

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,  
MahaRERA,  
Mumbai.

**LEGAL TITLE REPORT**

Sub: Title clearance certificate with respect to all that piece and parcel of the land bearing Property bearing C.T.S. Nos. 24 (Part), Survey No.14 (Part) admeasuring 1296.02 sq.mtrs.as per Deed of Lease dated 2<sup>nd</sup> February 1994 and additional allotted area of 432.09 sq.mtrs. being Tit Bit area from and out of the area of the layout aggregating to 1728.11 sq.mtrs. together with the then existing Building No.123 at Tilak Nagar, Chembur, in the Revenue Village Chembur, TalukaKurla, in the Registration District of Mumbai Suburban District.

.... the said Property.

We have investigated the title of **Chembur - Mayur Co-operative Housing Society Limited** in respect of the Plot and the allotment of Additional Buildable Area on the request of M/s. Shilpriya Builders & Developers, and following documents i.e.:-

1. **Description of the property:-**Property bearing C.T.S. Nos. 24 (Part), Survey No.14 (Part) admeasuring 1296.02 sq.mtrs.as per Deed of Lease dated 2<sup>nd</sup> February 1994 and additional allotted area of 432.09 sq.mtrs. being Tit Bit area from and out of the area of the layout aggregating to 1728.11 sq.mtrs. together with the then existing Building No.123 at Tilak Nagar, Chembur, in the Revenue Village Chembur, TalukaKurla, in the Registration District of Mumbai Suburban District.
2. **The documents of allotment of plot:-**
  - i. An Indenture of Lease dated 2<sup>nd</sup> February 1994, duly stamped and registered with the Sub-Registrar of Assurances at Bandra/Mumbai

- under Sr. No. P.658/94 the Maharashtra Housing And Area Development Authority (for short "MHADA") demised by way of Lease of the plot admeasuring 1296.02 sq.mtr.and the Offer Letter dated 29<sup>th</sup> December, 2021 bearing reference No. CO/MB/REE/NOC/F-95/3233/2021 for additional allotment of 432.09 sq.mtr. being Tit Bit area from and out of the area of the layout aggregating to 1728.11 sq.mtrs. in favour of Chembur - Mayur Co-operative Housing Society Limited(Society).
- ii. By virtue of Development Agreement dated 21<sup>st</sup> December 2021, executed between the Societyof the First Part, its Members as Members of the Second part and **M/s. Shilpriya Builders & Developers as the Developers** of the Third Part, registered with the Sub-Registrar of Assurance at Kurla under Serial No. KRL 1-19911-2021 dated 21/12/2021 and Power of Attorney registered with the Sub-Registrar of Assurances at Kurla under Serial No. KRL 1-19914-2021 dated 21/12/2021.
3. Property Card issued bythe Concerned City Survey Office, standing in the name of **Chembur – Mayur Co-operative Housing Society Limited as Lessee** dated 20<sup>th</sup> June 1995, Mutation Entry dated 8<sup>th</sup> June, 1995 recorded therein.
4. **Search Report** for (Last 31 years) taken from the Offices of the Sub-Registrar of Assurances at MHADA/Bandra and Old Custom House, Fort, Mumbai from the year 1992 to, 2022respectively and also in the Offices of the Sub-Registrar of Assurances and also in the office of Sub-Registrar of Assurances (Kurla-1,2,3,4 and 5) at Chembur, Nahur and Vikhroli for the years 2002 to 2022.
5. 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 **Chembur – Mayur 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. Shilpriya Builders & Developers** is having Development right of the said plot and the Additional Buildable Area as granted by MHADA by virtue of said Development Agreement dated 21<sup>st</sup> December 2022, duly registered under Serial No. KRL 1-19911-2021 dated 21/12/2021.

**Owner/Lessee of the Property:**

**Chembur - Mayur Co-operative Housing Society Limited:** all that piece and parcel of the land bearing C.T.S. Nos. 24(Part), Survey no.14 (Part), area admeasuring about 1296.02 sq. mtrs. and additional allotted area of 432.09 sq. mtrs. being Tit Bit area from and out of the area of the layout, total area admeasuring about 1728.11 sq. mtrs. together with the then existing Building No.123 at Tilak Nagar, Chembur in the Revenue Village Chembur, Taluka Kurla, in the Registration District of Mumbai Suburban District.

**Developer of the Property:**

**M/s. Shilpriya Builders & Developers:** all that piece and parcel of the land bearing C.T.S. Nos. 24(Part), Survey no.14 (Part), area admeasuring about 1296.02 sq. mtrs. and additional allotted area of 432.09 sq. mtrs. being Tit Bit area from and out of the area of the layout, total area admeasuring about 1728.11 sq. mtrs. together with the then existing Building No.123 at Tilak Nagar, Chembur in the Revenue Village Chembur, Taluka Kurla, in the Registration District of Mumbai Suburban District.

