

# SUNIL PRABHAKAR LAHANE

ADVOCATE, HIGH COURT, MUMBAI

1206, B-Wing, Dalamal Tower, Nariman Point, Mumbai 400021 Mob: 9892744138,  
Email: advsunillahane@gmail.com

To:  
TRANSCON-SHETH CREATORS PVT. LTD.  
at C-302, 3<sup>rd</sup> floor, Waterford Building,  
Juhu Galli, above Navneet Motors,  
Andheri (West),  
Mumbai 400 058

## TITLE CERTIFICATE

All that piece and parcel of land bearing C.T.S. Nos. 377, 378, 379, 380, 381, 382/A, 425, 426, 322/C, 326, 327 and 328, 323/A and 325/(A)/A (pt), 333, 365, 365/1, 365/2, 365/3, 365/4, 366, 367, 368, 369, 371, 372, 373, 374 and 375, 416, 422 and 424, 427, 376/A, 376/1, 376/2, 376/3, 376/4 and 376/5, 330, 330/1 and 330/2, 331 and 332, 364, 329, 363 (part) in aggregate 70,871.79 square meters. or thereabouts situate at Guriya Pada, Link Road, Malad (West), Mumbai 400 064, Village Valnai, Taluka Borivali, Mumbai Suburban District (hereinafter collectively referred to as "the said Property").

### 1. Title Documents;

1.1 For this Title Certificate, we have perused the documents relating to the title of the said Property as listed in Annexure "1" annexed hereto.

### 2. Title Flow:

2.1 The Salsette Catholic Co-operative Housing Society Limited ("Salsette") became owner inter-alia of the said Property vide Deed of Conveyance mentioned at serial no. 1 to 6 of Annexure "1" annexed hereto.

2.2 By two Deeds of Conveyance one dated 9th May 2007 registered with the Sub-Registrar of Assurances under serial no.5550 of 2007 and other dated 29 August 2007 registered with the Sub-Registrar of Assurances under serial no.7760 of 2007, Salsette sold, transferred and conveyed the inter-alia the said Property to Transcon-Sheth Creators Pvt. Ltd. (then known as Transcon Properties Pvt. Ltd.) (hereinafter referred to as "Transcon"), on the terms and conditions contained therein.



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- 2.3 By Deed of Conveyance dated 31<sup>st</sup> May 2019 registered with the Sub-Registrar of Assurances under serial no. 5382 of 2019, Mr. Joe Henriques, Mr. Gyan Prakash Agarwal Mr. Rajendra Shirsat and Liongate Ventures Private Limited sold, transferred and conveyed the inter-alia the said Property mentioned therein to Transcon-Sheth Creators Pvt. Ltd. (hereinafter referred to as "Transcon"), on the terms and conditions contained therein.
- 2.4 By various Notifications issued by the Deputy Collector (Encroachments) and Competent Authority, Sub-Division, Borivali, a portion of the said Larger Property, is declared as Slum Area under Section 4 of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 ("SRA Act").
- 2.5 By a various Letter of Intents and finally by by a Letter of Intent bearing no. SRA/ENG/0158/PN/PL/LOI dated 18th August 2020 Slum Rehabilitation Authority has presently sanctioned FSI of 255088.07 square meters including fungible FSI to be consumed on the said Property.
- 2.6 SRA has also approved the plans for construction of Sale Building No. 4 Wing A on a portion of the said Property and has issued Intimation of Approval bearing No. PN/PVT/0134/20101221/AP/S4 Dated 04<sup>th</sup> March 2021 in respect thereof.
- 2.7 SRA has issued Commencement Certificate bearing No. PN/PVT/0134/20101221/AP/S4 dated 05 March 2021 for the construction of Sale Building No. 4 Wing A on a portion of the said Property on the terms and conditions contained therein.

## 3 Litigations:



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3.1 We have been informed by Transcon that the litigations mentioned in Annexure "2" annexed hereto are pending in relation to Sale Building No. 4.

### 4 Mortgage:

4.1 By separate indentures of Mortgage viz. (i) Indenture of Mortgage dated 30th October 2018 registered with the office of the Sub-Registrar of Assurance at BRL-4 under serial No.16086 of 2018 in favour of Axis Finance Limited and (ii) Indenture of Mortgage dated 31st July 2018 registered with the office of the Sub-Registrar of Assurance at BRL-2 under serial No.8212 of 2018 in favour of IDBI Trusteeship Services Limited, Transcon created mortgage/charge on the said Property to secure repayment of loan availed by Transcon and on the terms and conditions contained therein.

