

Pritesh D. Patel

B. Com, D.F.M., LL.B.

Advocate, Mumbai High Court

FORMAT- A
(Circular No. 28/2021)

To
MahaRERA

LEGAL TITLE REPORT

Sub: Title clearance certificate with respect to all that piece or parcel of land admeasuring about 1567.53 sq. meters or thereabouts bearing C.T.S No. 382/A(pt) forming part of the larger layout being various pieces and parcels 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 referred to as the "**said Property**")

1) I have investigated the said Property at the request of M/s. Transcon- Sheth Creators Private Limited and the following documents i.e.

a) Description of the said Property

All that piece or parcel of land admeasuring about 1567.53 sq. meters or thereabouts bearing C.T.S No. 382/A (pt) forming part of the larger layout being various pieces and parcels 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 referred to as the "**said Property**");

b) The documents of allotment of the said Property

As mentioned in **Annexure "A"**

c) Property Card/ 7/12 Extract issued by City Survey Office

d) Search report for 30 years from 1991 till 2023

2) On the perusal of the above mentioned documents and all other relevant documents relating to the title of the said Property, I am of the opinion that the title of M/s. Transcon Sheth Creators Private Limited is clear and marketable subject to encumbrances as mentioned in **Annexure "B"**.

Owners of the land - **Annexure "C"**

(i) Qualifying remarks/comments if any -- NIL

3) The report reflecting the flow of Title of Transcon Sheth Creators Private Limited on the said Property is enclosed herewith as annexure.

Enclosed: Annexure

Dated this 5th day February 2024

Yours faithfully,



Pritesh D Patel
Advocate

Pritesh D. Patel

B. Com, D.R.M., LL.B.
Advocate, Mumbai High Court

FLOW OF THE TITLE OF THE SAID PROPERTY

Sr no.

- 1) P.R card as on date of application for registration.
- 2) Search Report for 30 years from 1991 to 2023 taken from Sub Registrars office at Mumbai
- 3) Any other relevant title.
- 4) Litigations if any – Mentioned in **Annexure "D"**

Dated this 5th day of February 2024


Pritesh D Patel
Advocate

Title Flow of the Property

- a) 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 in the list of documents mentioned below.
- b) 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, 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.
- c) Subsequently, name of Transcon Properties Pvt. Ltd. was changed to Transcon-Sheth Creators Pvt. Ltd and fresh Certificate of Incorporation upon consequent upon change of name was issued by Registrar of Companies on 26th February 2013.
- d) By Deed of Conveyance dated 31st 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 CTS No. 329 forming part of the larger property to Transcon-Sheth Creators Pvt. Ltd. (hereinafter referred to as "**Transcon**"), on the terms and conditions contained therein.
- e) 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**").
- f) By a various Letter of Intents and finally 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, inter-alia, on the said Property.

- g) SRA has also approved the plans for construction of Sale Building No. 1 Wing D on a portion of the said Property and has issued Intimation of Approval bearing No. SRA/ENG/3025/PN/PVT/AP dated 16th January, 2024 ("I.O.A.") in respect thereof.
- h) SRA has issued Commencement Certificate bearing No. SRA/ENG/3025/PN/PVT/AP dated 16th January, 2024 for the construction of Sale Building No. 1 Wing D on a portion of the said Property on the terms and conditions contained therein.

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Annexure A

List of Documents

- 1) Photocopy of Deed of Conveyance dated 9th 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 9th 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 16th 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 23rd 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 8th 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 3rd August 1964 executed between Rev. Father Frank Noronha Vicar of the Church of Our Lady 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) Deed of Conveyance dated 9th May 2007 registered with the Sub-Registrar of Assurances under serial no.5550 of 2007 and a Further Deed of Conveyance dated 29th August 2007 registered with the Sub-Registrar of Assurances under serial no.7760 of 2007, between Salsette Catholic Co-operative Housing Society Limited and Transcon-Sheth Creators Pvt. Ltd. (then known as Transcon Properties Pvt. Ltd.)
- 8) By Deed of Conveyance dated 31st 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 and Transcon-Sheth Creators Pvt. Ltd.
- 9) 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
- 10) Indenture of Mortgage dated 31th July 2018 registered with the office of the Sub-Registrar of Assurance at BRL-2 under serial No.8212 of 2018
- 11) Deed of Reconveyance dated 24th December, 2021 registered with the office of the Sub-Registrar of Assurance at BRL-9 under serial No.17047 of 2021 between Axis Finance Limited and Transcon Sheth Creators Private Limited
- 12) 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.
- 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 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.
- 16) 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.
- 17) 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.
- 18) 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.
- 19) 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.
- 20) 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;
- 21) 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;
- 22) 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.
- 23) Papers and proceedings pertaining to Counter Claim No. 10 of 2014 Bernard Barretto and Ors. Versus Liberata and Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.
- 24) Papers and proceedings pertaining to Writ Petition No. 10725 of 2015 Transcon Sheth Creators Private Limited and Versus Maharashtra and Ors. the Hon'ble High Court, Bombay.
- 25) Papers and proceedings pertaining to Writ Petition (Lt.) No. 84/1346 of 2019 Transcon Sheth Creators Private Limited Versus State of

Maharashtra and Ans. (Anita Masurkar) at the Hon'ble High Court, Bombay.

