

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

**Date: 23<sup>rd</sup> November, 2024**

To,  
Maha RERA,  
Housefin Bhavan, Plot No. C - 21,  
E - Block, Bandra Kurla Complex,  
Bandra (E), Mumbai - 400 051.

**LEGAL TITLE REPORT**

**Sub: Title clearance certificate with respect to:**

All that pieces and parcel of land bearing CTS No. 170, 170 (1) to 170 (22) and 173, 173 (1) to 173 (4) [then bearing survey no. 42 (part) and survey no. 7 Hissa no. 10 (part)], lying and being at Village Bandivali, Taluka Andheri, Mumbai Suburban District admeasuring in aggregate about 1761 Sq. Mtrs. as mentioned in the Property Register Cards, ("**said Land**") with the building standing thereon named 'Sani Apartment' ("**Existing Building**") situated at S. V. Road, Jogeshwari West, Mumbai 400102 duly assessed with and accessed under K-West Ward of BMC within the limits of Sub-Registrar at Mumbai Suburban District and bounded as follows: -

on or towards the East : by Patel Chawl  
on or towards the West : by Opposite Abba Apartment  
on or towards the North : by Mom Mahal  
on or towards the South : by Grace Plaza.

(Hereinafter referred to as the "**Said Property**")

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1. I have investigated the title of the said Property on the request of M/s. PSanghvi & Jain Builder LLP ("**Developer**") and have perused the following documents in respect of the said Property:
  - a) Property Card bearing CTS No. 170, 170 (1) to 170 (22) and 173, 173 (1) to 173 (4) (the then Survey no. 42 (part) and survey no. 7 Hissa no. 10 (part)) of Village Bandivali, Taluka Andheri, Mumbai Suburban District.
  - b) Photocopy of Occupation Certificate ("OC") bearing No. CE/7410/BS-II/AK dated 24th November 1980.
  - c) Photocopy of Incorporation Certificate of Sani Apartment Co-Operative Housing Society Limited bearing its registration No. BOM/K-WEST/HSG/(TC)/1553/84-85.
  - d) Photocopy of Order dated 27<sup>th</sup> December, 2016, passed by Mr. Mahindra Mhaske, District Deputy Registrar, Cooperative Society, Mumbai City (3), granting Deemed Conveyance Certificate bearing No.: OW-Mumbai/DDR-3/Deemed Conveyance/The Sani Cooperative Housing /16/6198 in respect of the land bearing C.T.S. No. 170, 170 (1) to 170 (22), 173, 173(1) to 173 (4) admeasuring 1390.30 (One Thousand Three Hundred Ninety point thirty Only) along with the Existing Building in favour of the Society.
  - e) Photocopy of revised Order dated 03rd December, 2019 passed by the competent authority in respect of said Property.
  - f) Certified True copy certified by Notary public of Deemed Conveyance dated 30.09.2024 duly registered with Sub- Registrar Assurances at Bombay under Serial No. 15903/2024 on 03.10.2024
  - g) Certified True copy certified by Notary Public of Development Agreement dated 12.11.2024 duly registered with Sub- Registrar Assurances at Bombay under Serial No BDR-15-19148/2024 on



12.11.2024 executed by and between Sani Apartment Co-Operative Housing Society Ltd. therein referred to as the Society of the One Part and M/s. P Sanghvi & Jain Builder LLP therein referred to as the Developers of the Other Part.

- h) Certified True copy certified by Notary Public of Irrevocable Power of Attorney dated 12.11.2024 duly registered with Sub-Registrar of Assurances at Bombay under Serial No. BDR-15-19149/2024 whereby Sani Apartment Co-Operative Housing Society Ltd. along with the consent of the then Existing Members granted powers in favour of M/s. PSanghvi & Jain Builder LLP as mentioned therein for redevelopment of the said Property.
- i) Certified True copy certified by Architect of Intimation of Disapproval (IOD) dated 12<sup>th</sup> October, 2023 issued by MCGM bearing Ref. No. CHE/WS/4913/K/W/337(NEW)/IOD/1/New along with proposed plans.
- j) Certified True copy of Commencement Certificate dated 12.01.2024 issued by BMC bearing Ref No. CHE/WS/4913/K/W/337(NEW)/CC/1/New.
- k) Certified True copy certified by Architect of Fire NOC dated 17.09.2023 bearing File No. CHE/WS/4913/K/W/337(NEW)-CFO/1/New issued by Chief Fire Officer, Fire Brigade, Brihnmumbai Municipal Corporation, Mumbai in favour of Mr. Vilas M. Nagalkar of M/s. Foresite Architect, Architects.
- l) Search Report dated 19.11.2024 of Mr. Vinod Sawant, Search Clerk in respect of the said Property for 30 years since year from 1994 to 2024 i.e. till the date of report.



