

To

Maha RERA
Housefin Bhavan
Plot No. C – 21
Bandra Kurla Complex
Bandra (East)
Mumbai 400051

LEGAL TITLE REPORT

Sub: Title clearance report with respect to all that piece and parcel of land bearing C.T.S. No. 174A/3 admeasuring 37,409.5 square meters, situate, lying and being at Village Akurli, Taluka Goregaon, Mumbai Suburban District ("**Property**")

We have investigated the title of the Property based on the request of Mahindra Lifespace Developers Limited, and the following documents:

1. Description of the Property:

All that piece and parcel of land bearing C.T.S. No. 174A/3 admeasuring 37,409.5 square meters, situate, lying and being at Village Akurli, Taluka Goregaon, Mumbai Suburban District.

2. The Documents pertaining to the Property:

- a. Agreement dated December 12, 1960 executed by (i) Chaturbhuj Gordhandas; (ii) Pratapsinh Mathuradas; and (iii) Dwarkadas Jamnadas in favour of Mahindra and Mahindra Limited;
- b. Order dated November 21, 1961 passed by the Office of the Additional District Deputy Collector, B.S.D., Andheri granting non-agricultural permission to the President, Bombay Gorakshak Mandali;
- c. Conveyance dated February 9, 1962 registered with the Sub-Registrar of Assurances under Serial No. 818 of 1962;
- d. Notification dated January 7, 1964 issued by the Revenue Department, the Government of Maharashtra notifying *inter alia* the Property held by Mahindra and Mahindra Limited for bonafide industrial use;
- e. Conveyance dated July 30, 1968 registered with the Sub-Registrar of Assurances under Serial No. 4318 of 1968;
- f. Order dated March 9, 1976 passed by the City Survey Officer rectifying the area of the Plot (defined below);
- g. Order dated March 9, 1978 passed in Company Petition No. 789 of 1977 connected with Company Application No. 323 of 1977 by the High Court of Judicature at Bombay;

- h. Order dated June 5, 1979 bearing No. ULC/I-60/MC/IC/GAD/1230 passed by the Government of Maharashtra under Section 20 (1) of the Urban Land (Ceiling and Regulations) Act, 1976 in favour of International Tractor Company of India Limited;
- i. Letter dated August 9, 1996, issued by the Government of Maharashtra to Mahindra and Mahindra Limited;
- j. Letter dated April 13, 2018 bearing No. 121800000014730 issued in favour of Mahindra and Mahindra Limited Tractor Division by the Directorate of Industrial Safety and Health, Government of Maharashtra;
- k. Order dated June 18, 2018, the Collector, Mumbai Suburban District sanctioning the subdivision of Plot;
- l. Letter dated December 28, 2020 issued by the Labour Commissioner granting its no objection regarding non-payment of legal dues of the workers in respect of the Property in favour of Vijaykumar Nair (Vice President of Workers Relations);
- m. Development Planning Remarks dated December 9, 2021, bearing No. Ch.E./DP3420211211360888, issued by MCGM in respect of the Plot;
- n. Letter dated June 23, 2022 bearing No. DI/ ULC/ I-60(1979)/ M&M/ Akurli-Kandivali/ 2022/ C-7862 issued by the Directorate of Industries, Government of Maharashtra;
- o. No dues certificate dated September 28, 2022 issued by MCGM under Section 390 of the Mumbai Municipal Corporation Act, 1888;
- p. Property tax bills, all dated October 2022, issued by Brihanmumbai Mahanagar Palika in favour of Mahindra and Mahindra Limited;
- q. Conveyance Deed dated December 22, 2022 registered with the Sub-Registrar of Assurances under Serial No. 25690 of 2022;
- r. Power of Attorney dated December 22, 2022 registered with the Sub-Registrar of Assurances under Serial No. 25692 of 2022; and
- s. Property Register Card in respect of the Property.

3. Property Register Card:

The Property Register Card in respect of land bearing CTS No. 174A/3 issued by the Superintendent, Mumbai City Survey and Land Records dated March 11, 2019.

4. Search Report:

Land Search Report dated February 24, 2022 issued by Ashish Javeri, Title Investigator for searches in respect of the Property taken at the office of the Sub-Registrar of Assurances.

5. Upon perusal of the above-mentioned documents and all other documents pertaining to the title of the Property, we are of the opinion that the title of Mahindra Lifespace Developers Limited as the owner of the Property is clear, marketable and without any encumbrance.

