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**B.L.S. LLB**

**ADVOCATE HIGH COURT**

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Bandra (west), Mumbai – 400050.

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**LEGAL TITLE REPORT**

To,

Maharashtra Real Estate  
Regularotry Authority (MahaRERA)  
HousefinBhavan, Plot No. C-21,  
BandraKurla Complex,  
Bandra (East), Mumbai – 400 051.

**Sub:** Title Report with respect to (i) all that piece and parcel of land admeasuring about 23,874.40 Sq. Mts., bearing Survey No.24, Hissa No.1 (part) corresponding to CTS No. 31E/2 which was previously bearing CTS No.60 (pt) and is now bearing CTS No. 31E/2/A, situated at Village Bandivali, Taluka Andheri, within the Registration of Mumbai Suburban District (hereinafter referred to as "**the said Land 1**") and (ii) all that piece and parcel of land admeasuring about 802.00 Sq. Mts., bearing Survey No.47 (part) corresponding to CTS No. 737C (part) now bearing new CTS Nos. 737C/4, situated at Village Oshiwara, Taluka Andheri, within the Registration of Mumbai Suburban District (hereinafter referred to as "**the said Land 2**").

1. I have investigated the title of the said Land 1 and of the said Land 2, on the request of my clients, Sukoon Developers Pvt. Ltd., having its office at Ground Floor, A1-Tower, Hill Park Complex, Capt. Suresh Samant Marg, Nr. Agarwal Industrial Estate, Jogeshwari (West), Mumbai 400102. Sukoon Developers Pvt. Ltd. have provided me with the following

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information/representations and documents, as stated hereinbelow:

(i) **Description:**

- a. all that piece and parcel of land admeasuring about 23,874.40 Sq. Mts., bearing Survey No.24, Hissa No.1 (part) corresponding to CTS No. 31E/2 which was previously bearing CTS No.60 (pt) and is now bearing CTS No. 31E/2/A, situated at Village Bandivali, Taluka Andheri, within the Registration of Mumbai Suburban District i.e. the said Land 1. The said Land 1 forms part of certain properties admeasuring in aggregate to about 81,614.70 Sq. Mts.
- b. all that piece and parcel of land admeasuring about 802.00 Sq. Mts., bearing Survey No.47 (part) corresponding to CTS No. 737C (part) now bearing new CTS Nos. 737C/4, situated at Village Oshiwara, Taluka Andheri, in the Registration District of Mumbai Suburban District i.e. the said Land 2.

(ii) **Documents provided:**

- a. The documents, papers provided to me by Sukoon Developers Pvt. Ltd., inter-alia in respect of the said Land 1, are as under :

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<b>Sr.No.</b>	<b>Particulars</b>
1.	Indenture dated 9 <sup>th</sup> April 1965, registered in the Office of Sub Registrar of Assurances at Bombay, under its Serial No.1608/1965.
2.	Indenture of Conveyance dated 5 <sup>th</sup> May 1971.
3.	Indenture of Conveyance dated 14 <sup>th</sup> September 1972.
4.	Four registered Indentures of Conveyance dated 18 <sup>th</sup> June 1991, 18 <sup>th</sup> June 1991, 18 <sup>th</sup> June 1991 and 13 <sup>th</sup> July 1991.
5.	Four registered Indentures of Conveyance dated 20 <sup>th</sup> June 1991, 20 <sup>th</sup> June 1991, 20 <sup>th</sup> June 1991 and 31 <sup>st</sup> July 1991.
6.	A registered Indenture of Conveyance dated 4 <sup>th</sup> November 1991.
7.	Five registered Indentures of Conveyance dated 14 <sup>th</sup> June 1991, 27 <sup>th</sup> June 1991, 27 <sup>th</sup> June 1991, 12 <sup>th</sup> July 1991, and 29 <sup>th</sup> August 1991.
8.	A registered Indenture of Conveyance dated 4 <sup>th</sup> September 1991.
9.	A registered Indenture of Conveyance dated 3 <sup>rd</sup> July 1991.

