



**FORMAT – A**

**(Circular No. 28/2021)**

**Date : 29<sup>th</sup> August 2024**

To,

MahaRERA,

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 those pieces or parcels of lease hold land or ground bearing Survey No. 110A, Hissa No. 2, Plot No. 24 bearing CTS Nos. 694, 694/1 To 11 of Village Pahadi-Goregaon (West), Taluka Goregaon (formerly being part of Taluka Borivali) within the Registration District and Sub-District of Mumbai Suburban District admeasuring about 1534.5 sq. mtrs. (including the area 109.9 sq. mtrs. affected under the setback for widening of the S.V.P Road) aggregating to 1424.60 sq. Mtrs. or thereabouts as per Property Card, with the two buildings standing thereon named Akshar Kunj and Param Sukh Shanti situated at Jawahar Nagar, Goregaon West, Mumbai 400 104 (formerly 400 062): -

on or towards the North : by Plot bearing C.T.S. No.25  
on or towards the South : by Plot bearing C.T.S. Nos.23  
on or towards the East : by Plot bearing C.T.S. No.99  
on or towards the West : by public road known as S.V. Road

**(Hereinafter referred to as the “Said Property”)**

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1. We have investigated the title of the said Property on the request of M/s Sanghvip Builders LLP (**“Developer”**) and have perused the following documents in respect of the said Property:
  - (1) Property Card bearing C.T.S. No. 694/694 1 to 11 of Village Pahadi-Goregaon (West), Mumbai Suburban District.
  - (2) Photocopy of Indenture of Lease dated 20<sup>th</sup> August 1975 duly registered on 04<sup>th</sup> April, 1978 under Serial No. P5751/75, Volume 83BSR0568 of Additional Book No. 1 with the Sub-Registrar of Assurances, Bombay and entered and executed between the Jawhar Nagar Cooperative Housing Society Ltd. therein referred to as the Lessor of the First Part and Damji Devraj Tank therein referred to as the Lessee of the Second Part.
  - (3) Photocopy of Order dated 22.02.2018 passed by the Registrar, Co-operative Societies P Division, Mumbai granting amalgamation of Paramsukh Shanti Co-operative Housing Society into Akshar Kunj Co-operative Housing Society Ltd.
  - (4) Certified True copy of Indenture of Assignment dated 06<sup>th</sup> February 2019 duly registered under Serial No. BREL-6/1465 at the Sub-registrar of Assurances at Bombay executed by and between Smt. Varshaben Kirit Tank Nee Varshaben Damji Tank therein referred to as the Assignor of One Part and Bali Imperia Co-operative Housing Society Limited (**“Society”**) therein referred to as the Assignee of the Other Part.
  - (5) Photocopy of Declaration cum undertaking dated 06<sup>th</sup> February 2019 of Varsha Kirit Tank, notarised.
  - (6) Certified True copy of Consent Cum Confirmation Deed dated 03<sup>rd</sup> October, 2019 duly registered with Sub – Registrar of Assurances at Bombay under Serial No. BRL-4/13720/2021 executed by and between 1. Smt Varshaben Kirit Tank Nee Varshaben Damji Tank 2. Shri Chandrakant Damji Tank confirming the execution of Deed of Assignment dated 6<sup>th</sup> February, 2019 as well as assignment of all their rights, title and

interest in Property in favour of Bali Imperia Co-operative Housing Society Limited.

(7) Certified True Copy of Rectification Deed dated 18<sup>th</sup> September 2023 duly registered with Sub – Registrar of Assurances at Bombay under Serial No. BRL-1/14572/2023 executed by executed between Varshaben Kirit Tank nee Varshaben Damji Tank , Chandrakant Damji Tank and Bali Imperia Co-operative Housing Society Limited.

(8) Notorised True copy of Share Certificate dated 08.10.2023 bearing Distinctive Nos. 271 to 280 comprised in Share Certificate No.75 issued by Jawahar Nagar Co-operative Housing Society Ltd. in the name of Bali Imperia Co-operative Housing Society Ltd.