Owner of the land:

Mahindra Lifespace Developers Limited of C.T.S. No. 174A/3 at Village Akurli, Taluka Goregaon, Mumbai Suburban District.

6. The report reflecting the flow of title in respect of the Property is enclosed herewith as **Annexure "A"** hereto.

Dated this 21st day of November, 2023.

Sagar Kadam
Partner
DSK Legal

Encl.: Annexure "A"

Annexure "A"
Flow of title in respect of the Property

Re: All that piece and parcel of land bearing C.T.S. No. 174A/3 admeasuring 37,409.5 square meters, situate, lying and being at Village Akurli, Taluka Goregaon, Mumbai Suburban District ("Property") and more particularly described in the **Second Schedule** hereunder written

Pursuant to your instructions, we have investigated the title of Mahindra Lifespace Developers Limited ("MLDL") and for the same, perused copy of the following documents:

For the purposes of this Legal Title Report:

1. We have caused searches to be conducted in respect of the Property and have relied upon search report dated February 24, 2022 issued by Mr. Ashish Javeri, Title Investigator and the same has been separately provided. Upon perusal of the same we note that the search report does not reflect any adverse entry/ies in respect of the Property.
2. We have issued public notices in Times of India (in English) and Maharashtra Times (in Marathi) in their respective editions of February 25, 2022 for inviting any objections / claims in respect of the Property and have not received any objections / claims pursuant to the same.
3. We have caused online litigation searches to be conducted on MLDL and have relied upon litigation search report dated October 20, 2023 issued by Cubictree Technology Solution Private Limited. We have been informed by the representatives of MLDL that none of the litigations appearing therein pertain to the Property.
4. Since our scope of work does not include considering aspects within the domain of an architect or a surveyor, we have not carried out any physical inspection of the Property nor have commented on the zoning and development aspects etc., thereof.

FLOW OF TITLE

1. By and under Articles of Agreement dated December 12, 1960, (i) Chaturbhuj Gordhandas; (ii) Pratapsinh Mathuradas; and (iii) Dwarkadas Jamnadas agreed to sell all their right, title and interest in respect of all those pieces and parcels of land bearing Survey Nos. 76 (part), 77, 78, 21, 22, 79, 80 (part), 81 (part), 82, 83, 84, 85, 86 (part), 19 (part), 17 (part), 87 (part) and 94 (part) admeasuring in aggregate 6,64,851 square yards situate, lying and being at Village Akurli, Greater Bombay in favour of Mahindra and Mahindra Limited ("Mahindra"), for the consideration and on the terms and conditions stipulated therein.
2. By and under Conveyance dated February 9, 1962 registered with the Sub-Registrar of Assurances under Serial No. 818 of 1962, (i) Pratapsinh Mathuradas Visanji; (ii) Chatrabhoj Gordhandas; (iii) Dwarkadas Jamnadas; (iv) Ramanlal Gokaldas Saraiya; (v) Vallabhdas Vasanji Mariwalla; and (vi) Devji Rattansey, being the then trustees of Bombay Gowrakshak Mandali granted, conveyed, transferred and assured all their right, title and interest in respect of all those pieces and parcels of land admeasuring in the aggregate 6,71,677 square yards (equivalent to 5,61,607.52 square metres) situate, lying and being at Village Akurli, Taluka Salsette ("Larger Land") and more particularly

described in the **First Schedule** hereunder written in favour of Mahindra, for the consideration and on the terms and conditions stipulated therein.

Comment:

Upon perusal of the Conveyance dated February 9, 1962 it appears that:

- (i) *By and under Order dated January 18, 1961 bearing No. 36/192/60/498 of 1961, the Charity Commissioner of the State of Maharashtra sanctioned the sale of the Larger Land in favour of Mahindra.*
- (ii) *Originally, the Larger Land was part of a kowl (grant). However, we note that, as per Section 3 of the Salsette Estates (Land Revenue Exemption Abolition) Act, 1951, any sum of money payable under the terms of the kowl shall be deemed to have been extinguished, and accordingly the kowl comes to an end. This fact has been confirmed in the NA Order captured hereinbelow inter alia stating that the holder of the land is liable to pay the revenue directly to the state government.*

3. By and under Conveyance dated July 30, 1968 registered with the Sub-Registrar of Assurances under Serial No. 4318 of 1968, Mahindra granted, conveyed, transferred and assured all its right, title and interest in respect of all those pieces and parcels of land bearing Survey Nos. 17 (part), 79 (part), 80 (part), 81 (part), 82 (part), 83 (part), 84 (part), 86 (part) and 94 (part) admeasuring in aggregate 1,77,451 square yards equivalent to 1,48,349 square metres forming part of the Larger Land ("Plot") in favour of International Tractor Company of India Limited ("ITCI"), for the consideration and on the terms and conditions stipulated therein.