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10.	A registered Indenture of Conveyance dated 19 <sup>th</sup> February 1992.
11.	A Deed of Conveyance dated 22 <sup>nd</sup> July 2004, registered in the Office of Sub Registrar of Assurances at Bandra, under its Serial No. 3441/04
12.	A Deed of Conveyance dated 13 <sup>th</sup> March 2006 registered in the Office of Sub Registrar of Assurances at Bandra, under Serial No. BDR-02072-2006.
13.	A deed of conveyance dated 13 <sup>th</sup> March 2006 registered in the Office of Sub Registrar of Assurances at Bandra, under Serial No. BDR-02073-2006.
14.	A Development Agreement dated 22 <sup>nd</sup> March 2006 duly registered with the Sub-Registrar of Assurance at Bandra under Sr. No. BDR-1-3642/2006 on 3 <sup>rd</sup> May 2006.
15.	A Power of Attorney dated 23 <sup>rd</sup> March 2006 registered under Sr. No. BDR1-03643-2006 on 3 <sup>rd</sup> May 2006.
16.	A Development Agreement dated 29 <sup>th</sup> December, 2012, registered under No. 4/4332/2013 on 7 <sup>th</sup> June, 2013.
17.	A Deed of Addendum dated 6 <sup>th</sup> February, 2015 registered under No. BDR-1-1262/2015 dated 10 <sup>th</sup> February, 2015.

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18.	A Further Deed of Addendum cum Confirmation dated 24 <sup>th</sup> September 2021 registered under No. BDR-18/12569/2021 on 24 <sup>th</sup> September 2021.
19.	A Further Supplemental Deed of Addendum dated 11 <sup>th</sup> April, 2022 duly registered under Sr. No. BDR-18/8875/2022 on 13 <sup>th</sup> May, 2022.
<b>Sub-division and Amalgamation Orders</b>	
20.	Orders dated 13 <sup>th</sup> December 2004 and 7 <sup>th</sup> April 2005, both under reference no. SR/263 passed by the District Collector, Mumbai Suburban District.
21.	Order dated 27 <sup>th</sup> April, 2017 passed by City Survey Officer, Andheri.

- b. The documents, papers provided to me by Sukoon Developers Pvt. Ltd., inter-alia in respect of the said Land 2, are as under :

<b>Sr.No.</b>	<b>Particulars</b>
1.	Agreement dated 1 <sup>st</sup> November 1975, made between the said Byramjee Jeejeebhoy Private Limited and Heritage Estates Private Limited.
2.	Consent Terms filed on or about 22 <sup>nd</sup> September, 1978 in High Court of Judicature at Bombay.
3.	A Deed of Conveyance dated 14 <sup>th</sup> August 2005 registered with the Sub-Registrar of Assurance at

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	Mumbai under Serial No. BDR9-08247-2005.
4.	Another Deed of Conveyance also dated 14 <sup>th</sup> August, 2005 registered with the Sub-Registrar of Assurance at Mumbai under Serial No. BDR9-08248-2005.
5.	A Deed of Surrender dated 26 <sup>th</sup> May 2006, registered with the Sub-Registrar of Assurances at Mumbai under Serial No. BDR1-04391-2006.
6.	A Deed of Rectification dated 6 <sup>th</sup> October 2006, registered with the Sub-Registrar of Assurance at Mumbai under Serial No. BDR9-10260-2008.
<b>Sub-division and Amalgamation Orders</b>	
7.	Order dated 17/10/2007 bearing reference no. C/Office-3 K/S.U./S.R.A.-1091 passed by District Collector, Mumbai Suburban District.

- (iii) Property Register Card in respect of the said Land 1 and said Land 2 issued by the City Survey Officer, Andheri.
- (iv) a) Search Reports for more than 30 years for the period from 1965 to 2022 inter-alia in respect of the said Land 1, details of which are elaborately mentioned in the Annexure 'A' annexed hereto.
- b) Search Reports for more than 30 years for the period from 1976 to 2022 inter-alia in respect of the said Land 2, details of which are elaborately mentioned in the Annexure 'A' annexed hereto.

