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FORMAT-A (Circular No.28/2021)

To,
Maharashtra Real Estate Regulatory Authority
6th and 7th Floor, Housefin Bhavan,
Plot No.C-2, E Block, Bandra-Kurla Complex
Bandra (East), Mumbai 400 051.

LEGAL TITLE REPORT

Sub: Report on Title with respect to the 1/3rd undivided share of Indubhushan Mangatram Obhan, having vested in favour of (1) Jaishree Indubhushan Obhan (widow), (2) Param Indubhushan Obhan, (son) (3) Vidhi Indubhushan Obhan (daughter) and (4) Purnam Indubhushan Obhan, (son), all being the legal heirs of Indubhushan Mangatram Obhan in respect of all those pieces or parcel of land ground together with the messuages, building, hereditaments, and premises standing, lying and being at the Village of Kanjur formerly in the Thane District now in the Registration District and Sub-District of Bombay City and Suburban and bearing City Survey No.574, 574/1, to 574/16 and now CTS No. 574B and 574B/1 of Village Kanjur admeasuring about 6113.27 sq. mtrs.

We have investigated the title of the above referred property owned and belonging to the said (1) Jaishree Indubhushan Obhan (widow), (2) Param Indubhushan Obhan, (son) (3) Vidhi Indubhushan Obhan (daughter) and (4) Purnam Indubhushan Obhan, (son), all being the legal heirs of Indubhushan Mangatram Obhan. All the said (1) Jaishree Indubhushan Obhan (widow), (2) Param Indubhushan Obhan, (son) (3) Vidhi Indubhushan Obhan (daughter) and (4) Purnam Indubhushan



Obhan, (son), all being the legal heirs of Indubhushan Mangatram Obhan. (hereinafter referred to as the "Owners").

1. **Description of the Property:** 1/4th undivided share of the Owner in the One-third share having vested in favour of Indubhushan M. Obhan in all those pieces or parcel of land ground together with the messuages, building, hereditaments, and premises standing, lying and being at the Village of Kanjur formerly in the Thane District now in the Registration District and Sub-District of Bombay City and Suburban and bearing City Survey No.574, 574/1, to 574/16 and now CTS No. 574B and 574B/1 of Village Kanjur admeasuring about 6113.27 sq. mtrs. and shown on the plan thereof annexed hereto and thereon shown surrounded by a red coloured boundary line and bounded as follows:-

On or towards the North : by property bearing C.T.S. No.365 and 371,

On or towards the South: by property bearing C.T.S. No.574,

On or towards the East : by property bearing C.T.S. No.372 and

On or towards the West : by property bearing C.T.S. No.353.
(hereinafter referred to as the "said Property").

2. Documents of Allotment of the Property

- (i) Copy of the Probate obtained in High Court T & I J Petition No.266 of 1963 dated 24.10.1973 concerning the Last Will and Testament of Mangatram Nandram who died at Mumbai on 03.02.1960.
- (ii) Copy of the Deed of Transfer dated 02.08.1994 between the surviving Trustees and Executors of the Probated Will of the said Mangatram Nandram on one hand and (1) Jaishree Indubhushan Obhan, (2) Param Indubhushan Obhan, (3) Vidhi Indubhushan Obhan and (4) Purnam Indubhushan Obhan, all of them being the legal heirs and representatives of Indubhushan Mangatram Obhan duly registered with the Sub-Registrar at Mumbai under Sr. No.BBJ-262/94 dated 17.06.1998.



- (iii) Deed of Rectification dated 08.12.2003 duly with the Sub-Registrar at Kurla under Sr. No.7-2006-2004 dated 23.02.2004.
- (iv) Four Separate Development Agreements, all dated 07.06.2000 made between the said (1) Jaishree Indubhushan Obhan, (2) Param Indubhushan Obhan, (3) Vidhi Indubhushan Obhan and (4) Purnam Indubhushan Obhan in favour of M/s. Kamal Construction Company and duly registered with the Sub-Registrar at Mumbai under Sr. No.4656 dated 08.06.2000; Sr. No.4657 dated 08.06.2000; Sr. No.4658 dated 08.06.2000 and Sr. No.4659 dated 08.06.2000.
- (v) Copy of the Amended Layout/Sub-Division/Amalgamation of the said property under File No.CE/133/BPES/LOS dated 30.08.2006 from Executing Engineer, (BP) Eastern Suburbs addressed Mr. M.G. Sambhare Architect.
- (vi) Amended Plan approval Letter under File No.CE/1110/BPES/AS/337/2/Amend dated 27.12.2023 along with the Commencement Certificate dated 28.02.2024 concerning the construction of Wing-E comprising of Stilt + 2 Podium + upper floors and Wing-F comprising of Stilt + 2 Podium + upper floors.