6. The report reflecting the flow of the title of the **Chembur - Mayur Co-operative Housing Society Limited** on the said property and right of the Developer to develop is enclosed herewith as ANNEXURE.

Encl : Annexure.

Date: 23<sup>rd</sup> July 2022

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

Partner  
Advocates & Solicitors.

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ANNEXURE-"A"

Date :

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**FLOW OF TITLE**

Re: Property bearing C.T.S. Nos. 24 (Part), Survey No.14 (Part) admeasuring 1296.02 sq.mtrs.as per Deed of Lease dated 2<sup>nd</sup> February 1994 and additional allotted area of 432.09 sq.mtrs. being Tit Bit area from and out of the area of the layout aggregating to 1728.11 sq. mtrs. together with the then existing Building No.123 at Tilak Nagar, Chembur, in the Revenue Village Chembur, Taluka Kurla, in the Registration District of Mumbai Suburban District..... **the said Property.**

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Our clients, M/s. Shilpriya Builders & Developers, a Partnership Firm registered under the provisions of the Indian Partnership Act 1932, having its Office at 104, Central Facility Building No.2, Sector-19, Vashi, Navi Mumbai - 400 703 (for short "**the Developers**").

1. We have been forwarded by the Developers copy of the following documents and our Report on Title is based on such documents:-

- a. Indenture of Lease dated 2<sup>nd</sup> February 1994, duly stamped and registered with the Sub-Registrar of Assurances at Bandra/Mumbai under Sr. No. P.658/94 dated Maharashtra Housing And Area Development Authority (MHADA) and Chembur - Mayur Co-operative Housing Society Limited (for short "**the Society**").
- b. Deed of Sale executed on 2<sup>nd</sup> February 1994, duly stamped and registered with Joint Sub-Registrar of Assurances at Mumbai/Bandra under Sr. No.P.656/94, executed between the MHADA and the Society.
- c. Letter dated 12<sup>th</sup> May 2000 addressed by the MHADA to Executive Engineer (BP) of MCGM granting NOC for new construction an alteration to the then existing building.
- d. No Objection Certificate dated 27<sup>th</sup> April 2001 issued by MHADA to the Executive Engineer (BP) of MCGM inter



- alia granting NOC for additional buildable area of 940 sq. mtrs. out of balance built up area of the layout.
- e. Resolution passed by the Society in its Annual General Meeting dated 14<sup>th</sup> December 2021.
  - f. Letter of Intent dated 15<sup>th</sup> December 2021 issued by Society to the Developer.
  - g. Development Agreement dated 21<sup>st</sup> December 2021 registered with the Sub-Registrar of Assurance at Kurla under serial No. KRL-1-19911/2021 between the society, its members and the Developers.
  - h. Power of Attorney dated 21<sup>st</sup> December 2021 registered under serial No. KRL-1-19914-2021.
  - i. Communication/Offer Letter dated 29<sup>th</sup> December, 2021 under reference No.CO/MB/REE/NOC/F-95/3233/2021 issued by the Concerned Authority of MHADA, the Society/Developers has been granted approval for allotment of total BUA of 10416.40 sq. mtrs. (which is inclusive of existing BUA, additional BUA allotted wide previous NOC dated 27<sup>th</sup> April 2001, pro-rata BUA of the layout as per AR 6615).
  - j. Public Notices issued in the newspapers of "Free Press Journal" and "Nav Shakti" both in their respective issues of 3<sup>rd</sup> February 2022.
  - k. Search Report given by Shri. Sameer M. Sawant (Property Title Investigator) dated 14<sup>th</sup> February, 2022 for the period from 1992 to 2022 (Last 31 years).
  - l. Letter dated 29<sup>th</sup> April 2022 addressed by MHADA to the Society confirming the demarcation for proposed redevelopment showing on the plan of the property.

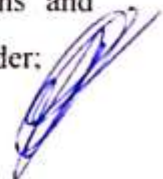


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- m. IOA bearing reference No MH/EE/.BP Cell/GM/MHADA-25/1093-2022 dated 12<sup>th</sup> April, 2022 issued by MHADA.
- n. Letter bearing reference No. जा.क्र.मु.अ./मु.म./नि.का./न.क्र. १५/१११२/२०२२ dated 10<sup>th</sup> May 2022 issued by MHADA.
- o. Notarized Declaration dated 2<sup>nd</sup> June, 2022 given by the Developers.
- p. Commencement Certificate bearing reference No. MH/EE/(BP)/GM/MHADA-25/1093-2022/CC/1/New dated 19<sup>th</sup> July issued by MHADA.
- q. P.R. Cards Extract

2. As evident from the representations made by the Society recorded in the said Development Agreement dated 21<sup>st</sup> December 2021, the Society has, inter alia, represented as follows:-