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***Zaid S. Ansari***

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2. I have perused the copies of the aforesaid documents and all other relevant documents relating to the title of the said Land 1 and Land 2 and I am of the view that:

**Owners:**

- a. Vastu Shilpa Complex Designers Pvt. Ltd. are the Owners of all that piece and parcel of land admeasuring about 23,874.40 Sq. Mts., bearing Survey No.24, Hissa No.1 (part) corresponding to CTS No. 31E/2 which was previously bearing CTS No.60 (pt) and is now bearing CTS No. 31E/2/A, situated at Village Bandivali, Taluka Andheri i.e. the said Land 1 within the Registration of Mumbai Suburban District and their title to the same is clear, marketable and without any encumbrances, save and except the pending litigation mentioned in Annexure 'A' annexed hereto.
- b. Sukoon Developers Pvt. Ltd. are the Owners of all that piece and parcel of land admeasuring about 802.00 Sq. Mts., bearing Survey No.47 (part) corresponding to CTS Nos. 737C (part) now bearing new CTS Nos. 737/4, situated at Village Oshiwara, Taluka Andheri, within the Registration of Mumbai Suburban District and their title to the same is clear, marketable and without any encumbrances.

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**Developer:**

Sukoon Developers Pvt. Ltd. is entitled to inter-alia construct Wing C (Walnut Tower) & Wing D (Oak Tower) of the said Building No. 4 on a portion of the said Land 1 i.e. land bearing CTS No. 31E/2/A forming part of Sub Plot A of the said Layout which Sub Plot A also included the said Land 2 i.e. land bearing CTS No. 737C/4, as it may deem fit and proper.

3. The report reflecting the flow of title of Vastu Shilpa Complex Designers Pvt. Ltd., as owners in respect of the said Land 1 and of Sukoon Developers Pvt. Ltd., as owners in respect of the said Land 2 alongwith the entitlement of the Sukoon Developers Pvt. Ltd. to inter-alia construct Wing C (Walnut Tower) & Wing D (Oak Tower) of the said Building No. 4 of Sub-Plot A of the said Layout and sell units/flats/shops therein on ownership basis, is elaborately narrated in the annexure annexed hereto and marked as **Annexure 'A'**.

Enclosure: **Annexure 'A'**

Dated this 02<sup>nd</sup> Day of January, 2023.

  
Zaid S. Ansari  
Advocate High Court

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**ANNEXURE A**

**I. FLOW OF TITLE:**

**A. In respect of the said Land 1 i.e. land bearing CTS No. 31E/2/A of Village Bandivali, Taluka Andheri:**

- a. By an Indenture dated 9<sup>th</sup> April 1965, registered in the Office of Sub Registrar of Assurances at Bombay, under its Serial No.1608/1965, the Byramjee Jeejeebhoy Pvt. Ltd. sold, transferred and conveyed properties having a total area of about 81,614.70 Sq. Mts.(hereinafter referred to as “the said Total Area of 81,614.70 Sq. Mts.”) to Saroj Dinshajee Minorcherjee and others.
- b. The said Saroj Minocher & others have executed the following documents in respect of the said Total Area of 81614.70 Sq. Mts.
- i. A registered Indenture of Conveyance dated 5<sup>th</sup> May 1971 in favour of Mr. Shamjibhai Ladhhabhai Shah and others of Honest Stone and Metal Supply Company in respect of land admeasuring about 4856 Sq. Mts. out of the said Total Area of 81,614.70 Sq. Mts.
- ii. A registered Indenture of Conveyance dated 14<sup>th</sup> September 1972 in favour of Mr. Jankiprasad Mathaprasad Mishra (since deceased) (hereinafter

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referred to as “the said J. M. Mishra”) in respect of land admeasuring about 5058.60 Sq. Mts. (hereinafter referred to as “the said Area of 5,058.60 Sq. Mts.”) out of the said Total Area of 81,614.70 Sq. Mts.

