

**RIDDHI SHAH**  
**ADVOCATE & SOLICITOR**

**Off: A/8, Manorath, Dattapada X Road no.2,  
Borivali (East), Mumbai- 400066.**  
**Contact: +91- 9819094502**  
**Email:shahriddhi4@gmail.com**

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**Title Certificate**

**CERTIFICATE OF TITLE ON LAND ADMEASURING 2500 SQ. MTRS BEARING CTS. NO. 217, AND 217/1 TO 217/58 AND 218 AND 218/1 TO 218/32 OF VILLAGE- MAGATHANE, TALUKA- BORIVALI, MUMBAI SUBURBAN DISTRICT SITUATED AT SANT GORA KUMBHAR ROAD, DEVIPADA, BORIVALI (EAST), MUMBAI, 400066, MAHARASHTRA.**

**1. INTRODUCTION:-**

**J. V. REALTY & DEVELOPERS**, a partnership firm constituted under the provisions of Indian Partnership Act, 1932 having its principal place of business at Office No. 2, G-52 Roop Mangal, Corner of 16<sup>th</sup> Road and Main Avenue, Santacruz (West), Mumbai- 400054 ("**Developer**"), has instructed me to inquire into its title to the said property (hereinafter defined) and its right and authority to develop the said property, construct building/s thereon and sell the premises therein.

**2. DESCRIPTION OF THE PROPERTY:-**

All that piece and parcel of the land admeasuring 2500 sq. mtrs or thereabouts forming portion of layout scheme bearing Survey No. 34, Hissa No. 6 admeasuring 20,000 sq. yards. i.e. 19,083 sq. mtrs corresponding to CTS No. 217, and 217/1 to 217/58 and 218 and 218/1 to 218/32 of Village- Magathane, Taluka- Borivali, Mumbai Suburban District situated at Sant Gora Kumbhar Road, Devipada, Borivali (East), Mumbai, 400066 (hereinafter referred to as the "**said property**") and more particularly described in the Schedule hereunder written.

3. For the purpose of inquiry, (i) public notice was issued in the issues of The Free Press Journal and Navshakti (ii) searches were taken in the office of the Sub-Registrar of Assurance at Mumbai and Mumbai Suburban District; (iii) papers and documents



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those made available to me were perused; and (iv) information sought from the Developer.

4. On perusal of documents and information given on enquiries, I hereunder set out my understanding of the Developer's title to the said property and also right and authority of the Developer to develop the same, construct building/s thereon and sell the premises therein:

- (i) One Mr. Jagdish Wamanrao Rane, sole proprietor of M/s. Shree Sadguru Enterprises ("**Original Owner**") was the owner of the said property;
- (ii) There were structures/hutments on the said property. The said structures/hutments were occupied by the slum dwellers/Project Affected Persons ("**PAP**");
- (iii) By a Decree dated 6/7/2009 passed by the Hon'ble High Court of Judicature at Bombay OOCJ in respect of Suit bearing No. 2180 of 1997 filed by the Original Owner (Plaintiff) against Mr. Ravindra Panjwani & Others (Defendants) for Specific Performance of Agreement for Sale dated 23/8/1991 in respect of the said property and which was duly decreed in terms of prayers mentioned therein and which decree was further challenged by third party and litigation is pending till date and prima facie it is seen that no stay/ad-interim has been granted by Hon'ble High Court of Judicature at Bombay OOCJ to the said third party in respect of the said property;
- (iv) By a Development Agreement dated 29/03/2011 made by and between the Original Owner of the one part and the Developer of the other part and registered with Sub Registrar of Assurance at Borivali under serial No. BDR-16/3080/2011 dated 29/03/2011, for the consideration mentioned therein, the