- m) Photocopy of Partnership Deed dated 16.07.2022 of M/s. P Sanghvi & Jain Builder LLP having LLPIN No. ABB-3748, a registered Limited Liability Partnership firm under the provisions of the Limited Liability Partnership Act, 2008.
- n) Photocopy of Supplemental Deed of LLP dated 30.03.2023 M/s. P Sanghvi & Jain Builder LLP.
2. Caused limited negative search to be carried out in the computerized online records of the High Court of Judicature at Bombay and City Civil Court, Mumbai, in respect of any litigation pending against Owner affecting the said property.
3. On perusal of the above-mentioned documents and all other relevant documents relating to title of the said Property, subject to what has been stated in the title Flow annexed hereto, we are of the opinion that the ownership of the said land is with Sani Apartment Co-Operative Housing Society Ltd. as well as right to redevelop the said Property of Developer i.e. M/s. PSanghvi & Jain Builder LLP is clear, marketable and without any encumbrances.

Owner of the said Land: The Sani Apartment Co-Operative Housing Society Ltd.

Developer of the said Land: M/s. P Sanghvi & Jain Builder LLP

4. The Report reflecting the flow of the title of the Owner i.e. Sani Apartment Co-operative Housing Society Limited on the said Property as well as right to redevelop the said Property of Developer i.e. M/s. P Sanghvi & Jain Builder LLP is enclosed herewith as Annexure.

**Encl: Annexure**

Date: 23<sup>rd</sup> November, 2024



**Rehana Nulwala**

**Advocate High Court**

**FORMAT - A**  
**(Circular No. 28/2021)**  
**Annexure**

**TO WHOMSOEVER IT MAY CONCERN**

**FLOW OF THE TITLE**

All that pieces and parcel of land bearing CTS No. 170, 170 (1) to 170 (22) and 173, 173 (1) to 173 (4) [then bearing survey no. 42 (part) and survey no. 7 Hissa no. 10 (part)] lying and being at Village Bandivali, Taluka Andheri, Mumbai Suburban District admeasuring in aggregate about 1761 Sq. Mtrs. as mentioned in the Property Register Cards, ("**said Land**") with the building standing thereon named 'Sani Apartment' ("**Existing Building**") situated at S. V. Road, Jogeshwari West, Mumbai 400102 duly assessed with and accessed under K-West Ward of BMC within the limits of Sub-Registrar at Mumbai Suburban District and bounded as follows: -

on or towards the East : by Patel Chawl  
on or towards the West : by Opposite Abba Apartment  
on or towards the North : by Mom Mahal  
on or towards the South : by Grace Plaza.

(Hereinafter referred to as the "**Said Property**")

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**1. The Flow of Title in respect of the said Property are as under:**

- a. Out of the said Land, one Mr. Allauddin Kadar Mistry and Mr. Ahmed Ameer, were the original owners of the land bearing C.T.S. Nos. 170, 170 (1) to 170 (22) admeasuring in aggregate 1485.6 (One Thousand Four Hundred and Eighty-Five Point Six) square meters, as per the Property Register Card of these respective CTS Nos. With

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respect to the balance part of the said Land, Mr. Allauddin Kadar Mistry, Mr Yasim Imam Khatik and Mr. Gafur Kader Mistry were the original owners of the said land bearing C.T.S. No. 173, 173 (1) to 173 (4), admeasuring in aggregate 275.4(Two Hundred Seventy-Five Point Four) square meters as per the Property Register Card. The total area as per the Property Register Card of the said Land is about 1761 (One Thousand Seven Hundred and Sixty - One) Square Mtrs.

- b. The Society and the Developer has informed me that vide Indenture of Conveyance dated 11<sup>th</sup> December, 1962 registered with the Sub-Registrar of Assurances at Bandra under Serial No. 2935 of 1962, executed between Mr. Ahmed Ameer, Mr. Allauddin Kadar, Mr. Yasim Imam Khatik, Gafur Kader Mistry and Mr. Ismail Amir and M/s. U. A. Mom Construction Company, M/s. U. A. Mom Construction Company was conveyed the said Land. However, Original and or Copy of the said Indenture of Conveyance is not available with the Society.
- c. Pursuant thereto, M/s. U. A. Mom Construction Company obtained all the necessary approvals and commenced the construction of the residential/commercial building in accordance with the plans sanctioned by the Municipal Corporation of Greater Bombay.
- d. The Existing Building was completed in the year 1980. The Occupation Certificate ("OC") bearing No. CE/7410/BS-II/AK dated 24<sup>th</sup> November 1980 has been issued by the Municipal Corporation of Greater Mumbai.
- e. M/s. U. A. Mom Construction Company, sold flats/units in the Existing Building to various purchasers. All the purchasers of the flats/units sold by M/s. U.A. Mom Construction Company formed and registered the Sani Apartment Co-Operative Housing Society Limited under the provisions of the Maharashtra Co-operative

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Societies Act, 1960 bearing registration No. BOM/K-WEST/HSG/(TC)/1553/84-85 (**"the said Society"**).