3. Revenue Record - Extract of Property Registration Card issued by City Survey Office.

As per property card of the said Property is bearing City Survey Nos. 574, 574/1 to 574/16 and now CTS No.574B and 574B/1 of Village Kanjur admeasuring about 6113.27 sq.mtrs.

4. Search Reports for 30 years.

- (i) The notes of Search Report carried out by Mr. Nilesh Vagal as per the Search Report dated 07.07.2022
- (ii) On perusal of the documents relating to the said property, we are of the opinion that the title of the said (1) Jaishree Indubhushan Obhan, (2) Param Indubhushan Obhan, (3) Vidhi Indubhushan Obhan and (4) Purnam Indubhushan Obhan, (being the Owners) all being the legal heirs of Indubhushan Mangatram Obhan to the said property is clear and marketable. As per 4 (four) Separate Registered



Development Agreement all dated 07.06.2000, the said Owners in favour of M/s. Kamal Construction Company granted rights of Development concerning the said property on the terms and conditions set out therein.

- (iii) All the said four Development Agreements are duly registered with the Sub-Registrar of Assurances at Bandra under Nos. (1) BBJ-4656-2000, (2) BBJ-4657/2000; (3) BBJ-4658/2000 and (4) BBJ-4659/2000.
- (iv) The said Jaishree Indubhushan Obhan, Param Indubhushan Obhan, Vidhi Indubhushan Obhan and Purnam Indubhushan Obhan, have also executed an irrevocable Power of Attorney in favour of the partners of the said Kamal Construction Company for the purpose of the set out therein.
- (v) All the aforesaid Development Agreement and the said irrevocable Power of Attorney are valid, subsisting, binding and in full force.

5. Owners of the Land:

- (i) (1) Jaishree Indubhushan Obhan, (2) Param Indubhushan Obhan, (3) Vidhi Indubhushan Obhan and (4) Purnam Indubhushan Obhan, all being the legal heirs of Indubhushan Mangatram Obhan.

The Report reflecting the flow of the title in respect of the said property is enclosed as **Annexure**.

Dated this 26th day of April, 2024

Encl. : Annexure

Place : Mumbai.



Yours faithfully,

(Mahendra C. Jain)

Advocate & Solicitor

ANNEXURE
FLOW OF THE TITLE OF THE SAID PROPERTY

1. One Mangatram Nandram (hereinafter for brevity sake referred to as "the Deceased") seems to be the sole and absolute owner of the various plots of lands lying, being and situated at Village Kanjur now in the Registration Sub-District of Bandra and more particularly described in the First Schedule hereunder written.
2. The said deceased died at Mumbai on 3rd February, 1960, leaving his last Will and Testament dated 26th October, 1959 and thereupon appointing four executors viz. (1) Sardar Pratapsingh Laxmidas, (2) N.P. Krishnan, (3) Tilakchand Mangatram Obhan and (4) Dharamchand Ramchand Vij.
3. The Probate has been obtained from the Honourable High Court at Bombay in Testamentary Petition No.266 of 1963 on 24th October, 1973, concerning the said last Will and Testament of the said deceased.
4. The said deceased had three sons viz. (1) Tilakchand Mangatram Obhan, (2) Indubhushan Mangatram Obhan and (3) Himmat Kumar Mangatram Obhan.
5. By virtue of the said Probate Will, each of the said three sons became entitled to 1/3rd equal undivided share, right, claim, interest in the properties, assets etc. of the said deceased.
6. The said Tilackchand acquired and purchased share of the said Himmat Kumar and thereby became entitled to 2/3rd share, right title interest, claim in the asset and properties of the said deceased and the said Indubhushan Mangatram Obhan continued to have the remaining 1/3rd share in the assets and properties of the said deceased.
7. The said Indubhushan Mangatram Obhan also died intestate at Mumbai on 24th April, 1989, leaving his widow and two sons and one



daughter viz. (1) Jaishree Indubhushan Obhan (widow), (2) Param Indubhushan Obhan, (son) (3) Vidhi Indubhushan Obhan (daughter) and (4) Purnam Indubhushan Obhan, (son) (hereinafter called "the said Legal Heirs" of the said Indubhushan).

