



B. Sindhu Baug,
Tilak Road,
Ghatkopar (E),
Mumbai - 400 077.
Ph 022 35598661
Fax: 022 21020341
contact@praxislegal.in

Date: 10/06/2021

FORMAT -A
(Circular No:-28/2021

To,
MahaRERA
Mumbai.

LEGAL TITLE REPORT

Sub.: Title Clearance Certificate with respect to all that piece or parcel of land or ground with the Building no. 04 of Nehru Nagar Kalpataru Co-Operative Housing Society Ltd., standing thereon, situate, lying, and being at Nehru Nagar, Kurla (E), Mumbai- 400 024 in the Registration District and Sub-District of Mumbai Suburban District, Taluka- Kurla and bearing Survey No. 229 & 267 and C.T.S. No. 11(pt.) of Village - Kurla 3, admeasuring 656.50 sq. mts. as well as Tit bit plot area of 141.77 sq. mts. totaling to 798.27sq.mt. and within the limits of the Mumbai Municipal Corporation and assessed by the 'L' ward of Mumbai Municipal Corporation and bounded as follows:

On or towards the North by : Compound wall & scheme R.G.,
On or towards the South by : Scheme R.G. & 18.30sq.Mts Wide Road,
On or towards the East by : Building no. 05,
On or towards the South by : Kedarnath Vidya Prasarani & 9.15sq.Mts
Wide Road,

The said plot of Land and building thereon shall be hereinafter referred to as "**the Said Property**".

1/- I have investigated the title of the said plot on request of Developer M/s Puneet Prateeksha Spaces and following documents i.e.: -

1. Indenture of Lease dated 13.06.2006 registered in the office of Jt. Sub registrar Kurla III under sr. no.,BDR-13/5337/2006 dated 14.06.2006.
2. Deed of Sale dated 13.06.2006 registered in the office of Jt. Sub registrar Kurla III under sr. no. BDR-13/5338/2006 dated 14.06.2006,
3. Development Agreement executed on 18/12/2020 and registered at the office of Sub-Registrar Kurla-5 under Sr. No. KRL-5/5413/2021dated 22/04/2021 Read with Deed of Rectification dated 21/05/2021 registered at the office of

Sub- Registrar Kurla-5 under Sr. No.KRL-5/6906/2021 dated 21/05/2021, and Irrevocable Power of Attorney dated 22/04/2021 registered at the office of Sub-Registrar Kurla -5 under Sr. No.KRL-5/5445/2021 dated 07/04/2021.

4. Property card issued by city Survey Officer Kurla dated 30/09/2019,
5. Mutation entry no.- 9398 and 477.
6. Letter of demarcation dated 27.01.2020 issued by Executive Engineer, Kurla Division/Mumbai Board, MHADA and,
7. Search report dated 03.05.2021 for the period of year 1991 to 2021 provided by Advocate Meghana Desai,
8. Arbitration Award Dated 24.10.2020.

2/- On perusal of the above-mentioned documents and all other relevant documents relating to title of the said property I am of the opinion that the title of Developer M/s Puneet Prateeksha Spaces is clear, marketable and without any encumbrances.

Owners of the land

- (1) Ownership rights of the plot of land bearing Survey No. 229 & 267 and C.T.S. No. 11(Pt) of Village - Kurla 3, Nehru Nagar, Taluka - Kurla, Kurla (East), Mumbai-400024 are with the Maharashtra Housing and Area Development Authority (Mhada).
- (2) Leasehold rights on plot of land for 99 years w.e.f. 01.01.1967 are with Nehru Nagar Kalpataru Co.Op.Hsg.Soc.Ltd., Building no. 04, on the plot of land.
- (3) Building (old) no. 04 on the plot of land bearing Survey No.229 & 267 and

C.T.S.

No. 11(Pt) of Village - Kurla 3, Taluka - Kurla, Kurla (East), Mumbai -400024 is conveyance in favour of Nehru Nagar Kalpataru Co.Op.Hsg. Soc. Ltd. By MHADA and accordingly ownership of building is with Nehru Nagar Kalpataru Co.Op.Hsg.Soc.Ltd.

(3) Development rights of the plot of land and of the old building no. 04 altogether of the said property are with M/s. Puneet Prateeksha Spaces having registered office at 41, Shreerang Shopping Center, Shreerang CHSL, Above UCO Bank, Thane (West), Thane - 400 601.

3/- The report reflecting the flow of the title of the Developer M/s Puneet Prateeksha Spaces on the said land is enclosed herewith as annexure.

Encl : Annexure

Date: 10/06/2021

Advocate





8, Sindhu Baug,
Tilak Road,
Ghatkopar (E),
Mumbai - 400 077.
Ph 022 35598661
Fax: 022 21020341
contact@praxislegal.in

FORMAT -A
(Circular NO:-28/2021)

FLOW OF THE TITLE OF THE SAID LAND

Sr. no.