- iii. Four registered Indentures of Conveyance dated 18<sup>th</sup> June 1991, 18<sup>th</sup> June 1991, 18<sup>th</sup> June 1991 and 13<sup>th</sup> July 1991 in favour of Vastu Shilpa Complex Designers Pvt. Ltd., in respect of 25% undivided share in an Area of 71,700.10 Sq. Mts. (hereinafter referred to as “the said Area of 71,700 Sq. Mts.”) out of the said Total Area of 81,614.70 Sq. Mts.
- iv. Four registered Indentures of Conveyance dated 20<sup>th</sup> June 1991, 20<sup>th</sup> June 1991, 20<sup>th</sup> June 1991 and 31<sup>st</sup> July 1991 in favour of Mackon Developers Pvt. Ltd., in respect of 25% undivided share in the said Area of 71,700.10 Sq. Mts., out of the said Total Area of 81,614.70 Sq. Mts.
- v. A registered Indenture of Conveyance dated 4<sup>th</sup> November 1991 in favour of Shilpin Designers Pvt. Ltd. in respect of 26.25% undivided share in the said Area of 71,700.10 Sq. Mts., out of the said Total Area of 81,614.70 Sq. Mts.

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- vi. Five registered Indentures of Conveyance dated 14th June 1991, 27th June 1991, 27th June 1991, 12th July 1991, and 29th August 1991 in favour of M/s. Shilpin Developers, a Firm, in respect of 16.25% undivided share in the said Area of 71,700.10 Sq. Mts., out of the said Total Area of 81,614.70 Sq. Mts.
- vii. A registered Indenture of Conveyance dated 4th September 1991 in favour of M/s. Rachna Builders, a Firm, in respect of 2.5% undivided share in the said Area of 71,700.10 Sq. Mts. out of the said Total Area of 81,614.70 Sq. Mts.
- viii. A registered Indenture of Conveyance dated 3rd July 1991 in favour of M/s. Shree Vinayak Enterprises, a Firm, in respect of 5% undivided share in the said Area of 71,700.10 Sq. Mts., out of the said Total Area of 81,614.70 Sq. Mts.
- c. Accordingly, by virtue of the aforesaid Conveyances 1) Vastu Shilpa Complex Designers Pvt. Ltd., 2) Mackon Developers Pvt. Ltd., 3) Shilpin Designers Pvt. Ltd., 4) M/s. Shilpin Developers, 5) M/s. Rachna Builders and 6) M/s. Shree Vinayak Enterprises (hereinafter referred to as “the said Concerns”) acquired ownership undivided share, right, title and interest in the said Area of 71,700.10 Sq. Mts., having

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shares shown against their respective names mentioned below:

Sr. No.	Name of the Concern	Share	Area (Sq. Mts.)
1	Vastu Shilpa Complex Designers Pvt. Ltd.	25%	17,925.03
2	Mackon Developers Pvt. Ltd.	25%	17,925.03
3	Shilpin Designers Pvt. Ltd.	26.25%	18,821.27
4	M/s. Shilpin Developers	16.25%	11,651.26
5	M/s. Rachna Builders	2.5%	1,792.50
6	M/s. Shree Vinayak Enterprises	5%	3585.01
	Total	100%	71,700.10

d. Under a registered Indenture of Conveyance dated 19<sup>th</sup> February 1992, Smt. Vishnudevi Jankiprasad Mishra and others (legal heirs and representatives of the said J. M. Mishra) sold, transferred and conveyed the said Area of 5058.60 Sq. Mts. in favour of the said Concerns.

e. Thus, by virtue of the aforesaid conveyances in their favour, the said Concerns acquired absolute rights, title and interest in an aggregate area of about 76,758.70 Sq. Mts. i.e. the said area of 71,700.10 Sq. Mts. plus the said Area of 5,058.60 Sq. Mts. (hereinafter referred to as "the said Area of 76,758.70 Sq. Mts.").