### 5 Opinion:

5.1 In these circumstances, and subject to what is stated hereinabove, we hereby certify that Transcon is the owner of the said Property and is entitled to develop the same and construct Sale Building(s) thereon (including Sale Building No. 4) and sell the premises therein.

Dated this 22nd day of February, 2021

Yours truly,



Sunil Lahane  
Advocate, High Court



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## Annexure "1"

1. Photocopy of Deed of Conveyance dated 9<sup>th</sup> October 1961 executed between Lena Rana of the One Part and The Salsette Catholic Co-operative Housing Society Limited of the Other Part, registered with the Sub-Registrar of Assurances under serial no.2348 of 1961;
2. Photocopy of Deed of Conveyance dated 9<sup>th</sup> October 1961 executed between Johnna Thereza Manuel Henriques of the One Part and The Salsette Catholic Co-operative Housing Society Limited of the Other Part registered with the Sub-Registrar of Assurances under serial no.2555 of 1961;
3. Photocopy of Deed of Conveyance dated 16<sup>th</sup> October 1961 executed between (i) Thomas Patrick Henriques, (ii) Edward Patrick Henriques, (iii) John Patrick Henriques and (iv) Nevin Patrick Henriques of the One Part and The Salsette Catholic Co-operative Housing Society Limited of the Other Part registered with the Sub-Registrar of Assurances under serial no.2276 of 1961;
4. Photocopy of Deed of Conveyance dated 23<sup>rd</sup> January 1962 executed between (i) Virendra Gokaldas Dalal, (ii) Ramesh Gokaldas Dalal (iii) Bhogidas Gokaldas Dalal of the One Part and The Salsette Catholic Co-operative Housing Society Limited of the Other Part registered with the Sub-Registrar of Assurances under serial no.202 of 1961;
5. Photocopy of Deed of Conveyance dated 8<sup>th</sup> January 1963 executed between (i) Christabelle Comelia De Joss, (ii) Annabelle Amilia De Joss and (iii) Isabelle De Joss of the One Part and The Salsette Catholic Co-operative Housing Society Limited of the Other Part registered with the Sub-Registrar of Assurances under serial no.68 of 1963;
6. Photocopy of Deed of Conveyance dated 3<sup>rd</sup> August 1964 executed between Rev. Father Frank Noronha Vicar of the Church of Our Lady



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- of Lourdes, Orlem of the One Part and The Salsette Catholic Co-operative Housing Society Limited of the Other Part registered with the Sub-Registrar of Assurances under serial no.1802 of 1964;
7. By a Deed of Conveyance dated 9<sup>th</sup> May 2007 registered with the Sub-Registrar of Assurances under serial no.5550 of 2007 and a Further Deed of Conveyance dated 29<sup>th</sup> August 2007 registered with the Sub-Registrar of Assurances under serial no.7760 of 2007, The Salsette Catholic Co-operative Housing Society Limited sold, transferred and conveyed the inter-alia the said Property to Transcon-Sheth Creators Pvt. Ltd. (then known as Transcon Properties Pvt. Ltd.)
  8. By Deed of Conveyance dated 31<sup>st</sup> May 2019 registered with the Sub-Registrar of Assurances under serial no. 5382 of 2019, Mr. Joe Henriques , Mr, Gyan Prakash Agarwal Mr. Rajendra Shirsat and Lliongate Ventures Private Limited sold, transferred and conveyed the inter-alia the said Property mentioned therein to Transcon-Sheth Creators Pvt. Ltd. (hereinafter referred to as "Transcon"), on the terms and conditions contained therein.
  9. Papers and proceedings pertaining to Suit No. 8640 of 1990 filed by Transcon-Sheth Creators Pvt. Ltd. Versus Amrut N. Patel and Ors. at the Hon'ble City Civil Court, Dindoshi.
  10. Papers and proceedings pertaining to Co-operative Court Case No. CC-II/513 of 1991 filed by J. De' Souza & Ors versus Salsette Catholic Co-operative Hsg. Soc. and Ors.
  11. Papers and proceedings pertaining to Suit No. 6231 of 1994 filed by Transcon-Sheth Creators Pvt. Ltd. Versus Mr. Homi M. Randelia and Ors. at the Hon'ble City Civil Court, Dindoshi.