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- Original Owner did sell, transfer and convey the development rights of said property and all the right, title, interest, claim, etc. in respect thereof to the Developer;
- (v) The Original Owner died on or about 20/03/2013 leaving behind him one Mr. Amey Jagdish Rane as his only surviving heir and legal representative as per the Law of Intestate Succession applicable to a Hindu Male dying intestate, by which the said Original Owner was governed at the time of his death. All the assets and liabilities of the Original Owner crystallized on the date of his death have devolved upon the said Mr. Amey Jagdish Rane.
- (vi) Since some of the obligations which were to be performed by the Original Owner and the Developer under the aforesaid Development Agreement dated 29/03/2011 were pending to be performed, a Supplementary Agreement dated 27/10/2016 was made and executed by and between the said Mr. Amey Jagdish Rane of the one part and the Developer of the other part and registered with Sub Registrar of Assurance at Borivali under serial No. BRL-4/11245/2016 dated 27/10/2016 for newly agreed terms and conditions.
- (vii) On 27/09/2016 Revised Letter of Intent No. CE/SI/0153 have been issued by Slum Rehabilitation Authority ("SRA") under the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and Development Control Regulations for Greater Mumbai, 1991 with respect to the said property.
- (viii) On 11/01/2017 the plans for construction of Rehab/PAP building no. 10 and on 03/02/2017 the plans for construction of sale building no. 9 are sanctioned and Intimation of Approvals bearing Nos. SRA/ENG/3832/RC/PL/AP for Rehab/PAP building no. 10 and SRA/ENG/3840/RC/PL/AP for sale building no. 9 respectively have been issued by the SRA. On 21/01/2017 and 20/02/2017



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Commencement Certificates bearing Nos. SRA/ENG/3832/RC/PL/AP for Rehab/PAP building no. 10 and SRA/ENG/3840/RC/PL/AP for sale building no. 9 respectively have been issued by the SRA.

5. That I have perused the search report dated 24/03/2017 for the search taken at the Office of the Sub- Registrar of Assurances at Mumbai, Bandra, Goregaon & Borivali from 1988 to 2017 (30 Years) through Search Clerk Mr. Rajesh Nair. That after perusing the Search Report no such encumbrances were found in respect of the said property and documents registered in respect of the said property which are mentioned hereinabove were reflected with appropriate details in the search report.

6. Under instructions of my client (Developer) I have issued Public Notice dated 10<sup>th</sup> March, 2017 published in **The Free Press Journal** and **Navshakti** newspapers to investigate the title of the Developer and invite claims and objections from the public at large in respect of the said property. Pursuant to the issue of said Public Notice no claims have been received in respect of the said property and to the said effect I have issued No Claim Certificate dated 27/3/2017.

7. **Conclusion/Certificate:** In view of the above, I am of the opinion that **J. V. Realty & Developers**, a partnership firm is having clear and marketable development rights on the said property and is entitled to deal/sell and create third party rights in respect of free sale component in the sale building no. 9 to be constructed on the said property as per the approved building plans and in terms of approvals/permissions granted by the authority concerned under the Development Control Regulations for Greater Mumbai, 1991.

**The Schedule Above Referred To:**

ALL THOSE pieces or parcels of lands or grounds hereditaments and premises admeasuring in aggregate about 2,500 Square Meters or thereabouts forming portion



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of layout scheme bearing Survey No. 34, Hissa No. 6 admeasuring 20,000 Sq. Yrds. i.e. 19,083 sq.mtrs. corresponding to CTS No. 217, and 217/1 to 217/58 and 218 and 218/1 to 218/32 of Village- Magathane, Taluka- Borivali, Mumbai Suburban District situated at Sant Gora Kumbhar Road, Devipada, Borivali (East), Mumbai in the Registration District and Sub-District of Mumbai City and Mumbai Suburban and bounded as follows:

On or towards North : By Sant Gora Kumbhar Road


On or towards South : By Internal Road of Shri Sadguru Bldg No.6

On or towards East : By CTS No. 216

On or towards West : By Internal Road of Shri Sadguru Bldg No. 8

At Mumbai.

On this 10<sup>th</sup> day of April, 2017.

  
**RIDDHI D. SHAH**  
Advocate & Solicitor  
ENRL No. P-44-3085-2008

***Disclaimer:** The title certificate is strictly based on the above documents and information provided to us and the documents available in the records of the respective Sub Registrar. It is presumed that the copies of all documents submitted to us are the copy of original documents and requisite authorizations have been obtained for execution of the said documents.*