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- f. Under a Deed of Conveyance dated 22<sup>nd</sup> July 2004, registered in the Office of Sub Registrar of Assurances at Bandra, under its Serial No. 3441/04, the said Concerns sold, transferred and conveyed an area of about 30,000 Sq. Mts., to SMGK Developers Pvt. Ltd. out of the said Area of 76,758.70 Sq. Mts.
- g. By Orders dated 13<sup>th</sup> December 2004 and 7<sup>th</sup> April 2005, both under reference no. SR/263 passed by the District Collector, Mumbai Suburban District, the said Area of 76,758.70 Sq. Mts. was sub-divided and new C.T.S. Numbers were allotted to the said Area of 76,758.70 Sq. Mts. as mentioned in the said Orders.
- h. As per the aforesaid two orders dated 13<sup>th</sup> December 2004 and 7<sup>th</sup> April 2005, the aggregate area of all the properties comprising the said Area of 76,758.70 Sq. Mts. was revised to about 78,755.40 Sq. Mts. (hereinafter referred to as “the said Area of 78,755.40 Sq. Mts.”), and Property Register Cards for the said properties were accordingly issued by the CTS Department. Consequently, the area conveyed to the SMGK Developers Pvt. Ltd. vide Conveyance dated 22<sup>nd</sup> July 2004 out of the said Area of 78,755.40 Sq. Mts. aggregates to about 30,995.80 Sq. Mts., as per the relevant Property Register Cards, leaving a balance area of 47,759.60 Sq. Mts. (hereinafter referred to as “the said Area of 47,759.60 Sq. Mts.”).

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- i. Under another Deed of Conveyance dated 13<sup>th</sup> March 2006 registered in the Office of Sub Registrar of Assurances at Bandra, under Serial No. BDR-02072-2006, the said Concerns further sold transferred and conveyed an area of about 1,244.50 Sq. Mts. to SMGK Developers Pvt. Ltd. out of the said Area of 47,759.60 Sq. Mts. leaving a balance aggregate area of about 46,515.10 Sq. Mts. (hereinafter referred to as “the said Entire Property”).
- j. In view of certain mutual understandings interse amongst the said Concerns and in pursuance of agreements entered into between the parties, (1) Mackon Developers Pvt. Ltd., (2) Shilpin Designers Pvt. Ltd. (3) M/s. Shree Vinayak Enterprises, (4) M/s. Shilpin Developers and (5) M/s. Rachna Builders sold, transferred, conveyed and released all their undivided rights, title and interest in the said Entire Property bearing new CTS nos. 31E/1 to 31E/4, 31E/6 to 31E/9 & 31E/9/1 to 11 in favour of Vastu Shilpa Complex Designers Pvt. Ltd. vide a deed of conveyance dated 13<sup>th</sup> March 2006 registered in the Office of Sub Registrar of Assurances at Bandra, under Serial No. BDR-02073-2006. Accordingly, Vastu Shilpa Complex Designers Pvt. Ltd. became sole and absolute owners of the said Entire Property which inter-alia includes the said Land 1.

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- k. The said Vastu Shilpa Complex Designers Pvt. Ltd., have developed portions of the said Land 1 by constructing buildings thereon as per sanctions accorded to them from time to time by the concerned authorities in accordance with a Layout Plan approved by the concerned authorities (hereinafter referred to as "the said Layout"). As per the Development Plan of Mumbai, the said Land 1 is in a Residential Zone which is in a receivable Zone, capable of receiving and consuming TDR potential apart from the basic Zonal FSI.
- l. By a Development Agreement dated 22<sup>nd</sup> March 2006 (hereinafter referred to as said Development Agreement) duly registered with the Sub-Registrar of Assurance at Bandra under Sr. No. BDR-1-3642/2006 on 3<sup>rd</sup> May 2006, Sukoon Developers Pvt. Ltd. therein referred to as the Developers, acquired development rights from the Vastu Shilpa Complex Designers Pvt. Ltd. to develop a portion of the said Land 1 (hereinafter referred to as "**the said Portion**"), which portion is shown hatched in red colour on the plan annexed to the said Development Agreement.
- m. Under the said Development Agreement, Sukoon Developers Pvt. Ltd. is permitted to consume TDR FSI of about 20,400 Sq. Mts. i.e. 2,19,585 Sq. Ft. by purchasing the same from the open market or otherwise in order to construct building/s

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thereon at their own costs and expenses as per plans sanctioned by Municipal Corporation of Greater Mumbai (MCGM) and other authorities from time to time. The Sukoon Developers Pvt. Ltd. is also entitled to deal with and/or dispose of and appropriate sale proceeds emanating out of the sale of premises that may be constructed on the said Portion.