- f. Till the year 2015, the Property was not conveyed by the original owners and or M/s. U. A. Mom Construction Company in the name of the Society.
- g. In the annual General body meeting dated 21st September 2014 it was unanimously resolved by the said Society to apply and obtain certificate for unilateral deemed Conveyance. The Society made an application under section 11(3) of the Maharashtra Ownership of Flat Act, 1963, for a certificate for unilateral deemed conveyance order against: (1) M/s. U.A. Mom Construction Company; (2) Allauddin Kadar Mistry and his legal heirs; (3) Mr. Yasim Imam Khatik and his legal heirs; and (4) Mr. Gafoor Kadar Mistry and his legal heirs.
- h. On 27<sup>th</sup> December, 2016, Mr. Mahindra Mhaske, District Deputy Registrar, Cooperative Society, Mumbai City (3), passed an order whereby the said Society was granted the Deemed Conveyance Certificate bearing No.: OW-Mumbai/DDR-3/Deemed Conveyance/The Sani Cooperative Housing /16/6198. Vide the aforesaid order and the Deemed Conveyance Certificate, the Society was directed to execute and register the unilateral conveyance in respect of the land bearing C.T.S. No. 170, 170 (1) to 170 (22), 173, 173(1) to 173 (4) admeasuring 1390.30 (One Thousand Three Hundred Ninety point thirty Only) along with the Existing Building in favour of the said Society under Section 16 of the Registration Act, 1908. The actual entitlement of the said Society to the said Land was for area admeasuring about 1761 (One Thousand Seven Hundred and Sixty-One) square meters.
- i. Since the Deemed Conveyance Order dated 27<sup>th</sup> December, 2016, did not cover the entire area in the said Land, the said Society again



made an application for the deemed conveyance in respect of the area admeasuring 370.80 (Three Hundred and Seventy Point Eighty Only) along with the Existing Building, for a unilateral deemed conveyance order against: (1) M/s. U.A. Mom Construction Company; (2) Mr. Allauddin Kadar Mistry and his legal heirs; (3) Mr Yasim Imam Khatik and his legal heirs; (4) Mr. Gafoor Kadar Mistry and his legal heirs; and (5) Mr. Ahmed Amir and his legal heir. By a revised order dated 03<sup>rd</sup> December, 2019 passed by the competent authority in favor of the said Society rectifying the entire area of the Land in Deemed Conveyance Certificate.

- j. The Society has derived title to the said property by virtue of the Conveyance Deed (Deemed/Unilateral) dated 30.09.2024 duly registered with Sub- Registrar Assurances at Bombay under Serial No. 15903/2024 on 03.10.2024 made and executed between Shri Rajendra Veer, District Deputy Registrar, Co-operative Housing Societies, Mumbai City (2) being the Competent Authority as per Power conferred upon him u/s. 5A of Maharashtra Ownership Flat Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963, and (1) M/s. U.A. Mom Construction (2) Mr. Allaudin Kader Mistry through his 23 Legal Heirs (3) Mr. Yasin Imam Khatik through his 11 Legal Heirs (4) Mr. Gafoor Kader through his 9 Legal Heirs and (5) Mr. Ahmed Amit through his Legal Heir therein referred to as the Vendors of the First Part AND the Sani Apartment Co-operative Housing Society Ltd. therein referred to as the Purchasers of the Second Part wherein the Sani Apartment Co-operative Housing Society Ltd. obtained the Deemed Conveyance in respect of the said property on the terms and conditions more particularly mentioned therein.
- k. By and Vide Development Agreement dated 12.11.2024 duly registered with Sub- Registrar Assurances at Bombay under Serial No. BDR-15-19148/2024 on 12.11.2024 executed by and between

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the Sani Apartment Co-operative Housing Society Limited therein referred to as the "said society" of the First Part M/s. PSanghvi & Jain Builder LLP therein referred to as the Developers of the Second Part wherein with the consent of the existing Members of the Society, the Developer was granted the redevelopment rights of the said property on such terms and conditions as mentioned therein.