- 26) Papers and proceedings pertaining to Writ Petition No. 1305 of 2019 – WP (L)- 31508 OF 2018 Rekha B. Patel Versus State of Maharashtra and Ans. (Anita Masurkar) at the Hon'ble High Court, Bombay.
- 27) Papers and proceedings pertaining to Writ Petition No. 2947 of 2017 Transcon Sheth Creators Private Limited Versus State of Maharashtra and Ans. at the Hon'ble High Court, Bombay.
- 28) Papers and proceedings pertaining to Writ Petition No. 2948 of 2017 Transcon Sheth Creators Private Limited Versus State of Maharashtra and Ans. at the Hon'ble High Court, Bombay.
- 29) Papers and proceedings pertaining to Civil Writ Petition (St) No. 11710 of 2016 Mr. George Almedia Versus State of Maharashtra and Ors. at the Hon'ble High Court, Bombay.
- 30) Papers and proceedings pertaining to Writ Petition (Lt.) No. 1456 of 2020 Connie Louis Remedious Versus Transcon Sheth Creators Private Limited at the Hon'ble High Court, Bombay.
- 31) Papers and proceedings pertaining to Writ Petition (Lt.) No. 1400 of 2020 Kiran Balasara Versus Transcon Sheth Creators Private Limited at the Hon'ble High Court, Bombay.
- 32) Papers and proceedings pertaining to CRBPL (St.) No. 1387 of 2019 in Arbitration no. 645 of 2012 Bhadriya Developers Versus Anita Marshurkar and Ors. at the Hon'ble High Court, Bombay.
- 33) Papers and proceedings pertaining to Suit No. 193 of 2014 Juliet Menezes Versus Transcon Sheth Creators Private Limited at the Hon'ble High Court, Bombay.
- 34) Papers and proceedings pertaining to Suit No. 3773 of 2017 Janieta Gonsalves Versus Transcon Sheth Creators Private Limited and Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.
- 35) Papers and proceedings pertaining to Suit No. 3201 of 2016 Mafatlal Dave Versus Transcon Sheth Creators Private Limited and Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.

- 36) Papers and proceedings pertaining to Suit No. 2842 of 2015 Vasuben Bhaggubhai Patel & Ors. Versus State of Maharashtra and Others. at the Hon'ble Bombay City Civil Court, Dindoshi.
- 37) Papers and proceedings pertaining to Suit No. 3447 of 2015 Amrit Patel and Anrvs Transcon Sheth Creators Private Limited and Anr. at the Hon'ble Bombay City Civil Court, Dindoshi.
- 38) Papers and proceedings pertaining to Suit No. 2331 of 2004 Amrit Patel Versus Parashuram Wange & Transcon Sheth Creators Private Limited at the Hon'ble Bombay City Civil Court, Dindoshi.
- 39) Papers and proceedings pertaining to Suit No. 2067 of 2019 Clarenee D'souza Versus Transcon Sheth Creators Private Limited at the Hon'ble Bombay City Civil Court, Dindoshi.
- 40) Papers and proceedings pertaining to Suit No. 2068 of 2019 Lynette Rodrigues Versus Transcon Sheth Creators Private Limited at the Hon'ble Bombay City Civil Court, Dindoshi.
- 41) Papers and proceedings pertaining to Writ Petition (Lt.) No. 24464 of 2021 Rekha B. Patel Ors. Versus State Of Maharashtra and Anr. at the Hon'ble High Court, Bombay.
- 42) Papers and proceedings pertaining to Suit No. 2239 of 2014 Bernard Barretto Versus Transcon Sheth Creators Private Limited & Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.
- 43) Papers and proceedings pertaining to Suit No. 2240 of 2014 Flory Barretto Versus Transcon Sheth Creators Private Limited & Ors. at the Hon'ble Bombay City Civil Court, Dindoshi.
- 44) Papers and proceedings pertaining to Contempt Petition (st) No. 19678 of 2019 Flory Barretto and Ors. Versus Transcon Sheth Creators Private Limited & Ors at the Hon'ble High Court, Bombay.
- 45) Papers and proceedings pertaining to Contempt Petition (st) No. 241 of 2022 Flory Barretto and Ors. Versus Transcon Sheth Creators Private Limited & Ors at the Hon'ble High Court, Bombay.