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12. Papers and proceedings pertaining to First Appeal No. 1181 of 1996 filed by M/s. B. Shantilal & Co. versus Salsette Catholic Co-operative Hsg. Soc. Ltd. and Ors. at the Hon'ble High Court.
13. Papers and proceedings pertaining to Suit No.3849 of 2004 filed by Mrs. Liberatta Rodrigues & Anr. versus Salsette Catholic Co-operative Hsg. Soc. Ltd. and Ors. at the Hon'ble City Civil Court, Dindoshi.
14. Papers and proceedings pertaining to Suit No.353 of 2005 filed by Conwood Developers Pvt. Ltd. versus Liberatta Rodrigues and Ors. at the Hon'ble City Civil Court, Dindoshi.
15. Papers and proceedings pertaining to Co-operative Court Case No. BNICC-II/175 of 2006 filed by Vincent Jerome Dias and Ors. Versus Salsette Catholic Co-operative Hsg. Soc. Ltd.
16. Papers and proceedings pertaining to Co-operative Court Case No. BNICC-II /373 of 2006 filed by Edward Pinto and Ors. Versus Salsette Catholic Co-operative Hsg. Soc. Ltd.
17. Papers and proceedings pertaining to S.C. Suit No.545 of 2007 filed by Shahidabanu Ansari Versus Midas Developer Pvt. Ltd. & Anr. at the Hon'ble City Civil Court, Dindoshi.
18. Papers and proceedings pertaining to S.C. Suit No.1908 of 2008 filed by Mithila Tenants Association Versus Transcon Properties Pvt. Ltd. & Ors. at the Hon'ble City Civil Court at Bombay, Dindoshi.
19. Papers and proceedings pertaining to Re-investigation Case No.27 of 2008 alongwith Old Revision Application No.9 of 2008 filed by Inspector General of Registration & Suptd. of Stamps, Pune for State Of Maharashtra.

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20. Papers and proceedings pertaining to Writ Petition No.8035 of 2009 filed by Salsette Catholic Co-operative Hsg. Soc. Ltd. Versus Mr. Edward Pinto and Ors. at the Hon'ble Bombay High Court.
21. Papers and proceedings pertaining to Suit No.970 of 2009 filed by Vincent Dias and others Versus Salsette Catholic Co-operative Hsg. Soc. Ltd. and Ors. at the Hon'ble Bombay High Court.
22. Papers and proceedings pertaining to Suit No.237 of 2010 filed by Ruhi Mary Thomas and Ors versus Salsette Catholic Co-operative Hsg. Soc. Ltd. and Ors. at the Hon'ble Bombay High Court.
23. Papers and proceedings pertaining to Appeal No.68 of 2010 filed by Mr. Amrut Narayan Patel versus the District Collector, Mumbai Suburban District and Ors. at the Hon'ble Additional Commissioner, Konkan Division, Mumbai.
24. Papers and proceedings pertaining to Suit No.2847 of 2011 filed by Transcon Properties Pvt. Ltd. versus Dolcie F. Barretto and Ors. at the Hon'ble Bombay High Court.
25. Papers and proceedings pertaining to S.C. Suit No.2536 of 2011 filed by Mohammed Rafique Abdul Razzak Choudhari and Anr. versus Transcon Properties Pvt. Ltd. at the Hon'ble City Civil Court, Dindoshi.
26. Papers and proceedings pertaining to Misc. Application No.15 of 2011 in Appeal filed by Mr. Bernerd A. Barretto and Ors. Versus Dy. Collector (ENC), Borivali and Competent Authority Mumbai and Ors.
27. Papers and proceedings pertaining to S.C. Suit No.1285 of 2012 filed by Mr. Periannan G. Harijan Versus Transcon Properties Pvt. Ltd. at the Hon'ble Bombay City Civil Court, Dindoshi.