- 1) P. R. Card as on date of application for registration is standing in the name of Maharashtra Housing and Area Development Authority, Mumbai.
- 2) Maharashtra Housing And Area Development Authority (MHADA) evolved a scheme of construction, allotment and sale of tenement known as Low Income Group Housing Scheme on guidelines of scheme of Government of India, and had built a building bearing no. 04 comprising of 40 tenements on ground plus upper floors on the piece and parcel of land bearing Survey No. 229 & 267 and C.T.S. No. 11(pt.) of revenue village - Kurla 3, and situated at Nehru Nagar, Kurla (E), Mumbai - 400 024.
- 3) The Allottees of the various tenements in the said building bearing no. 04 have formed themselves into a Co-operative Housing Society under the provisions of the Maharashtra Co-Operative Societies Act, 1960 under the name "Nehru Nagar Kalpataru Co.Op.Hsg.Soc.Ltd", having registration no. BOM(W.L)/HSG/OH/5655 dated 07/08/1991.
- 4) By virtue of Indenture of Lease dated 13/06/2006, registered in the Office of the Jt. Sub-Registrar of Kurla III under Sr. No. BDR-13/5337/2006 dated 14.06.2006 and executed between MHADA and the Society, the said MHADA has granted lease hold rights of the said land in favour of the said Society for a period of 99 years w.e.f. 01.01.1967 on the terms and conditions more particularly recorded therein.
- 5) By virtue of a Deed of Sale executed on 13/06/2006, by and between MHADA and the Society, registered in the Office of the Jt. Sub-Registrar of Kurla III under Sr. No.

BDR-13/5338/2006 dated 14/06/2006, the MHADA transferred and conveyed unto the said Society the original Building, for the consideration and upon the terms and conditions mentioned in the said Deed;

- 6) 1. As per Mutation No. 9398 dated 18.05.1964, the part and parcel of land bearing survey nos. 267 and 229 (Part) is acquired by MHADA under Order 5 of Special Land Acquisition Act, for construction of premises for Residential purpose.
2. As per Mutation no.477 dated 31.01.2019, since the part and parcel of land converted into Non Agriculture (NA) land the 7/12 extract of land bearing Survey no.267/1 and 229/1G in the name of MHADA - is closed.

7) By virtue of Development Agreement dated 26/10/2010, registered at the office of the Sub-Registrar Kurla-1(Kurla) under SR. No. BDR-3/11894/2010 on 26/10/2010, the Society has granted the development rights in respect of the Plot of land and the building i.e. the Said property to M/s. Happy Home Residency, a partnership firm, having it's registered office at 101, Parekh Market, Kennedy Bridge, Opera House, Mumbai - 400 004, upon the terms and conditions recorded in the said Development Agreement. Later on, due to the disputes and differences between the Society and M/s. Happy Home Residency, an appointment of M/s. Happy Home Residency was terminated by the Society vide a letter dated 10th April 2019.

8) By virtue of Development Agreement dated 18/12/2020, registered at the office of the Sub-Registrar Kurla-5 under SR. No. KRL-5/5413/2021 on 22/04/2021, Read with Deed of Rectification dated 21/05/2021 registered at the office of Sub-Registrar Kurla -5 under Sr. No.KRL-5/6906/2021 dated 21/05/2021, the Society has granted the development rights in respect of the Plot of land and the building i.e. the Said property to M/s. Puneet Prateeksha Spaces, a partnership firm, having it's registered office at 41, Shreerang Shopping Center, Shreerang CHSL, Above UCO Bank, Thane (West), Thane-400601, upon the terms and conditions recorded in the said Development Agreement.

9) The Society has also executed Irrevocable Power of Attorney dated 07/04/2021 alongwith Development Agreement dated 18/12/2020 and registered in the Office of the Sub-Registrar, Kurla -5 under Sr. No. KRL-5/5445/2021 in favour of M/s. Puneet Prateeksha Spaces.

10) Search report dated 03.05.2021 for 30 years from the year 1991 to 2021 taken through e-search services.

11) Litigation - An Arbitration proceeding had been initiated by M/s Happy Homes Residency against the society in respect of disputes arising out of Development agreement dated 26.10.2010 for the redevelopment of the said property. The Developer viz. M/s Puneet Prateeksha Spaces was also added as party respondent to the said arbitral proceeding. During the pendency of the Arbitration proceedings, settlement discussions took place and consent terms were field in the said matter in full and final settlement of all disputes between the parties on such to terms and conditions as recorded in consent terms executed in the Arbitration proceedings. In terms of the consent terms, a partial Arbitration award was passed by the Hon'ble Arbitrator Mr Vishal Kanade, on dated 24/10/2020.

Date: 10/06/2021