1. By and Vide Irrevocable Power of Attorney dated 12.11.2024 duly registered with Sub- Registrar Assurances at Bombay under Serial No. 19149/2024 on 12.11.2024 whereby Sani Apartment Co-operative Housing Society Limited along with the consent of the Existing Members granted powers in favour of the partner i.e. Mr. Pakshal Prithviraj Sanghvi of M/s. PSanghvi & Jain Builder LLP as mentioned therein authorizing them to do all such acts and deeds for redevelopment of the said Property.
- m. As per Property Register Cards of the said property in CTS No. 170, 170 (1) to 170 (22) 4 the names of Mr. Allaudin Kadar Mistry and Mr. Ahmed Amir are reflecting as the Owners and in CTS No. 173, 173 (1) to 173 (4) the name of Mr. Allaudin Kadar Mistry, Mr. Yasin Iman Khatik and Mr. Gafoor Kadar are reflecting as the Owners.

## **2. Approvals and Permissions**

- a. The Developer submitted the proposal for redevelopment of the said Property to The Building Proposal Department of the Municipal Corporation of Greater Mumbai (now BMC) and accordingly the Building Proposal Department of the Municipal Corporation of Greater Mumbai (now BMC) sanctioned the plans of the building/s submitted by the Developer and issued Intimation of Disapproval (IOD) Intimation of Disapproval (IOD) dated 12<sup>th</sup> October, 2023 issued by MCGM bearing Ref. No. CHE/WS/4913/K/W/337(NEW)/IOD/1/New in respect of the said Property subject to the terms and conditions set out therein.

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- b. As per Fire NOC dated 17.09.2023 bearing File No. CHE/WS/4913/K/W/337(NEW)-CFO/1/New issued by Chief Fire Officer, Fire Brigade, Brihanmumbai Municipal Corporation, Mumbai is issued in favour of Mr. Vilas M. Nagalkar of M/s.Foresite Architect, Architects.
- c. The Developer submitted the Application for permission for development of the said Property to Executive Engineer of Building Proposal, City K West Ward of the Brihanmumbai Municipal Corporation and accordingly Executive Engineer of Building Proposal, City K West Ward of the Brihanmumbai Municipal Corporation granted permission to the Developer to carry out development and erect a building on the said Property and issued Commencement Certificate dated 12.01.2024 bearing Ref. No. No CHE/WS/4913/K/W/337(NEW)/CC/1/New in respect of the said Property subject to the terms and conditions set out therein.

**3. Constitution of M/s. P Sanghvi & Jain Builder LLP:**

M/s. PSanghvi & Jain Builder LLP is a registered Limited Liability Partnership firm under the provisions of the Limited Liability Partnership Act, 2008 having LLPIN No. ABB-3748 which was constituted vide Partnership Deed dated 16.07.2022 and Supplemental Deed of LLP dated 30.03.2023.

**4. Litigation:**

Upon perusal of the documents provided by the Developer, there is no litigation or any other legal proceedings pending in respect of the said Property before any Court of Law or Tribunal or any other concerned authority.

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**5. Title Observations:**

- i. Subject to what is stated herein above, the Sani Apartment Co-operative Housing Society Limited is the Owner of and seized and possessed of or otherwise well and sufficiently entitled to the said Property and their title to the said property is clear, marketable and without any encumbrances.
- ii. There are no pending Litigations against the Owner or instituted by Owner or against the Developer or instituted by the Developer, as on the date of issuance of this report, apart from what is stated hereinabove.
- iii. Subject to what is stated herein above, the Developer i.e. M/s. PSanghvi & Jain Builder LLP is well and sufficiently entitled to redevelop the said Property. The Developer's right to redevelop the said property in accordance with provisions of Development Control and Promotion Regulation, 2034 is clear, marketable and without any encumbrances, however subject to the compliance and observance of the terms and conditions laid down by the RERA and respective approving Authorities under various NOC's, Approvals and Permissions mentioned hereinabove or otherwise and Affidavits and Undertakings given from time to time.

**6. Other Comments:**

- i. I do not express any view about user, zoning, construction approvals, reservations, and development potential if any, that may pertain to or affect the property.
- ii. I have not carried out any empirical search in the court records vis-a-vis M/s. PSanghvi & Jain Builder LLP and/or respective Owners.
- iii. The present report is issued relying upon the Search Reports of Search Clerk Mr. Vinod Sawant dated 11.11.2024 referring the



documents as produced by the Developer, Declaration dated - 22.11.2024 given by the Owner and Declaration dated 22.11.2024 given by Developer.

- iv. In no circumstances shall the liability and responsibility of undersigned, in contract or in tort, exceed the professional fees received in the context of carrying out the title verification and preparing these observations.

Dated this 23<sup>rd</sup> day of November, 2024



**Rehana Nulwala**  
**Advocate High Court**

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