Maharashtra) Tenancy and Agricultural Lands Act, 1948 bearing permission no. TD/TE.6/KUV/VIP/ SR-156/2013 dated 27/01/2014 in respect of the Gat no. 86/6, 86/7 & 86/8.

3.12 **Mutation Entry No.1252 & 1290** as per Petition bearing No. 10204/2015 dated December 08, 2015 filed in Hon'ble High Court Mumbai and as per the instruction issued by Hon'ble Jambandi Ayukta dated December 03, 2015, the said mutation entry pertains to facilitate computerization of land records and to remove inconsistency in the hand written record and computerized record.

3.13 **Mutation Entry No.1296 dated 17/01/2020:**

The landowners have mortgage the land bearing Gat no. 86/5, 86/6 & 86/8 by executing Mortgage Deed dated 12/12/2019 in favour of ICICI Bank which is duly registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-9/16387/2019. This mutation entry is not approved

3.14 **Mutation Entry No.1300:**

As per Petition bearing no. 10204/2015 dated December 08, 2015 filed in Hon'ble High Court Mumbai and as per the instruction issued by Hon'ble Jamabandi Ayukta dated December 03, 2015, the said mutation entry pertains to facilitate computerization of land records and to remove inconsistency in the hand written record and computerized record.

4. **DETAILS OF CTS NUMBERS:**

The Department of Land Records carried out City Survey of all properties forming part of village Kharigaon and Parsik, and prepared property cards. In pursuance of survey carried out by Department of Land Records, the area of all the properties in the village Kharigaon and Parsik have been revised in accordance with the City Survey Plan. The details of Gat numbers and city survey numbers along with revised areas are as under:

Gat no.	CTS no.	Area as per property card (sq.mt.)	Reservation
86/5	195A/3A	5218	Nil
86/6	195A/3B	982	45 meters DP Road
86/7	195/D	899.42	45 meters DP Road
86/8			

5. **OBSERVATIONS IN RESPECT OF TITLE DEEDS:**

A. **Release Deed:**

All married daughters of late Shri. Maruti Kashinath Patil i.e. 1) Sau. Nirmala Digambar Bhoir, 2) Sau. Dashribai Anant Mhatre, 3) Sau. Jaya Chandrakant Bunde and 4) Sau. Rekha Madhusudan Bhoir have released and relinquished all their undivided share, rights, title and interest in the Said Entire Property in favour of legal heirs of their late Brothers i.e. late Suresh Maruti Patil and late Naresh Maruti Patil viz. 1) Smt. Manjula Suresh Patil, 2) Shri Roshan Suresh Patil, 3) Shri Rohan Suresh Patil, 4) Smt. Malati Naresh Patil, 5) Shri Ashish Naresh Patil and 6) Priyanka Naresh Patil by executing Release Deed dated 12th May 2011, which is duly registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-2/5337/2011.

B. **Transer Deed:**

The Landowners have surrendered/handed over portion admeasuring 899.42 square meters (being CTS no. 195/D) from and out of Said Entire Property in favour of TMC by executing Deed of Transfer dated 05/04/2022 which is duly

registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-2/7810/2022.

C. Development Agreement:

The Landowners i.e., 1) Smt. Manjula Suresh Patil, 2) Shri Roshan Suresh Patil, 3) Shri Rohan Suresh Patil, 4) Smt. Malati Naresh Patil, 5) Shri Ashish Naresh Patil and 6) Priyanka Naresh Patil have granted development rights of the Said Entire Property in favour of the Developer by executing Development Agreement dated 28th March, 2024 which is duly registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-2 /9373/2024.

D. Power of Attorney:

The Landowners have also executed power of attorney on even date, which is duly registered with the Sub-Registrar of Assurances, Thane at serial no. TNN-2/9374/2024.

6. SEARCH REPORT.

Search Report issued by Mr. Vishal Gaikwad, Searcher, in the office of The Sub-Registrar of Assurances at Thane 1, 2, 5, 7, 8, 9, 10, 11, 12 and 13 for the period of year 1994 to 2024 (10/04/2024) was placed before me.

- i. Record is torn for the year 1994-2003
- ii. No transactions are recorded in the year 2004-2010, 2012-2022
- iii. Relevant transactions are recorded in year 2011 & 2024.

7. APPROVALS AND PERMISSIONS:

- i. The Sub-divisional officer, Thane granted permission u/s. 43 of Bombay (Maharashtra) Tenancy and Agricultural Lands Act, 1948 bearing permission no. TD/TE.6/KUV/VIP/SR-155/2013 dated 27/01/2014 & TD/TE.6/KUV/VIP/ SR-156/2013 dated 27/01/2014 in respect of the Said Entire Property.
- ii. The Collector, Thane granted Sanad as per the provisions of section 42A of the Maharashtra Land Revenue Code, 1966. Accordingly the Developer is entitled to use the Said Entire Property for non-agricultural purpose bearing permission no. Mahasul/K-1/Te-1/Sanad/SR-01/2017 dated 24/04/2017.

- iii. The Developer has obtained permission from Ministry of Environment & Forest bearing no. SIA/MH/MIS/286406/2022 dated 06.12.2022.
- iv. The Thane Municipal Corporation has granted commencement certificate dated 07/07/2022 bearing permission under V.P. no. S08/0037/14 TMC/TDD/4125 in respect of Said Property.
8. **CONCLUSION:**
- 8.1 On behalf of the Developer we have verified the title of the owners to the said property on request of the Developer to ascertain the status of the property.
- 8.2 We have perused the certified copies and plain copies of document of title relating to the property which are known to us to be relevant for the purpose of this report.
- 8.3 The Developer has represented us that, there is no litigation is pending before any court, authority and tribunal with respect to the Said Property.
- 8.4 We have been provided search report with the Sub Registrar of Assurances for the period of 1994 to 2024. Therefore opinions and observations shall be qualified and restricted to the said period and also to the extent of availability of record only, as it appears that in some of the cases record unavailable.
- 8.5 The information given in this report arises from the examination of the searches and inquiries to the extent of documents provided for perusal which are attached herewith.
- 8.6 Prima facie it appears that, the title of the Said Property is clear and marketable.

Date: 18/04/2024

Place: Thane



Advocate Shankar R. Barud

ADVOCATE SHANKAR R. BARUD
B.Com., LL.B
Reg No MAH/2447/2017