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28. Papers and proceedings pertaining to Arbitration proceeding before Mr. Senahal Shah in the matter of Arbitration filed by Mr. Barnard Andrew Barretto and Anr. against M/s. Bhadriya Developers LLP and Ors.
29. Papers and proceedings pertaining to S.C. Suit No.180 of 2012 filed by Mr. Hasmat Jamal Ghanchi and Anr. Versus Mrs. Shahidabanoo Bindu Ansari & Anr. at the Hon'ble Bombay City Civil Court, Dindoshi.
30. Papers and proceedings pertaining to S.C. Suit No.2484 of 2012 filed by Kiran B. Balsara Versus Transcon Properties Pvt. Ltd. at the Hon'ble Bombay City Civil Court, Dindoshi.
31. Papers and proceedings pertaining to Writ Petition No.5074 of 2013 filed by Transcon-Sheth Creators Pvt. Ltd. versus Shahidabanu Ansari and Ors. at the Hon'ble Bombay High Court;
32. Papers and proceedings pertaining to Writ Petition No.612 of 2013 filed by Transcon-Sheth Creators Pvt. Ltd. versus State of Maharashtra & Ors. at the Hon'ble Bombay High Court;
33. Papers and proceedings pertaining to Case No. 261 of 2013 Guria Nagar Rahavasi Social Welfare Soc. Ltd. Versus Chief Executive Officer Slum Rehabilitation Authority and Ors. at the High Power Committee;
34. Papers and proceedings pertaining to Suit (L) No. 912 of 2013 filed by Juliet Menezes (D'souza) & Ors. against Transcon-Sheth Creators Pvt. Ltd. at the Hon'ble Bombay High Court;
35. Papers and proceedings pertaining to Suit No. 846 of 2013 filed by Elfreda Mendonica Versus Liberratta Rodriques and Anr. at the Hon'ble Bombay City Civil Court, Dindoshi.





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36. Papers and proceedings pertaining to Suit No. 374 of 2014 filed by Smt. Shahida Banu Bindu Ansari versus Transcon-Sheth Pvt. Ltd. at the Bombay City Civil Court, Dindoshi.
37. Papers and proceedings pertaining to RAD Suit No. 141 of 2014 Narayan Vishram Ajgaonkar Versus M/s. Transcomp Properties Pvt. Ltd. & Anr. at the Small Causes Court at Bombay- Bandra.
38. Papers and proceedings pertaining to RAD Suit No. 123 of 2014 Labhuben Savajibhai Vagasia Versus M/s. Transcomp Properties Pvt. Ltd. & Anr. at the Small Causes Court at Bombay- Bandra.
39. Papers and proceedings pertaining to RAD Suit No. 124 of 2014 Mahendra Bacchan Singh Versus M/s. Transcomp Properties Pvt. Ltd. & Anr. at the Small Causes Court at Bombay- Bandra.
40. Papers and proceedings pertaining to RAD Suit No. 125 of 2014 Smt. Stella Sarawo Alfanzo Versus M/s. Transcomp Properties Pvt. Ltd. & Anr. at the Small Causes Court at Bombay- Bandra
41. Papers and proceedings pertaining to RAD Suit No. 126 of 2014 Mohan Madhukar Pandit Versus M/s. Transcomp Properties Pvt. Ltd. & Anr. at the Small Causes Court at Bombay- Bandra
42. Papers and proceedings pertaining to RAD Suit No. 154 of 2014 Smt. Maryann Babuji John Versus M/s. Transcomp Properties Pvt. Ltd. & Anr. at the Small Causes Court at Bombay- Bandra
43. Papers and proceedings pertaining to RAD Suit No. 466 of 2014 Mr. Balkrishna Bhandari Versus M/s Transcon Properties Private Limited and Anr. at the Small Causes Court at Bombay- Bandra
44. Papers and proceedings pertaining to Suit No.84 of 2014 Masjid and Madrasa Raonaq E-Islam Versus Slum Rehabilitation Authority &



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Ors Before the Presiding Officer, Maharashtra State, Wakf Tribunal at Aurangabad.

45. Papers and proceedings pertaining to Writ Petition (Stamp) No. 15893 of 2014 Naresh Fusaram Chaudhary & ors Versus M/s. Transcon-Sheth Creators Pvt. Ltd. before the High Court, Bombay
46. Paper and Proceedings pertaining to Appeal No.190 of 2014 Smt. Amina Khalun Akbar Ali Gujra Versus Dy.Collector (ENC & Rem) and others.
47. Paper and Proceedings pertaining to Appeal No.191 of 2014 Smt. Sabana Ahmed Hussain Versus Dy.Collector (ENC & Rem) and others.
48. Papers and proceedings pertaining to Appeal No. 146 of 2014 Mr. Liyakat Bashir Ahmed Ansari versus The Slum Rehabilitation Authority & Ors Before the Addl. Collector Appellate Authority at Bandra.
49. Papers and proceedings pertaining to Suit No. 1424 of 2014 Mohammed Rafique Abdul Razak Chaudhari & Anr Versus Transcon Property Pvt. Ltd. & Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.
50. Papers and proceedings pertaining to Suit No. 3711 of 2014 Mr. Bernard Baretto Versus Transcon Sheth Creators Private Limited and Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.
51. Papers and proceedings pertaining to Suit No. 3712 of 2014 Mr. Flory Baretto Versus Transcon Sheth Creators Private Limited and Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.

