

Mahendra P. Bhatt

B.Com., LL.B.

ADVOCATE HIGH COURT

TELE. : OFF. 2265 40 67
RESI. 2894 80 07

6, CRESCENT CHAMBERS, 1ST FLOOR,
TAMARIND STREET, FORT, MUMBAI - 400 023.

Ref. _____

Date _____

To,

M/S. A.K. DEVELOPERS,

Re: Property bearing bearing Cadastral Survey No. 1/638 of Girgaon Division situate at situate at V. P. Road, Mumbai together with structure standing thereon known as Prabhu Niwas.

M/S. A.K. DEVELOPERS ... OWNERS

Under instructions of you, **M/S. A.K. DEVELOPERS**, I have investigated your title to the above captioned property more particularly described in the Schedule hereunder written and report as under:

I. 1. a) By an Indenture of Conveyance dated 10th September 1934 registered with the Sub-Registrar of Assurances between Dr. A. N. Bhalerao & Anr. as the Vendors therein and (1) Chunilal Vajeram Reshamwala, (2) Jethabhai Prabhudas, (3) Dahyabhai Prabhudas (4) Chaganlal Pranjivandas as the Purchasers therein, the said Vendors did thereby sell and convey to the said Chunilal Reshamwala & Ors. all that piece and parcel of freehold land together with the land buildings and structures standing thereon known as "Prabhu Niwas" containing by admeasurement 820.5 Sq. yds. Equivalent to 686.09 sq. mtrs. or thereabouts and bearing Cadastral Survey No. 1/638 of Girgaon Division and all which premises are situate at V. P. Road, Mumbai in the Registration Sub District of Bombay and more particularly described in the Schedule hereunder written and hereinafter referred to as "**the said Property**".

2. The said Shri Chunilal Vajeram Reshamwala died on 12th February, 1973 leaving behind his son Shri Arvind Chunilal Reshamwala as his surviving heir who became entitled to his said 1/4th share, right, title and interest in the property more particularly described in the Schedule hereunder written.

3.(a) The said Shri Jethabhai Prabhudas Reshamwala died on 15th June, 1944 leaving behind his sons (1) Shri Ramesh Jethabhai Reshamwala and (2) Shri Mohan Jethabhai Reshamwala, as his surviving heirs who became entitled to his 1/4th share, right, title and

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interest in the said property more particularly described in the Schedule hereunder written.

(b) The said Shri Mohan Jethabhai Reshamwala died on 15th December, 2010 leaving behind his heirs (1) Smt. Kirtida N Jariwala, (2) Smt. Veena N. Jariwala and (3) Smt. Meera Niranjan Doriwala as his only heirs and legal representatives who accordingly became entitled to all the share, right, title and interest of late Shri Mohan Jethabhai Reshamwala in the property more particularly described in the Schedule hereunder written.

(c) In the premises, the said 1) Shri Ramesh Jethabhai Reshamwala (2) Shri Mohan Jethabhai Reshamwala, 3) Smt. Kirtida N Jariwala, (4) Smt. Veena N. Jariwala and (5) Smt. Meera Niranjan Doriwala herein became entitled to all the said 1/4th share, right, title and interest of late Shri Jethabhai Prabhudas Reshamwala in the property more particularly described in the Schedule hereunder written.

4.(a) The said Shri Dahyabhai Prabhudas Reshamwala died on 21st March, 1938 leaving behind his children (1) Shri Govardhan Dahyabhai Reshamwala, (2) Shri Jashwant Dahyabhai Reshamwala, (3) Shri Hashmukh Dahyabhai Reshamwala, (4) Shri Nathubhai Dahyabhai Reshamwala and (5) Shri Rasikhbhai Dahyabhai Reshamwala as his surviving heirs who became entitled to his 1/4th share, right, title and interest in the property more particularly described in the Schedule hereunder written.

(i) The said Shri Nathubhai Dahyabhai Reshamwala died on 26th February, 1980 leaving behind his children (1) Shri Naresh Nathubhai Reshamwala and (2) Smt. Sudha Bipinchandra Kapadia, being his married daughter as his surviving heirs and legal representatives who became entitled to the share, right, title and interest of late Shri Nathubhai Dahyabhai Reshamwala in the said property described in the Schedule hereunder written.

(ii) By a Deed of Release dated 9th June 2014, registered with Sub-registrar of Assurance at Mumbai under Sr. No. 4984 of 2014 the said Smt. Sudha Bipinchandra

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Kapadia did thereby release and relinquish all her share, right, title and interest in the said property in favour of her brother (1) Shri Naresh Nathubhai Reshamwala to the end and intent that the said Naresh Nathubhai Reshamwala became entitled to all the undivided share, right, title and interest of the said late Shri Naresh Nathubhai Reshamwala in the said property more particularly described in the Schedule hereunder written.