- n. The said Vastu Shilpa Complex Designers Pvt. Ltd. have also executed a Power of Attorney dated 23<sup>rd</sup> March 2006 registered under Sr. No. BDR1-03643-2006 on 3<sup>rd</sup> May 2006 with the Sub-Registrar of Assurances at Bandra in favour of the said Sukoon Developers Pvt. Ltd., to do all deeds things and matters in respect of the said Portion in terms of the aforesaid Development Agreement dated 22<sup>nd</sup> March 2006.
- o. The shape of the said Portion has also been modified for better planning after obtaining necessary sanction for the same from the concerned authorities and in terms of the said Development Agreement and understandings with the said Vastu Shilpa Complex Designers Pvt. Ltd. and the adjoining land owner, namely SMGK Developers Pvt. Ltd. Accordingly, vide an Order dated 27<sup>th</sup> April, 2017, the boundary of the said Land 1 was modified and the same was given a new CTS No. 31E/2/A.

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p. As per the prevailing norms and policies of the MCGM, the concerned authorities have granted requisite sanctions to the said Sukoon Developers Pvt. Ltd., for constructing the building, namely Building No. 4 of the Sub-Plot A of said Layout and accordingly, the Sukoon Developers Pvt. Ltd., has completed construction of Wing A known as 'Maple Tower' and Wing B known as 'Ebony Tower' and partly completed the Parking Tower (PT) Wing and has also commenced construction of Wing 'C' and Wing 'D' of the said Building No.4 of the said Layout to be called as 'Walnut Tower' & 'Oak Tower' respectively.

q. The said Vastu Shilpa Complex Designers Pvt. Ltd. have also granted development rights to one, M/s. ARB Developers vide an Agreement dated 29<sup>th</sup> December, 2012 duly registered under Sr. No. BDR-4/4332/2013 on 07<sup>th</sup> June, 2013 on the terms and conditions mentioned therein, permitting them to construct Building No. 3 of the said Layout on a portion of the said Land 1, which portion is inter alia reserved for MRM Reservation. Subsequently, other documents have also been executed between the said Vastu Shilpa Complex Designers Pvt. Ltd., and the said M/s. ARB Developers in respect of the aforesaid Building No. 3 viz. Deed of Addendum dated 06<sup>th</sup> February, 2015 duly registered under Sr. No. BDR-1/1262/2015 on 10<sup>th</sup> February, 2015, Further Deed of

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**ADVOCATE HIGH COURT**

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Addendum cum Confirmation dated 24<sup>th</sup> September, 2021 duly registered on same day under Sr. No. BDR-18/12569/2021 and Further Supplemental Deed of Addendum dated 11<sup>th</sup> April, 2022 duly registered under Sr. No. BDR-18/8875/2022 on 13<sup>th</sup> May, 2022.

**B. In respect of the said Land 2 i.e. land bearing CTS Nos. 737C/4 of Village Oshiwara, Taluka Andheri:**

- a. By an Agreement dated 1<sup>st</sup> November 1975, made between the Byramjee Jeejeebhoy Private Limited and the Heritage Estates Private Limited, the said Byramjee Jeejeebhoy Private Limited agreed to assign, transfer and assure unto the said Heritage Estates Private Limited inter alia the land bearing CTS Nos. 737C admeasuring about 8,549.30 Sq. Mts. of Village Oshiwara, Taluka Andheri. However, the Conveyance as per the said Agreement had not been executed in favour of Heritage Estates Private Limited though Heritage Estates Private Limited became de facto Owners of the land bearing CTS Nos. 737C.
- b. Prior to the year 1970, the then owners agreed to sell a portion of the aforesaid land bearing CTS Nos. 737C admeasuring about 3,725 Sq.Mts. or thereabouts at Village Oshiwara, Taluka Andheri (hereinafter referred to as “the said Area of 3,725 Sq. Mts.”) to Messrs. Janata Stone & Metal