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## Annexure-2

| Sr. No. | Case Number   | Court Name           | Current Status |
|---------|---|----------------------|----------------|
| 1.      | S.C. Suit No. 3849 of 2004<br>Civil Revision Application No. 461 of 2015<br>Civil Revision Application No.462 of 2015 | City Civil Court     | Pending        |
| 2.      | Counter Claim No. 10 of 2014 in Suit No.3849 of 2004  | City Civil Court     | Pending        |
| 3.      | SC Suit No. 846 of 2013   | City Civil Court     | Pending        |
| 4.      | Suit No. 545 of 2007.   | City Civil Court     | Pending        |
| 5.      | Writ Petition No.5074 of 2013.  | High Court           | Pending        |
| 6.      | Case No. 261 of 2013  | High Power Committee | Pending        |
| 7.      | Application of 2019   | AGRC                 | Pending        |
| 8.      | Suit No.2847 of 2011  | High Court           | Pending        |
| 9.      | Civil Writ Petition No. 10725 of 2015   | High Court           | Pending        |
| 10.     | Writ Petition (Lodging) No. 1381 of 2019.   | High Court           | Pending        |
| 11.     | Writ Petition No. 1346 of 2019  | High Court           | Pending        |
| 12.     | Writ Petition No 1305 of 2019- WP (L) 31508 of 2018   | High Court           | Pending        |
| 13.     | Writ Petition No. 2947 of 2017  | High Court           | Pending        |
| 14.     | Writ Petition No. 2948 of 2017  | High Court           | Pending        |
| 15.     | Writ Petition No. 11710 of 2016   | High Court           | Pending        |
| 16.     | Writ Petition No. 8035 of 2009  | High Court           | Pending        |
| 17.     | Civil Writ Petition (L) No. 1456 of 2020  | High Court           | Pending        |
| 18.     | Civil Writ Petition (L) No. 1400 of 2020  | High Court           | Pending        |
| 19.     | CRBPL (st) No 1387 of 2019  | High Court           | Pending        |
| 20.     | Writ Petition No.433 of 2020  | High Court           | Pending        |
| 21.     | Suit No. 193 of 2014  | High Court           | Pending        |
| 22.     | Suit No. 3773 of 2017   | City Civil Court     | Pending        |
| 23.     | Suit No.748 of 2015   | City Civil Court     | Pending        |
| 24.     | Suit No. 3201 of 2016   | City Civil Court     | Pending        |
| 25.     | Suit No. 353 of 2005  | City Civil Court     | Pending        |
| 26.     | SC Suit No. 2484 of 2012  | City Civil Court     | Pending        |

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|     |  |                            |         |
|-----|--|----------------------------|---------|
| 27. | Suit No 2842 of 2015                               | City Civil Court           | Pending |
| 28. | Suit No. 3447 of 2015                              | City Civil Court           | Pending |
| 29. | Suit No. 8640 of 1990                              | City Civil Court           | Pending |
| 30. | Suit No. 2331 of 2004                              | City Civil Court           | Pending |
| 31. | Suit No. 1076 of 2015                              | City Civil Court           | Pending |
| 32. | Suit No. 2837 of 2015                              | City Civil Court           | Pending |
| 33. | Suit No. 2067 of 2019                              | City Civil Court           | Pending |
| 34. | Suit No. 2068 of 2019                              | City Civil Court           | Pending |
| 35. | Suit No. 2536 of 2016                              | City Civil Court           | Pending |
| 36. | RAD Suit No.123 of 2014                            | Small Causes Court, Bandra | Pending |
| 37. | RAD Suit No.124 of 2014                            | Small Causes Court, Bandra | Pending |
| 38. | R.A.E. Suit No. 332/681 of 2014                    | Small Causes Court, Bandra | Pending |
| 39. | Criminal Complaint No. 42/SS of 2015               | Borivali                   | Pending |
| 40. | Appeal No.31783 of 2019                            | RERA (Appellate)           | Pending |
| 41. | Appeal No. 13 of 2018                              | Slum Tribunal Authority    | Pending |
| 42. | Misc. Application No. 15 of 2011 in Appeal of 2011 | Slum Tribunal              | Pending |
| 43. | Appeal of 2018                                     | Revenue Minister           | Pending |
| 44. | Revision of 2020                                   | Revenue Minister           | Pending |
| 45. | Application of 2020                                | Dy. Collector Bandra SRA   | Pending |