(c)(i) The said Shri Hashmukh Dahyabhai Reshamwala died on 28th April, 1999 leaving behind his heirs (1) Smt. Urvashi Hashmukh Reshamwala, (2) Himanshu Hashmukh Reshamwala, and (3) Shri Ramkrishna Hashmukh Reshamwala as his surviving heirs who became entitled to all his share, right, title and interest in the said property more particularly described in the Schedule hereunder written.

(ii) The said Shri Ramkrishna Hashmukh Reshamwala died on 15th Feb 2006 leaving behind his heirs (1) Smt. Neela Ramkrishna Reshamwala, (2) Shri Anlap Ramkrishna Reshamwala and (3) Smt. Archita Ayush Reshamwala as his surviving heirs.

(iii) The said Shri Anlap Ramkrishna Reshamwala died a bachelor on 21st April, 2008.

(iv) By a Deed of Release dated 12th June 2014 registered with Sub-registrar of Assurance at Mumbai under Sr. No. 5073 of 2014 the said Smt. Urvashi Hashmukh Reshamwala did thereby release and relinquish all her share, right, title and interest in the said property in favour of her son (1) Shri Himanshu Hashmukh Reshamwala and heirs of her late son Ramkrishna Hashmukh Reshamwala, (2) Neela Reshamwala and (3) Smt. Archita Ayush Desai to the end and intent that the said 1) Shri Himanshu Hashmukh Reshamwala, 2) Smt. Neela Ramkrishna Reshamwala and 3) Smt. Archita Ayush Desai became entitled to all the share, right, title and interest of the said late Shri Hashmukh Dahyabhai Reshamwala in the said property more particularly described in the Schedule hereunder written.

(d)(i) The said Shri Rasikhbhai Dahyabhai Reshamwala died on 8th August, 1996 leaving behind his heirs (1) Shri Rajesh Rasikhbhai Reshamwala, (2) Shri Vinesh Rasikhbhai

Reshamwala and (3) Smt. Manjuben Rasikhbhai Reshamwala, as his surviving heirs who became entitled to all his share, right, title and interest in the said property more particularly described in the Schedule hereunder written.

(ii) By a Deed of Release dated 6th June 2014 registered with Sub-registrar of Assurance at Mumbai under Sr. No. 4866 of 2014 the said Smt. Manjuben Rasikhbhai Reshamwala did hereby release and relinquish all her share, right, title and interest in the said property in favour of her sons the said (1) Shri Rajesh Rasikhbhai Reshamwala and (2) Shri Vinesh Rasikhbhai Reshamwala to the end and intent that the said (1) Shri Rajesh Rasikhbhai Reshamwala and (2) Shri Vinesh Rasikhbhai Reshamwala alone became entitled to all the share, right, title and interest of the said late Shri Rasikhbhai Dahyabhai Reshamwala in the said property more particularly described in the Schedule hereunder written.

(e) In the premises, the said (1) Shri Govardhan Dahyabhai Reshamwala, (2) Shri Jashwant Dahyabhai Reshamwala, (3) Shri Himanshu Hashmukh Reshamwala, (4) Neela Ramkrishna Reshamwala and (5) Smt. Archita Ayush Desai, (6) Shri Rajesh Rasikhbhai Reshamwala, (7) Shri Vinesh Rasikhbhai Reshamwala and 8) Shri. Vinesh Rasikhbhai Reshamwala alone became entitled to all the 1/4th share, right, title and interest of the said late Shri Dahyabhai Prabhudas Reshamwala in the said property more particularly described in the Schedule hereunder written as his only surviving heirs and legal representatives.

5.(a) The said Shri Chhaganlal Pranjivandas Reshamwala died on 25th March, 1980 leaving behind his sons (1) Shri Madhusudhan Chhaganlal Reshamwala and (2) Shri Sakarlal Chhaganlal Reshamwala, as his surviving heirs who became entitled to all his 1/4th share, right, title and interest in the said property more particularly described in the Schedule hereunder written.

(b)(i) The said Shri Sakarbhai Chhaganlal Reshamwala died on 11th March, 2006 leaving behind his heirs (1) Shri Virendra Sakarlal Reshamwala, (2) Smt. Ramila Ruwala, and (3) Smt. Chandrika Jariwala, who became entitled to all the share, right, title and interest of

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late Shri Sakarlal Chhaganlal Reshamwala in the property more particularly described in the Schedule hereunder written.

(ii) By a Deed of Release dated 10th June 2014 registered with Sub-registrar of Assurance at Mumbai under Sr. No. 5018 of 2014 the said Smt. Ramila Ruwala and Smt. Chandrika Jariwala did thereby release and relinquish all their share, right, title and interest in the said property described in the Schedule hereunder written in favour of their brother said Shri Virendra Sakarlal Reshamwala to the end and intent that he alone became entitled to all the share, right, title and interest of late Shri Sakarlal Chhaganlal Reshamwala in the said property more particularly described in the Schedule hereunder written.