8. Thereafter the said legal heirs of the said Indubhushan requested the Surviving Executors of the Probated Will of the said deceased to transfer and convey the undivided share, claim, right, title, interest of the said Indubhushan Mangatram Obhan in the properties and assets of the said deceased in their favour.

9. Accordingly, by a Deed of Transfer dated 2nd August, 1994, made between the Surviving Trustees and Executors of the said Probated Will on the one hand and the said Legal heirs of the said Indubhushan Mangatram Obhan on the other hand, interest in the asset of the deceased which is more particularly described in the Second Schedule hereunder written has been duly transferred and assigned in favour of the said (1) Jaishree Indubhushan Obhan, (2) Param Indubhushan Obhan, (3) Vidhi Indubhushan Obhan and (4) Purnam Indubhushan Obhan. The said Deed of Transfer dated 02.08.1994 is duly registered with the Sub-Registrar at Mumbai under Sr. No.BBJ-262-94 dated 17.06.1998.

10. Due to some bonafide mistakes some of the City Survey numbers of the said Property described in the Second Schedule hereunder written were not mentioned and therefore by a Deed of Rectification dated 08.12.2003 the said mistakes have been rectified and which Deed of Rectification is duly registered with the Sub-Registrar of Assurance at Kurla under S.No.7-2006-2004 dated 23.04.2004.

11. Each of the said Jaishree Indubhushan Obhan, Param Indubhushan Obhan, Vidhi Indubhushan Obhan and Purnam Indubhushan Obhan under four different Agreements of Development all dated 07.06.2000 in favour of M/s. Kamal Construction Company granted rights of development concerning the said property described in the Second Schedule hereunder written on the terms and conditions set out therein.



12. All the said four Development Agreements are duly registered with the Sub-Registrar of Assurances at Bandra under Nos. (1) BBJ-4656-2000, (2) BBJ-4657/2000; (3) BBJ-4658/2000 and (4) BBJ-4659/2000.
13. The said Jaishree Indubhushan Obhan, Param Indubhushan Obhan, Vidhi Indubhushan Obhan and Puram Indubhushan Obhan, have also executed an irrevocable Power of Attorney in favour of the partners of the said Kamal Construction Company for the purpose of the set out therein.
14. All the aforesaid Development Agreement and the said irrevocable Power of Attorney are valid, subsisting, binding and in full force.
15. The said Kamal Construction have procured the necessary Exemption Order under the provisions of the Urban Land (Ceiling and Regulation) Act, 1976. The said M/s. Kamal Construction Company have produced to us the copy of the Amended Plan Approval Letter under file bearing No.CE/1110/BPES/AS/337/2/Amend dated 27.12.2023 concerning Wing E and F to be constructed on the newly assigned CTS Nos. 574/B, 574/B-1 of Village Kurar being the property described in the Second Schedule hereunder written. M/s. Kamal Construction Company have also produced the Commencement Certificate under same file number viz. CE/1110/BPES/AS/337/2/Amend dated 28.02.2024 concerning Wing-E comprising of Stilt + 2 podium and upper floors and also Wing-F comprising of Stilt + 2 podium and upper floors.
17. In the premises aforesaid, the said Owners are the absolute Owners and well and sufficiently entitled to the said property and by virtue of the aforesaid four Registered Development Agreement, all dated 07.06.2000 made in favour of M/s. Kamal Construction Company along with the Registered Power of Attorney, the said M/s. Kamal Construction Company is absolutely entitled to develop the said property



as per the sanctioned plans/Amended Plans Approval Letter under File No.CE/11110/BPES/AS/337/2/Amend dated 27.12.2023 in respect of the construction of Wing E and F on the said property bearing CTS No.574/B and 574/B-1 of Village Kurar as well as the Commencement Certificate under same file number dated 28.02.2024 of the said two Wings.