- a. By an Indenture of Lease dated 2<sup>nd</sup> February 1994, duly stamped and registered with the Sub-Registrar of Assurances at Bandra/Mumbai under Sr. No. P.658/94 dated Maharashtra Housing And Area Development Authority (for short "MHADA") demised by way of Lease in favour of the Society all that piece and parcel of land underneath and appurtenant to Building No. 123 admeasuring 1296.02 sq.mtrs. bearing C.T.S. No. 24 (pt), Survey No. 14 (part), Tilak Nagar, in the Revenue Village Chembur, Taluka Kurla, in the Registration District of Mumbai Suburban District (for brevity's sake hereinafter referred to as "the said Plot") for a period of 99 years commencing from 01.10.1979; at or for the lease rent and subject to the terms, conditions and covenants contained on the part of the Society thereunder;



- b. By a Deed of Sale executed on 2<sup>nd</sup> February 1994, duly stamped and registered with Joint Sub-Registrar of Assurances at Mumbai/Bandra under Sr. No.P.656/94, the MHADA did for the consideration mentioned therein sell, transfer, convey, assign and assure on ownership basis unto and in favour of the Society herein Building No. 123 then consisting of 80 tenements in the building standing on the piece or parcel of land at Sr. No. 14 (pt) bearing CTS No. 24 (pt) at Tilak Nagar, Chembur having an aggregate area of 23983.20 sq.ft. i.e. 2228.03 sq.mtrs. Plinth area 15616 sq.ft. i.e. 1450.73 sq.mtrs. (carpet area) more particularly described in the Schedule thereunder written (for short "**the then Existing Building**") constructed on the said Plot on the terms and conditions recorded therein;
- c. Since the Society being then desirous of redeveloping the said property had undertaken Extension/Addition and alteration work of its building on the said plot for construction of additional wing the Society by its letter dated 29<sup>th</sup> October 1997 requested MHADA under Section 18 of MHADA Act to allot additional land in the form of NTBNIB area to which the MHADA by its letter/NOC dated 12<sup>th</sup> May 2000 addressed to the Executive Engineer (BP) of MCGM inter alia confirmed the compliance of the formalities for obtaining NOC for additional/alterations/new construction and granted its NOC for additional constructions of additional allowed 800 sq.mtrs. out of balance BUA of layout having total constructed area of 3028.03 sq.mtrs. subject to the terms and conditions recorded therein.
- d. Since the Society being further desirous of availing further additional development potential, in response to its



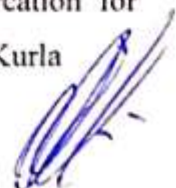


- application, the MHADA by its NOC dated 27<sup>th</sup> April 2001 addressed to the Executive Engineer (BP) of MCGM, granted its NOC for additional buildable area of 940 sq.mtrs. out of the balance built up area of the layout on the terms and conditions recorded therein which includes revised condition no. 5 of the earlier NOC dated 12<sup>th</sup> May 2000;
- e. In view of allotment of the additional area, the Concerned Authority of MHADA prepared plan showing the original area of the plot being the area under the Lease Deed as 1296.02 sq.mtrs. an additional area of Tit Bit (NTBNIB) admeasuring 432.09 sq. mtrs. and thereby the total area of the plot is certified as 1728.11 sq. mtrs. Accordingly the total area of the plot came to 1728.11 which has been in use occupation, possession and enjoyment of the Society.
- f. The Society thereafter by appointing a Developer/Builders carried out additional construction of Wing "C" and Wing "D" of the building and thereby provided additional 30 premises (in addition to the earlier 80 premises) having aggregate of 110 premises/flats having total constructed area of 3,399.70 sq.mtrs.
- g. Since the then building was in a dilapidated condition, the Members of the Society vide its Resolution dated 31<sup>st</sup> October 2021 passed in its Special General Body Meeting decided to undertake redevelopment of its property. In response to the Offer invited, the Developer by its Offer Letter dated 2<sup>nd</sup> November, 2021 to the Society, inter alia, requested to consider its Offer for appointment as Developer to undertake re-development of the property, to which the Society after having due deliberation and discussion, by its Resolution dated 14<sup>th</sup> December, 2021 passed in its Special
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General Body Meeting, accepted the Offer of the Developer for appointment as its Developer to undertake re-development of the property and accordingly by its Letter dated 15<sup>th</sup> December, 2021 addressed to the Developer, inter alia, confirmed its appointment as Developer.

