

Off.: 13, Hamam House, Ground Floor, Ambalal Doshi Marg,
(Hamam Street), Fort, Mumbai - 400 001.

Ref. No.

FORMAT - A
(Circular No.:- 28/2021)

Date :

To,
Maha RERA,
Mumbai.

LEGAL TITLE REPORT

Sub: Property being all that piece and parcel of land or ground together with the existing building known as "Building No.37" admeasuring 1318.63 sq.mtrs. with additional tit-bit land 350.37 sq.mtr. aggregating to 1669 sq.mtrs. bearing C.T.S. No. 32 (16 to 27) standing thereon situate, lying and being at Tilak Nagar, in the Revenue Village Chembur, Taluka Kurla, in the Registration District of Mumbai Suburban District. **The said Property/Plot.**

We have investigated the title of Tilak Siddheshwar Co-Operative Housing Society Limited, in respect of the Plot and the allotment of Additional Buildable Area on the request of M/s. Real Infrastructure Company and following documents i.e.:-

1. **Description of the property:-** Property being all that piece and parcel of land or ground together with the existing building known as "Building No.37" admeasuring 1318.63 sq.mtrs. with additional tit-bit land 350.37 sq.mtr. aggregating to 1669 sq.mtrs. standing thereon situate, lying and being at Tilak Nagar, in the Revenue Village Chembur, Taluka Kurla, in the Registration District of Mumbai Suburban District.
2. **The documents of purchase/acquisition of the Plot:**
 - a. Deed of Lease dated 26th October 1988, registered with the Sub-Registrar of Assurances at Bandra under Serial No. PB/8322 dated 04/11/1988 read with Deed of Rectification dated 18th November 1997, registered with the Sub-Registrar of Assurances at Kurla under Serial No. BDR 3-

3284-1997 executed between the MHADA and Tilak Siddheshwar Co-operative Housing Society Ltd. (for short "the Society").

- b. By virtue of Development Agreement dated 17th September 2021, executed between the Society of the First Part, its Members as Members of the Second Part and M/s. Real Infrastructure Company as the Developers of the Third Part, registered with the Sub-Registrar of Assurances at Kurla under Serial No.KRL-1/14437/2021 and Power of Attorney registered with the Sub-Registrar of Assurances at Kurla under Serial No.KRL-1/14438/2021.
3. **Search Report** for (Last 31 years) taken from the Offices of the Sub-Registrar of Assurances at MHADA, Bandra and Mumbai for the period from 1988 to 2021 as also in the Office of Sub-Registrar of Assurances (Kurla-1, 2, 3, 4 & 5) at Chembur, Nahur and Vikhroli from the year 2002 to 2021 and issued his Report on Title dated 24th December, 2021 in respect of the above Plot.
4. On perusal of the above mentioned documents and all other relevant documents relating to title of the said property, we are of the opinion that the title of **Tilak Siddheshwar Co-operative Housing Society Limited** is clear, marketable and without any encumbrances. The said Society is having leasehold right of the said Plot alongwith allotment of additional area as above allotted by MHADA and right to use the area in terms of terms of the permission granted and **M/s. Real Infrastructure Company** is having Development right of the said plot and the Additional Buildable Area as granted by MHADA in terms of Offer Letter dated 18th August 2021, by virtue of said Development Agreement dated 17th September 2021, duly registered with the Sub-Registrar of Assurances at Kurla under Serial No.KRL-1/14437/2021.



OWNER/LESSEE OF THE LAND

Tilak Siddheshwar Co-operative Housing Society Limited C.T.S.
No. 32 (16 to 27) standing thereon situate, lying and being at Tilak
Nagar, in the Revenue Village Chembur, Taluka Kurla, in the
Registration District of Mumbai
Suburban District

Encl: Annexure.

Date: 27.09.2022

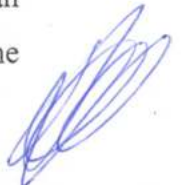
For M/s. Pramodkumar & Co.(Regd.)


Partner

Advocates & Solicitors.

Particulars of Encumbrances

1. As set out in Report on Flow of Title in the form of (FORMAT – A) (Circular No.:-28/2021), by virtue of and under a Consent Terms dated 23rd August 2018 executed between Tilak Siddheshwar Co-operative Housing Society Limited (for short “the Society”) and M/s. Global Homes Developer read with Consent Award dated 23rd August 2018 passed on the said Consent Terms by the Learned Arbitrator in the Arbitration proceedings filed by M/s. Global Homes Developer against the Society by which the disputes and the purported claim under the Development Agreement dated 22nd January 2002 came to be settled and as contemplated in the Consent Terms, the society agreed to reserve 14950 sq. ft. in the proposed subsequent redevelopment and the said Global Home Developer thereby granted its Consent to the society to appoint new Developer. Accordingly the new Developers M/s. Real Infrastructure Company by its letter dated 31st January 2022 addressed to the society forwarded the proposed inventory in the form of residential premises subject to the payment of the cost of construction which the society by its letter dated 1st February 2022 forwarded the same to Global Honte Developers to which Global Home Developer did not accept and filed Arbitration Petition bearing No. 278 of 2022 in the Hon’ble High Court of Mumbai which is still pending.
2. As set out in Report on Flow of Title in the form of (FORMAT – A) (Circular No.:-28/2021), on the society having terminated the Agreement dated 5th September 2007, M/s. Srushtiraj Enterprises (INDIA) Limited filed an Arbitration proceedings before the Hon’ble High Court of Mumbai which by an Order dated 29th August 2018, came to be disposed of by which an Arbitrator was appointed and on an application under section 17 of the Arbitration and Conciliation Act being filed, the Learned Arbitrator by an Award dated 20th April 2019 disposed of the same, which also came



to be challenged by M/s. Srushtiraj Enterprises (INDIA) Limited by filing an Arbitration Application being ARBPL No. 483 of 2019 before the Hon'ble High Court of Mumbai. However, the Developer M/s. Real Infrastructure Company settled the dispute and claim of M/s. Srushtiraj Enterprises (INDIA) Limited on the terms agreed upon and recorded in Memorandum of Understanding dated 17th September 2021. In addition to monetary consideration, M/s. Real Infrastructure Company has agreed to provide to the said M/s. Srushtiraj Enterprises (INDIA) Limited constructed area of about 1515 sq. ft. in the form of four residential premises in Wing 'B' of the proposed building.