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***Z A I D S. A N S A R I***

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Supply Co., a Partnership Firm. On account of disputes and differences in respect of the said Area of 3,725 Sq.Mts. or thereabouts, a suit in the High Court of Judicature at Bombay was filed being Suit No. 517 of 1970, wherein Consent Terms came to be filed on or about 22<sup>nd</sup> September 1978.

- c. By and under a Deed of Conveyance dated 14<sup>th</sup> August 2005, and registered with the Sub-Registrar of Assurance at Mumbai under Serial No. BDR9-08247-2005 on 18<sup>th</sup> August 2005, Heritage Estates Private Limited granted, conveyed, transferred and assured unto Sukoon Developers Pvt. Ltd., the said Area of 3,725 Sq. Mts. and the same was confirmed by the said Byramjee Jeejeebhoy Private Limited. Accordingly, the name of Sukoon Developers Pvt. Ltd. was entered in the Property Register Cards by the City Survey Department in respect of the said Area of 3,725 Sq. Mts.
- d. In order to perfect it's title in respect of the said Area of 3,725 Sq. Mts., Sukoon Developers Pvt. Ltd., approached the said Messrs. Janata Stone & Metal Supply & Co. & Anr. and got surrendered from them all the right, title and interest acquired by the said Messrs. Janata Stone & Metal Supply & Co., vide a Deed of Surrender dated 26<sup>th</sup> May 2006, registered with the Sub-Registrar of Assurances at Mumbai under Serial No. BDR1-04391-2006.

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- e. By and under another Deed of Conveyance also dated 14<sup>th</sup> August, 2005, and registered with the Sub-Registrar of Assurance at Mumbai under Serial No. BDR9-08248-2005 on 18<sup>th</sup> August 2005, Heritage Estates Private Limited granted, conveyed, transferred and assured unto Sukoon Developers Pvt. Ltd., another portion of the land bearing CTS Nos. CTS Nos. 737C admeasuring about 3564.75 Sq. Mts or thereabouts at village Oshiwara, Taluka Andheri, in the Registration District of Mumbai Suburban (hereinafter referred to as "the said Area of 3564.75 Sq. Mts."), and the same was confirmed by the said Byramjee Jeejeebhoy Private Limited. Accordingly, the name of Sukoon Developers Pvt. Ltd. was entered in the Property Register Cards by the City Survey Department in respect of the said Area of 3564.75 Sq. Mts.
- f. By a Deed of Rectification dated 6<sup>th</sup> October 2006, registered with the Sub-Registrar of Assurance at Mumbai under Serial No. BDR9-10260-2008 on 12<sup>th</sup> November 2008, entered between Heritage Estates Private Limited and Sukoon Developers Pvt. Ltd., the said Area of 3564.75 Sq. Mts. was rectified to 4734.30 Sq. Mts., and the same was confirmed by the said Byramjee Jeejeebhoy Private Limited. Accordingly, the name of Sukoon Developers Pvt. Ltd. was also entered in the Property Register Cards by the City Survey Department in

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respect of the balance portion admeasuring about 1169.00 Sq. Mts. (i.e. 4734.30 less 3564.75).

- g. By an Order dated 17/10/2007 bearing reference no. C/Office-3 K/S.U./S.R.A.-1091 passed by District Collector, Mumbai Suburban District, the aforesaid land bearing CTS No. 737C was sub-divided into four plots bearing new CTS Nos. 737C/1, 737C/2, 737C/3 & 737C/4.

