

TITLE CERTIFICATE

TO WHOMSOEVER IT MY CONSERN

Subject -**Title certificate**

Names of the owners -

1. Smt. Sumati Hanumant Kulkarni
2. (a) Shri. Unmesh V. Inamdar

(b) Smt. Aparna S. Niphadkar
3. Shri. Pramod Pandurang Nerlekar
4. Smt. Vaishali Diwakar Joshi
5. Smt. Suhasini Ashwin Agarwal
6. (a) Smt. Shraddha S. Nerlekar

(b) Rhishikesh Shrikant Nerlekar

(c) Ruta Shrikant Nerlekar

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DESCRIPTION OF THE PROPERTY : All that the Municipal Leasehold Plot of Land or ground being Plot No. 11 of Sion Matunga Estate belonging to the Municipal Corporation of Greater Mumbai bearing C.S. No. 286/6 of Sion Division admeasuring 508 sq. yards or thereabouts and situate and lying and being at Plot no 11, Sion (West), Mumbai 400 022, along with ground plus four storied structure standing thereon known as "Ganesh Niwas" and one garage, being in the Registration District and Sub – District of Bombay, Municipal Corporation Ward No. F8731, and bounded as follows :

On or towards North by : Road No. 5

On or towards East by : Plot No. 12

On or towards South by : Plot No. 20

On or towards West by : Road No.24

Which is hereinafter referred to as "the said property"

Under the instructions of my clients viz. Shree Yashraj Real Estate Developers Pvt. Ltd., I have investigated the title of the said property, my clients being the Developers of the said property. During the course of the investigation of title, i have examined the documents as mentioned here

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under which were produced by my clients, caused Search to be taken in the offices of Registrar of Sub- Assurances at Mumbai 1 to 5 with regard to the said property for the period of 60 years and also issued public notice in daily newspapers, being Free Press Journal (English Daily) and Navshakti (Marathi Daily) on 21st June 2016, thereby inviting claims and objections from the public with regard to the Development Agreement executed between the owners and my clients dated 8th May 2014 and also generally dealing with the said property.

I) Documents as produced by the client hence perused and examined by me:

- 1) Indenture of Lease dated 1st December 1965 registered under serial No. BOM/4287/1965 between the Municipal Corporation of Greater Mumbai and Pandurang Ganesh Nerlekar.
- 2) Death certificate of Pandurang Nerlekar. Date of death – 2nd September, 1968.
- 3) MCGM Sanctioned plans of construction till 4th floor along with garage.
- 4) Death certificate of Shrikant Pandurang Nerlekar (son of Pandurang Nerlekar). Date of death – 15 September 2003.

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- 5) Death certificate of Usha V. Inamdar (married daughter of Pandurang Nerlekar). Date of death – 25th December 2003.
- 6) Death certificate of Laxmibai Pandurang Nerlekar (widow of Pandurang Nerlekar). Date of death – 18 July 2006.
- 7) Letters of Administration granted to the owners by the Hon'ble High Court, Bombay dated 12th July 2013.
- 8) Development Agreement Dated 8th May 2014 registered at serial no. BBE-2/3789/2014.
- 9) Deed of Transfer dated 8th May 2014 between Smt. Sumati Kulkarni for self and remaining owners.
- 10) Updated PR card with Owners name.
- 11) Property Tax Clearance Certificate.
- 12) Search report from 1960- June 2016.

II) OBSERVATIONS

- A) It appears from the records that one Mr. Pandurang Ganesh Nerlekar acquired the Lease in respect to the said property from the Municipal Corporation of Greater Mumbai by way of Indenture of Lease dated 1st December 1965 being registered at Serial no. BOM/4287/1965 by way of which the said Mr. Pandurang Ganesh Nerlekar became seized

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possessed and / or otherwise well and sufficiently entitled to the said property.

- B) It appears from the records that there was a structure on the plot of the said property prior to grant of the Lease and by way of the said Indenture of Lease dated 1st December 1965, the said Mr. Pandurang Ganesh Nerlekar became seized, possessed and / or otherwise well and sufficiently entitled to the said structure along with the said property.
- C) As per records it appears that the said Mr. Pandurang Ganesh Nerlekar passed away on 22nd September 1968.
- D) Municipal Corporation of Greater Mumbai had sanctioned Building Plans for the building known as "Ganesh Niwas" in respect to the 2nd, 3rd and 4th floor to be constructed on the existing ground and first floor by way of approval dated 9th August 1980.
- E) By way of grant of Letters of Administration dated 12th July 2013, the Hon'ble High Court, Bombay in Testamentary Petition No. 1531 of 2012 granted the Letters of Administration for the said property to (1)Smt. Sumati Hanumant Kulkarni, (2) (a)Shri. Unmesh V. Inamdar (b)Smt. Aparna S. Niphadkar (being the legal heirs of deceased Smt. Usha V. Inamdar), (3)Shri. Pramod Pandurang Nerlekar, (4)Smt. Vaishali Diwakar Joshi, (6)Smt. Suhasini Ashwin Agarwal (6) (a)Smt. Shraddha S. Nerlekar

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(6) (b) Rhishikesh Shrikant Nerlekar (6) (c) Ruta Shrikant Nerlekar (being the legal heirs of deceased Shrikant Pandurang Nerlekar).