- 46) Papers and proceedings pertaining to Appeal for Order (st) no. 8583 of 2022 Janieta Gonsalves Versus Transcon Sheth Creators Private Limited and Ors. at the Hon'ble High Court, Bombay.
- 47) Papers and proceedings pertaining to Suit No. 149 of 2020 Isabelle Lynch Versus Transcon Sheth Creators Private Limited and Ors. at the Hon'ble High Court, Bombay.

Dated this 5th day of February 2024


Pritesh D Patel
Advocate

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Advocate, Mumbai High Court

ANNEXURE B

ENCUMBRANCES

I have been informed that Transcon Sheth Creators Private Limited have created charge/mortgage in respect of rights in the aforesaid Property in favour of Lenders as detailed below:-

Sr. No.	Particulars	Name of Lender	Amount
1.	Indenture of Mortgage dated 31 th July 2018 registered with the office of the Sub-Registrar of Assurance at BRL-2 under serial No.8212 of 2018	IDBI Trusteeship Services Limited	Rs.1100,00,00,000/-
2.	Indenture of Mortgage dated 5 th October, 2023 registered with the office of the Sub-Registrar of Assurance at BRL-6 under serial No.21016 of 2023	IDBI Trusteeship Services Limited	Rs.300,00,00,000/-

Dated this 5th day of February 2024

Pritesh D. Patel

**Pritesh D Patel
Advocate**

Pritesh D. Patel

B. Com, D.F.M., LL.B.
Advocate, Mumbai High Court

ANNEXURE C

<u>Sr. No.</u>	<u>Owner of the Land</u>	<u>CTS no.</u>
1.	Transcon Sheth Creators Private Limited	382/A(pt)

Dated this 5th day of February 2024

Pritesh D Patel
Advocate

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Advocate, Mumbai High Court

ANNEXURE D

LITIGATIONS

Sr. No.	Case Number	Court Name	Current Status
1	S.C. Suit No. 3849 of 2004 Civil Revision Application No. 461 of 2015 Civil Revision Application No. 462 of 2015	City Civil Court- Dindoshi	Pending
2	Counter Claim No. 10 of 2014 in Suit No.3849 of 2004	City Civil Court- Dindoshi	Pending
3	SC Suit No. 846 of 2013	City Civil Court- Dindoshi	Pending
4	Suit No. 545 of 2007.	City Civil Court- Dindoshi	Pending
5	Writ Petition No. 5074 of 2013	High Court	Pending
6	Case No. 261 of 2013	High Power Committee	Pending
7	Suit No. 2847 of 2011	High Court	Pending
8	Civil Writ Petition No. 10725 of 2015	High Court	Pending
9	Writ Petition No. 1346 of 2019	High Court	Pending
10	Writ Petition No. 1305 of 2019 - WP (L) 31508 of 2018	High Court	Pending
11	Writ Petition No. 2947 of 2017	High Court	Pending

12	Writ Petition No. 2948 of 2017	High Court	Pending
13	Writ Petition No. 11710 of 2016	High Court	Pending
14	Writ Petition No. 8035 of 2009	High Court	Pending
15	Civil Writ Petition (L) No. 1456 of 2020	High Court	Pending
16	Civil Writ Petition (L) No. 1400 of 2020	High Court	Pending
17	CRBPL (St.) No. 1387 of 2019	High Court	Pending
18	Suit No. 193 of 2014	High Court	Pending
19	Suit No. 3773 of 2017	City Civil Court	Pending
20	Suit No. 3201 of 2016	City Civil Court- Dindoshi	Pending
21	Suit No. 353 of 2005	City Civil Court	Pending
22	SC Suit No. 2484 of 2012	City Civil Court	Pending
23	Suit No. 2842 of 2015	City Civil Court- Dindoshi	Pending
24	Suit No. 3447 of 2015	City Civil Court- Dindoshi	Pending
25	Suit No. 8640 of 1990	City Civil Court- Dindoshi	Pending
26	Suit No. 2331 of 2004	City Civil Court	Pending
27	Suit No. 2067 of 2019	City Civil Court- Dindoshi	Pending
28	Suit No. 2068 of 2019	City Civil Court	Pending
29	Writ Petition (Lt) No 24464 of 2021	High court	Pending

30	Suit No. 2239 of 2014	City Civil Court Dindoshi	Pending
31	Suit No. 2240 of 2014	City Civil Court – Dindoshi	Pending
32	Contempt Petition (st) No. 19678 of 2019	High Court	Pending
33	Contempt Petition (st) No.241 of 2022	High Court	Pending
34	Appeal for Order (st) no 8583 of 2022	High Court	Pending
35	Suit No 149 of 2022	High Court	Pending
36	Misc. Application No.15 of 2011	Dy. Collector (ENC), Borivali	Pending

Dated this 5th day of February 2024

Pritesh D Patel
Advocate