**II. Property Register Cards:**

- A. I have perused the Property Register Card of the said Land 1 i.e. land bearing CTS No. 31E/2/A of Village Bandivali Taluka Andheri issued by the City Survey Officer, Andheri and the same bears the name of the said Vastu Shilpa Complex Designers Pvt. Ltd., as "Holder".
- B. I have perused the Property Register Card of the said Land 2 i.e. land bearing CTS Nos. 737C/4 of Village Oshiwara Taluka Andheri issued by the City Survey Officer, Andheri and the same bears the name of the said Sukoon Developers Pvt. Ltd., as "Holder".

**III. Search Reports:**

There is no mortgage or any other encumbrance registered pertaining to the said Land 1 and the said Land 2, as can be seen from the Search Reports for more than 30 years for the period from 1965 to 2022, details of which are as under:

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- a. Search Report dated 18<sup>th</sup> April, 2005 issued by Mr. Pradeep S. Vaghmare, Title Investigator, for the period from 1965 to 2005 inter-alia in respect of the said Land 1.
- b. Search Report dated 25<sup>th</sup> November, 2008 issued by Mr. Pradeep S. Vaghmare, Title Investigator, for the period from 2005 to 2008 inter-alia in respect of the said Land 1.
- c. Search Report dated 27<sup>th</sup> July, 2017 issued by Mr. Pradeep S. Vaghmare, Title Investigator, for the period from 2003 to 2017 inter-alia in respect of the said Land 1.
- d. Search Report dated 24<sup>th</sup> April, 2021 issued by Mr. Pradeep S. Waghmare, Title Investigator, for the period from 2017 to 2021 inter-alia in respect of the said Land 1.
- e. Search Report dated 30<sup>th</sup> September, 2021 issued by Mr. Pradeep S. Waghmare, Title Investigator, for the period from 2021 to 2022 inter-alia in respect of the said Land 1.
- f. Search Report dated 27<sup>th</sup> June, 2006 issued by Mr. Pradeep S. Waghmare, Title Investigator, for the period from 1976 to 2006 inter-alia in respect of the said Land 2.
- g. Search Report dated 20<sup>th</sup> October, 2022 issued by Mr. Pradeep S. Waghmare, Title Investigator, for the period from 2006 to 2022 inter-alia in respect of the said Land 2.

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**IV. Litigations:**

A. The Sukoon Developers Pvt. Ltd. has also provided papers and documents pertaining to the litigations in respect of the said Land 1 and/or part thereof. I have perused all the aforesaid papers and documents pertaining to the aforesaid litigations and have verified that there are no injunctive reliefs or restraining orders passed against the said Vastu Shilpa Complex Designers Pvt. Ltd. and/or the said Sukoon Developers Pvt. Ltd. in respect of either the said Land 1 or any part thereof including the said Portion by any competent court. Details of such pending court case proceedings, which is sub-judice in the competent courts in respect of the Land 1 and/or part thereof as provided by the Sukoon Developers Pvt. Ltd., is annexed hereto as **Exhibit 'A'**.

B. The Sukoon Developers Pvt. Ltd. has further represented that there are no litigations pending in any competent court in respect of the said Land 2.

Dated this 02<sup>nd</sup> Day of January, 2023.

  
Zaid S. Ansari  
Advocate High Court

**Exhibit "A" - DETAILS OF THE PENDING LITIGATION**

<b>Sr. No.</b>	<b>Short Title</b>	<b>Current status</b>	<b>Whether any preventive and/or restraining order passed against the Owners and/or my Clients.</b>
1.	City Civil Court at Bombay, Borivali Division, Dindoshi L.C. Suit No. 5471 of 2006  Bijendra Ramkailash Singh ... Plaintiff  V/s. M/s. S.M.G.K. Developers Pvt. Ltd. & 11 Others. ... Defendants (the Owners are Defendant No. 12)	For Recording of Evidence.	NO
2.	In the National Consumer Disputes Redressal Commission at New Delhi Consumer Complain No. 178 of 2022  Maple Tower CHS Ltd. ... Complainant  V/s.  Sukoon Developers Pvt. Ltd. & Ors. ... Opposite Parties	For Filing of Written Version	NO