Comment:

Upon perusal of the Conveyance dated July 30, 1968 it appears that by and under an Agreement dated November 23, 1964, Mahindra agreed to sell all its right, title and interest in respect of the Plot in favour of ITCI, for the consideration and on the terms and conditions stipulated therein.

4. It appears that by and under Order dated March 9, 1976, the City Survey Officer rectified the areas basis actual possession and accordingly the area of the Plot came to be recorded as 1,47,356 square meters and allotted CTS No. 174/A.

COMPOSITION OF MAHINDRA

5. By and under Order dated March 9, 1978 passed in Company Petition No. 789 of 1977 connected with Company Application No. 323 of 1977, the High Court of Judicature at Bombay sanctioned the scheme of amalgamation of ITCI with Mahindra and declared the same to be binding with effect from November 1, 1977. Accordingly, all the property, rights, and interest of ITCI including but not limited to the Plot came to be transferred and vested in Mahindra.

Comment:

Article 25 (da) of the Maharashtra Stamp Act, 1958 which deals with levy of stamp duty on orders of the High Court in respect of amalgamation of companies was brought into effect from January 1, 2000. As the aforesaid order was passed in 1978, there was no obligation for payment of stamp duty in respect of the same.

SUB-DIVISION ORDER

6. Pursuant to an application made by Mahindra, vide Order dated June 18, 2018, the Collector, Mumbai Suburban District sanctioned the subdivision of Plot in the following manner:

Sr. No.	C.T.S. No.	Area (in square meters)	Details
1.	174A/1	96235.2	Mahindra and Mahindra Limited (Balance Area)
2.	174A/2	9087.5	Mahindra and Mahindra Limited (DP Road)
3.	174A/3	37409.5	Mahindra and Mahindra Limited
4.	174A/4	4262.4	Nala
5.	174A/5	361.4	Nala
TOTAL		1,47,356.0	

7. Accordingly, *inter alia* all the right, title and interest in respect of the Property came to be vested in Mahindra.

8. By and under Conveyance Deed dated December 22, 2022 registered with the Sub-Registrar of Assurances under Serial No. 25690 of 2022, Mahindra granted, conveyed, transferred and assured all its right, title and interest in respect of the Property in favour of MLDL, for the consideration and on the terms and conditions contained therein.

9. By and under Power of Attorney dated December 22, 2022 registered with the Sub-Registrar of Assurances under Serial No. 25692 of 2022, Mahindra appointed MLDL as its true and lawful attorney to do such acts, deeds and things as more particularly specified therein.

10. Accordingly, MLDL is seized and possessed of and well and sufficiently entitled to the right, title and interest in respect of the Property.

REVENUE RECORDS

11. Upon perusal of the Property Register Card pertaining to the Property, we note the following:

C.T.S. No.	Name of the Holder	Area (in square meters)
174/A/3	Mahindra Lifespace Developers Limited	37,409.5

APPROVALS

12. By and under letter dated April 13, 2018 bearing No. 121800000014730 issued in favour of Mahindra and Mahindra Limited Tractor Division, the Directorate of Industrial Safety and Health, Government of Maharashtra, approved the factory layout plan in respect of *inter alia* the Property, on the terms and conditions contained therein.

Comment:

Upon perusal of the aforesaid factory layout plan, we note that the Property was marked as vacated and non-manufacturing area. We have been informed that there is no factory operational on the Property. Hence, the question of a factory closure certificate does not arise.

13. By and under letter dated December 28, 2020, the Labour Commissioner granted its no objection regarding non-pendency of legal dues of the workers in respect of the Property in favour of Vijaykumar Nair (Vice President of Workers Relations), on the terms and conditions contained therein.
14. By and under letter dated September 28, 2022, the Municipal Corporation of Greater Mumbai ("MCGM") has issued its no dues certificate in respect of the Property under Section 390 of the Mumbai Municipal Corporation Act, 1888.