(c) In the premises the said (1) Shri Madhusudhan Chhaganlal Reshamwala and 2) Shri Virendra Sakarlal Reshamwala became entitled to all the 1/4th share, right, title and interest of Shri Chhaganlal Pranjivandas Reshamwala in the said property more particularly described in the Schedule hereunder written.

6. In the premises aforesaid, the said (1) Shri Arvind Chunilal Reshamwala, (2) Shri Ramesh Jethabhai Reshamwala, (3) Smt. Kirtida N. Jariwala, (4) Smt. Veena N. Jariwala, (5) Smt. Meera Niranjana Doriwala, (6) Shri Govardhan Dahyabhai Reshamwala, (7) Shri Jashwant Dahyabhai Reshamwala, (8) Himanshu Hashmukh Reshamwala, (9) Smt. Neela Ramkrishna Reshamwala, (10) Smt. Archita Ayush Desai, (11) Shri Naresh Nathubhai Reshamwala, (12) Shri Rajesh Rasikhbhai Reshamwala, (13) Shri Vinesh Rasikhbhai Reshamwala, (14) Shri Madhusudhan Chhaganlal Reshamwala, and (15) Shri Virendra Sakarlal Reshamwala became seized and possessed of or otherwise well and sufficiently entitled to the said property described in the Schedule hereunder written who were managing the said property in the name and style of "Prabhudas Gangadas Reshamwala".

7. By a Development Agreement dated 12th June 2014, the said SHRI ARVIND CHUNILAL RESHAMWALA and 14 Ors as the Owners therein did thereby agree to



grant and confer unto the you, **M/s. A.K DEVELOPERS** as the Developers therein, the development-cum-sale rights in respect of the property more particularly described in the Schedule thereunder written which corresponds with the Schedule hereunder written on the terms and conditions therein contained.

8. Pursuant to the said Development Agreement, by a Deed of Conveyance dated 31st March, 2016 registered with the Sub-Registrar of Assurances at Bombay under Sr. No. 3823 of 2016 made between the said SHRI ARVIND CHUNILAL RESHAMWALA and 14 Ors as the Vendors therein and you, **M/s. A.K DEVELOPERS** as the Purchasers therein the said Vendors did thereby sell transfer and convey unto you the said piece and parcel of freehold land together with the land buildings and structures standing thereon known as "Prabhu Niwas" containing by admeasurement 820.5 Sq. yds. Equivalent to 686.09 sq. mtrs. or thereabouts and bearing Cadastral Survey No. 1/638 of Girgaon Division and all which premises are situate at V. P. Road, Mumbai more particularly described in the Schedule hereunder written which corresponds with the Schedule hereunder written on the terms and conditions therein contained.

II. In the aforesaid premises, **you, M/S. A.K DEVELOPERS** have become seized and possessed of and otherwise well and sufficiently entitled to the said property described in the Schedule hereunder written in terms of the Deed of Conveyance and are entitled to develop the said property pursuant to the development permissions received from the Concerned Authorities. The property register card remains to be mutated in your name.

III. The said property described in the Schedule hereunder written comprises of structures, premises wherein are in use and occupation of monthly tenants.

IV. I have perused search notes taken at the office of the Sub-Registrar of Assurances at Mumbai as well as the revenue record, title deeds and property register card as well as have caused to be issued Public Notices in newspapers inviting claims (and in respect whereof no claims have been received) and on the basis thereof and subject to what is stated hereinabove I am of the opinion that you, **M/s. A.K DEVELOPERS** have a clear marketable title free of encumbrances and of reasonable doubts to the under mentioned property described in the Schedule hereunder written and are entitled to develop the said

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property in accordance with the Development permissions as may be granted by the Concerned Authorities.

THE SCHEDULE HEREINABOVE REFERRED TO:

ALL THAT the piece and parcel of freehold land together with the land buildings and structures known as **"PRABHU NIWAS"** standing thereon containing by admeasurement 820.5 Sq. yds. Equivalent to 686.09 sq. mtrs. or thereabouts and bearing Cadastral Survey No. 1/638 of Girgaon Division and assessed by the Municipality of Bombay under "D" Ward No. and Street Nos.146-148 and all which premises are situate at V. P. Road, Mumbai in the Registration Sub District of Bombay in Bombay and are bounded as follows:

On or towards the East : Bounded by the property of Bhalerao & ors;

On or towards the West : Bounded by the property of LIC;

On or towards the North : Bounded by property of LIC;

On or towards the South : Bounded by property of MCGM;

Dated this 6th day of October, 2016


(Mahendra P. Bhatt)
Advocate