- h. By a Development Agreement dated 21<sup>st</sup> December 2021, executed between the Society, its Members and the Developer, registered with the Sub-Registrar of Assurance at Kurla under Serial No. KRL 1-19911-2021 dated 21/12/2021, read with Power of Attorney registered with the Sub-Registrar of Assurances at Kurla under Serial No. KRL 1-19914-2021 dated 21/12/2021, the Society with the consent and confirmation of its Members appointed the Developer as its Developer and granted development right in respect of the property for the consideration and on the terms and conditions recorded therein.
- i. In response to the proposal for utilization of additional BUA under Regulation No.33 (5) of the DCPR 2034, the Concerned Authority of MHADA by its Communication /Offer Letter dated 29<sup>th</sup> December, 2021 under reference No.CO /MB/REE /NOC /F-95 /3233 /2021 addressed to the Society, inter alia, allotted to the Society total BUA of 10416.40 sq.mtrs. which is inclusive of existing BUA, additional BUA allotted wide previous NOC dated 27<sup>th</sup> April 2001, pro-rata BUA of the layout as per AR 6615, the particulars of which and on the terms and conditions recorded therein.
- j. To ascertain the exact area of the plot, on necessary application/representation being made for demarcation for proposed redevelopment, the Executive Engineer, Kurla



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Division/ Mumbai Board by its letter dated 29<sup>th</sup> April 2022 bearing reference no. EE/DE-II/KD/MB/31/2022, addressed to the Society, inter-alia confirmed having demarcated to plot boundary as per site measurement of existing Building No. 123 on plot bearing CTS No.24(Pt.) and certifying the total plot area as per site measurement as 1728.11 sq.mtr. (Plot area of the lease deed of the Building No.123 is 1296.02 sq.mtr. and accordingly certified that there is difference in area (Tit-Bit) of 432.09 sq.mtr., and the total plot area as per proposed layout is 1731.36 mtrs.

- k. On necessary proposal, representation, application being submitted after having obtained the demarcation of the plot vide the said letter dated 29<sup>th</sup> April 2022, the Residential Executive Engineer of MHADA by its Ccommunication dated 10<sup>th</sup> May 2022 bearing reference No.1112/2022, while recognizing area of 1696 sq.mtr., while permitting use of an area of 6198.37 sq.mtr. for residential use and 250 sq. mtr. for commercial use on and subject to the terms and conditions recorded therein.
- l. Pursuant to the authority given and being entitled under the said Development Agreement, The Developer has taken certain steps to represent the Society before the Concerned Authorities including of MHADA and have presently obtained I.O.A. bearing reference no. MH /EE/BP Cell/GM /MHADA-25/1093-2022 dated 12<sup>th</sup> April 2022 and/or in process of taking further steps in terms of the said Development Agreement.



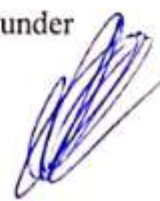


m. On compliance of the requisite terms of the IOA, the concerned authority of MHADA has issued the Commencement Certificate dated 19<sup>th</sup> July, 2022 for commencement of the construction of the proposed building subject to the terms recorded therein.

3. We have caused Public Notices issued in the newspapers of "Free Press Journal" and "Nav Shakti" both in their respective issue of 3<sup>rd</sup> February 2022 inviting claim, if any, from Public at large and to verify the Title of the Society to the said property and also the Developer's right to develop the same as envisaged under the said Development Agreement dated 21<sup>st</sup> December 2021; however, we have so far not received any claims from public at large.

4. The searches were caused to be taken from the Office of the Sub-Registrar of Assurances at MHADA/Bandra and Old Custom House, Fort, Mumbai for the period from the year 1992 to 2022 (Last 31 years) respectively and also in the office of Sub-Registrar of Assurances (Kurla-1,2,3,4 and 5) at Chembur, Nahur and Vikhroli for the years 2002 to 2022. we have not found any encumbrance on the said property.

5. By a Notarized Declaration-Cum-Confirmation dated 2<sup>nd</sup> June 2022, the Developers have inter alia, declared and confirmed that it has neither done, omitted or committed to do any acts, deeds, things or matters nor entered into any arrangement or agreements with any person or persons nor created encumbrance of any nature whatsoever including by way of grant of development, sub-development, joint development, joint venture, partnership, assignment, LLP, charge or otherwise with any other person or persons nor executed any document, deed, Agreement, Term Sheet, MOU or otherwise whereby or by reason whereof its right, title and interest to develop the said property is adversely affected or seriously prejudiced, and also further confirmed that on creating any encumbrance on its rights under



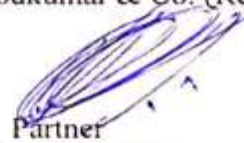
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the said Development Agreement; it shall intimate the same to us and shall not thereafter use this Report/Certificate.

6. We have perused the Copy of the aforesaid documents, the Search Report and based on the said Declarations of the Developer, we are of the opinion that the title of Society in respect of the said property and the Developer's right to develop the same under the said Development Agreement dated 21<sup>st</sup> December 2021 is clear, marketable and free from encumbrances.

Dated this 23<sup>rd</sup> day of July, 2022.

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



Partner  
Advocates & Solicitors