NON-AGRICULTURAL PERMISSION

15. By and under Order dated November 21, 1961, the Office of the Additional District Deputy Collector, B.S.D., Andheri granted non-agricultural permission to the President, Bombay Gorakshak Mandali to use *inter alia* the Property for commercial purposes, on the terms and conditions stipulated therein.
16. By and under notification dated January 7, 1964 issued by the Revenue Department, the Government of Maharashtra notified *inter alia* the Property held by Mahindra for bonafide industrial or other non-agricultural use, as indicated therein.

ULC

17. By and under Order dated June 5, 1979 bearing No. ULC/I-60/MC/IC/GAD/1230 ("ULC Order") passed under Section 20 (1) of the Urban Land (Ceiling and Regulations) Act, 1976 in favour of ITCI, the Government of Maharashtra exempted vacant land admeasuring 74,472 square metres out of the Plot, on the terms and conditions more particularly set out therein.

Comment:

*We note that the aforesaid Order dated June 5, 1979 was granted subject to *inter alia* the following conditions:*

- (i) *The exempted land shall be used only for the purpose of 'industry' and any change made in the user of the land shall amount to a breach;*
- (ii) *ITCI shall make full utilization of the exempted land by constructing buildings occupying a total plinth area of not less than 15,125 square meters and shall commence such construction from a period of one year from the date of the aforesaid order. We note that by and under letter dated August 9, 1996, this period was extended by a further period of one year from date of issue of the letter; and*
- (iii) *The exempted land shall not be transferred to any third party without prior permission of the state government.*

18. By and under letter dated June 23, 2022 bearing No. DI/ULC/I-60(1979)/M&M/Akurli-Kandivali/2022/C-7862, the Directorate of Industries, Government of Maharashtra certified completion of all outstanding obligations in respect of the vacant lands exempted under the ULC Order by Mahindra.

DEVELOPMENT PLANNING REMARKS

19. Upon perusal of the Development Planning Remarks dated December 9, 2021, bearing No. Ch.E./DP3420211211360888, issued by MCGM in respect of the Plot, we note the following:

- (i) The Plot is situated in the Industrial (I) and Residential (R) Zone; and
- (ii) Two proposed roads of 36.6 meters affect the Plot.

PROPERTY TAXES

20. We have been provided with property tax bills, all dated October 2022, issued by Brihanmumbai Mahanagar Palika in favour of Mahindra, in respect of payment of the property taxes amounting in aggregate to Rs.1,43,13,338/- (Rupees One Crore Forty Three Lakh Thirteen Thousand Three Hundred Thirty Eight only) for the financial year 2022-2023, i.e. upto March 31, 2023. We have been informed that Mahindra has paid the aforesaid property tax amount.

OPINION

Subject to the aforesaid, the title of MLDL to the Property is clear and marketable.

FIRST SCHEDULE (Description of Larger Land)

All those pieces or parcels of non-agricultural vacant land admeasuring 6,71,677 square yards or thereabouts situate, lying and being within the boundary of Akurli village in the Taluka Salsette in the Registration Sub-District Bandra and District of Bombay Suburban bearing survey numbers and areas as follows:

Survey No.	Area (in square yards)
17 (part)	9003
19 (part)	9978.44
22	138578.16
76 (part)	10852.48
77	15972
78	10648
79 (part)	102241.11
80 (part)	17782.67
81 (part)	88962
82	21296
83	15004
84	19602
85	8241.11
86 (part)	89220.44
87 (part)	105439.11
94 (part)	8856.22
TOTAL	6,71,677

SECOND SCHEDULE (Description of the Property)

All that piece and parcel of land bearing C.T.S. No. 174A/3 admeasuring 37,409.5 square meters, situate, lying and being at Village Akurli, Taluka Goregaon, Mumbai Suburban District, and bounded as follows:

On or towards the North by : CTS 809 A/1 of Poisar Village;
On or towards the South by : CTS 174 A/5 of Akurli Village - Nalla abutting Akurli Road;
On or towards the East by : CTS 174B/1 of Akurli Village; and
On or towards the West by : CTS 174 A/2 of Akurli Village - 36.00 meters wide DP Road

Our Legal Title Report is based on the provisions of applicable law, prevailing at the present time and the facts of the matter, as we understand them to be. Our understanding is based upon and limited to the information provided to us. Any variance of facts or of law may cause a corresponding change in our Legal Title Report.

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