

TITLE CERTIFICATE

Re: In the matter of Plot of Land bearing Old Survey No.446, Hissa No.I, New Survey No.130, Hissa No.I of revenue Village Navghar-Bhayandar, Taluka and District Thane admeasuring 8100 sq.mtrs. or thereabouts (hereinafter referred to as 'the said Plot of Land') and more particularly described in the Schedule hereunder written.

On behalf of and under instructions of my clients M/s. **PNK CONSTRUCTION** a sole proprietary concern of Shri Nilesh Shantilal Tank having address at Office No.1, Ground Floor, Building No.C-5, Shanti Vihar, Mira Road (East), Thane; my report on title in respect of the aboveresferred Plot of Land and more particularly described in the Schedule hereunder written, is as under:-

1. In pursuance of proceedings bearing No.32G/Bhayandar/211-88 initiated under Section 32 G of Bombay Tenancy And Agricultural Lands Act, 1948 by Mr. Bony Elias D'mello against Estate Investment Company, on 20/12/1990 the Additional Tahsildar and A.L.T. Thane issued Certificate of purchase dated 20/12/1990 under Section 32 M of the said Bombay Tenancy And Agricultural Lands Act, 1948 in favour of



the said Mr. Bony Elias D'mello. The said 32(M) Certificate is duly registered with the Sub-Registrar of Thane under Serial No.10677 of 1990. Referring to the fact of the issuance of the said 32M Certificate, Talathi has entered the name of the said Bony Elias D'mello and four others i.e. (1) Mr. Bony Elias D'mello, (2) Mrs. Rosy Elias D'mello, (3) Mr. Venture Elias D'mello, (4) Mr. Mervin Elias D'mello and (5) Mrs. Judy Thomas D'souza, in 7/12 Extract as per Mutation Entry No.265 dated 16th February 1991.

2. By and under Agreement for Development dated 9th December 2005 the said Mr. Bony Elias D'mello and others have granted the rights of developments and also other rights of the said Plot of Land to and in favour of my client i.e. M/s. PNK CONSTRUCTION a sole proprietary concern of Shri Nilesh Shantilal Tank as mentioned in detail in the said Agreement for Development. The said Agreement for Development is registered with the Sub-Registrar of Thane under Serial No TNN-7/7510 of 2005. In pursuance of the said Agreement for Development the said Mr. Bony Elias D'mello and others have also granted Power of Attorney dated 9/12/2005 in favour of my client and his nominee Mr. Praful Tank authorizing them to do various acts, deeds, matters and things as set out therein. The said Power of Attorney is registered with the Sub-



Registrar of Thane under Serial No.TNN-7/7511 of 2005 in 7/12 Extract as per Mutation Entry No. 644 dated 25/12/2005. By Mutation Entry No.644 dated 25/12/2005 name of my client recorded in the itark column of the 7/12 Extract of the said Plot of Land.

3. Under N.A. Order bearing No.K. MAHSUL/K-1/T-1/NP/NAVGHAR-THANE/SR/74/2011 dated 12th September, 2011 passed by the by Zilla Adhikari Office Thane, the said Plot of Land is allowed for Development under the terms of the said order dated 12th September, 2011.
4. By Deed of Conveyance dated 30/08/2012, between Mr. Bony Elias D'mello and others therein referred to as Vendors and the said M/s. PNK CONSTRUCTION therein referred to as a Purchaser, the Mr. Bony Elias D'mello and others have conveyed, transferred and assigned the said Plot of Land more particularly described in the Schedule hereunder written to and in favour of the said M/s. PNK CONSTRUCTION for the consideration including upon the specific covenants/terms contained therein. The said Deed of Conveyance registered with the sub-registrar of Thane under Serial No. TNN7/06122/2012 on 30/08/2012. By Mutation Entry No. 1733 dated 01/09/2012 the name of the said PNK

Construction recorded in 7/12 Extract of the said Plot of Land.

5. By and under Agreement dated 20th May, 2014 M/s. PNK Construction have transferred total 1688.75 sq.mtrs. affected by reservation under D.P. Plan (6/1-15 sq.mts. approx. being 15 mt. D.P. Road, 900.60 sq.mts. approx. being 18 mt. D.P. Road and 117 sq.mts. approx. being market reservation) aggregating to 1688.75 sq.mtrs. in favour of Mira Bhayandar Municipal Corporation vide registered Agreement dated 20th May, 2014 registered with the Sub-Registrar of Thane under Serial No.INN-7/4209 of 2014 and M/s. PNK Construction is availing benefit of F.S.I. of the said reservation on the said Plot of Land.
6. I have also pursued the search report in respect of the said Plot of Land in the Thane, Bhayandar and Mira Sub-Registrar office for the period from 1984 to 2014.
7. In the circumstances I am of the view that title of the said M/s. PNK CONSTRUCTION, sole proprietorship, in respect of the said Plot of Land is clear, marketable and free from all encumbrances and the said M/s. PNK CONSTRUCTION a sole proprietary concern of Shri Nilesh Shantilal Tank have all the rights including rights of development of the said Plot of Land.



8. I have investigated the title in respect of the said Plot of Land and in my opinion, subject to reservations as per the Maharashtra Regional Town Planning Act, on the said Plot of Land and subject to any reservation as per the sanctioned plan of Mira Bhayander Municipal Corporation, the said M/s. PNK CONSTRUCTION., are having marketable title to the said Plot of Land and are entitled to develop the said Plot of Land, including the rights to sell the units constructed in such building/s on the said Plot of Land to various unit purchasers under Maharashtra Flat Ownership Act, 1963, and the rules made thereunder, upon complying with all the rules and regulations as laid down under the Development Rules of Mira Bhayandar Municipal Corporation.

THE SCHEDULE HEREINABOVE REFERRED TO:-

ALL THAT piece or parcel of land bearing Old Survey No.446, Hissa No.1, New Survey No.130, Hissa No.1 of revenue Village Navghar-Bhayandar, Taluka and District Thane admeasuring 8400 sq.mtrs or thereabouts within the limits of Mira Bhayandar Municipal Corporation, in the Registration District and Sub-District of Thane.

Dated this 10th day of June, 2014.



Chetan D. Pathak,
Advocate High Court, Mumbai