F) By way registered Deed of Transfer dated 8th May 2014 being registered at BBE-2/3788/2014 Mr. Sumati Hanumant Kulkarni , being the Transferor there in, transferred the said property to (1) Smt. Sumati Hanumant Kulkarni (herself), (2) (a) Shri. Unmesh V. Inamdar, (b) Smt. Aparna S. Niphadkar (being the legal heirs of deceased Smt. Usha V. Inamdar), (3) Shri. Pramod Pandurang Nerlekar, (4) Smt. Vaishali Diwakar Joshi, (6) Smt. Suhasini Ashwin Agarwal (6) (a) Smt. Shraddha S. Nerlekar (6) (b) Rhishikesh Shrikant Nerlekar (6) (c) Ruta Shrikant Nerlekar (being the legal heirs of deceased Shrikant Pandurang Nerlekar) as Beneficiaries of the said property to the said property in view of the grant of the letters of Administration as afore said .

G) The widow of Pandurang Ganesh Nerlekar being Smt. Laxmi Bai Pandurang Nerlekar expired intestate at Mumbai 18th July 2006.

H) 1) Mrs. Sumati Hanumant Kulkarni, 2) Shri .Pramod Pandurang Nerlekar, (3) Shri. Shrikant Pandurang Nerlekar, (4) Smt. Usha .V. Inamdar, (5) Smt. Vaishali Diwakar Joshi, (6) Smt. Suhasini Ashwin Agarwal, being the only legal heirs and representatives of the Pandurang Ganesh Nerlekar

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according to Hindu Succession Act became the co – owners and seized and possessed of and otherwise well and sufficiently entitled to the said property.

- I) Shri. Shrikant Pandurang Nerlekar died intestate at Mumbai on 15th September 2003 thereby leaving behind his wife Smt. Shraddha Shrikant Nerlekar, Son Mr. Rhishikesh Shrikant Nerlekar and Daughter Ms. Ruta Shrikant Nerlekar as his only heirs and legal representatives according to Hindu Succession Act 1956.
- J) Smt. Usha Inamdar Nerlekar died intestate on 25th December 2003 leaving behind her Son Mr. Umesh V. Inamdar and Daughter Mrs. Aparna S. Niphadkar as her only heirs and legal representatives according to Hindu Succession Act, 1956.
- K) Hence as stated in the above paragraphs G,H,I and J above, the Deed of Transfer dated 8th May 2014 was executed by the parties mentioned therein and hence the Transferees became the Owners in respect to the said property.
- L) It appears that registered Development Agreement dated 8th May 2014 being registered at serial no BBE-2/3789/2014 was executed between the said owners as mentioned above as the Owners therein and M/s. Shree Yashraj Real Estate Developers Pvt. Ltd., a Company duly registered under

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the provisions of the Companies Act 1956, being the Developers therein, whereby the Development Rights with regards to the said property have been given conferred upon the said M/s. Shree Yashraj Real Estate Developers Pvt. Ltd., on the terms and conditions more particularly mentioned therein.

M) I have perused the certified copy of the Property Register Card issued on 8th February 2016 to one Mr. Santosh Parohi, who I am informed, is an employee of M/s. Shree Yashraj Real Estate Developers Pvt. Ltd. From the perusal of the said Property Register Card, the Indenture of Lease Dated 1st December 1965, grant of Letter of Administration Dated 12th July 2013 by Hon'ble High Court of Bombay in Testamentary Petition No. 1531 of 2012 being granted to the owners, and the Deed of Transfer dated 8th May 2014 from the Owners to M/s. Shree Yashraj Real Estate Developers Pvt. Ltd., the Developers therein and being my clients, is seen.

N) I have caused Search with respect to the said property through Search Clerk Mr. Eknath S. Gaokar for a period of 60 years with regard to the said property at the office of Sub- Registrar, Mumbai 1 to 5, and with regard to the plot of the said property, there appears to be no entries of Registration apart from the Deeds and Documents as mentioned above, except an Affidavit being executed by the owners through their Constituted Attorney

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being Director of Shree Yashraj Real Estate Developers Pvt. Ltd. in favour of Municipal Corporation of Greater Mumbai.

- O) In the said search entries with regard to the tenements in the buildings called Ganesh Niwas being the part and parcel of the said property, it shows of various transfers with regard to the tenements.
- P) I have also issued Public Notice with regard to the said property on 21st June 2016 and I have not received till date any claim or objection of any person or entity in respect to the said property or the transaction being Development Agreement Dated 8th May 2014 which has been already executed between the said owners and Shree Yashraj Real Estate Developers Pvt. Ltd. being duly registered at serial No. BBE-2/3789/2014

III) Opinion

In the light of the above observations and upon perusal of the records placed before me by M/s. Shree Yashraj Real Estate Developers Pvt. Ltd., it can be concluded that the title of the said property viz. all that the Municipal Leasehold Plot of Land or ground being Plot No. 11 of Sion Matunga Estate belonging to the Municipal Corporation of Greater Mumbai bearing C.S. No. 286/6 of Sion Division admeasuring 508 sq. yards or thereabouts and situate and lying and being at Plot no 11, Sion (West), Mumbai 400 022, along with

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ground plus four storied structure standing thereon known as "Ganesh Niwas" and one garage, being in the Registration District and Sub – District of Bombay, Municipal Corporation Ward No. F8731, more particularly described in the description of property above, is reasonably clear and marketable and is free from encumbrances and attachments as per the records made available to me and that my client M/s Shree Yashraj Real Estate Developers Pvt. Ltd. are duly entitled to the Development Rights of the said property which they have obtained from the aforesaid owners at the price and terms and conditions as mentioned in the Development Agreement Dated 8th May 2014. This Title Certificate is issued as original in duplicate to my client M/s Shree Yashraj Real Estate Developers Pvt. Ltd., at its request.

Dated: 21/July/2016.

Place: Mumbai

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SOLICITOR & ADVOCATE