(9) Notorised True Copy of Letter dated 10.10.2023 addressed by Jawahar Nagar Co-operative Housing Society Ltd. to Bali Imperia Co-operative Housing Society Ltd.

(10) Photocopy of No Objection Letter dated 21.10.2023 bearing Ref. No.98/24/2023-24 addressed by Jawahar Nagar CHSL in favour of Bali Imperia Imperia Co-operative Housing Society Ltd. for proposed construction.

(11) Notorised True copy of No Objection Letter dated 30.12.2023 bearing Ref. No.132/24/2023-24 addressed by Jawahar Nagar CHSL in favour of Bali Imperia Imperia Co-operative Housing Society Ltd. for proposed construction confirming NOC dated 21.10.2023 bearing Ref. No.98.

(12) Photocopy of Letter of Discharge & NOC dated 25.10.2023 of M/s. Bali Landmarks LLP through its Partners Mr. Vijay P. Parmar and Mr. Sushant V. Parmar addressed to The Jawahar Nagar Co-operative Housing Society Ltd. and Bali Imperia Co-operative Housing Society Ltd.

(13) Certified copy of Development Agreement dated 21<sup>st</sup> November,2023 duly registered with Sub- Registrar Assurances at Bombay under Serial No. BRL-6/4854/2024 on 27<sup>th</sup> February,

2024 executed by and between Bali Imperia Co-operative Housing Society Private Limited along with it's Existing members therein referred to as the Society and the Members/Occupants respectively of the One Part and M/s. Sanghvip Builders LLP therein referred to as the Developers of the Other Part.

- (14) Notorised True copy of Irrevocable Power of Attorney dated 27<sup>th</sup> February 2024 duly registered on 27<sup>th</sup> February 2024 with Sub-Registrar of Assurances at Bombay under Serial No. BRL-6/4855/2024 whereby Bali Imperia Co-operative Housing Society Limited along with the consent of the then Existing Members granted powers in favour of M/s. Sanghvip Builders LLP as mentioned therein for redevelopment of the said Property.
- (15) Certified True copy certified by Architect of Intimation of Disapproval (IOD) dated 08.04.2024 issued by MCGM bearing Ref. No. P-13216/2022/(694)/P/S Ward/PAHADI GOREGAON-W/IOD/1/New along with proposed plans.
- (16) Certified True copy of Commencement Certificate dated 08.08.2024 issued by MCGM bearing Ref. No. P-13216/2022/(694)/P/S Ward/PAHADI GOREGAON-W/CC/1/New.
- (17) Certified True copy certified by Architect of Fire NOC dated 13.12.2022 bearing Online File No. P-13216/2022/(694)/P/S Ward/PAHADI GOREGAON-W-CFO/1/New issued by Chief Fire Officer, Fire Brigade, Brihnmbai Municipal Corporation, Mumbai in favour of M/s. U.K. Design Pvt. Ltd., Architects.
- (18) Notorised True copy of Search Report dated 20.09.2022 of Mr. Ganesh Bedse, Search Clerk in respect of the said Property for 60 years since year from 1963 to 2022 i.e. till the date of report.
- (19) Notorised True copy of Search Report dated 13.06.2024 of Mr. Ganesh Bedse, Search Clerk in respect of the said Property for 3 years since year from 2022 to 2024 i.e. till the date of report.
- (20) Public notices in daily newspapers namely Free Press Journal (English) and Nav Shakti (Marathi) on 12.06.2024 for investigating the title of the said Property.



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 land is with Jawhar Nagar Cooperative Housing Society Ltd and the title of Lessee i.e. Bali Imperia Co-operative Housing Society Limited as well as right to redevelop the said Property of Developer i.e. M/s. Sanghvip Builders LLP is clear, marketable and without any encumbrances.

Owner & Lessor of the Land : Jawahar Nagar Cooperative Housing Society Ltd.

Lessee of the Land : Bali Imperia Co-operative Housing Society Limited

Developer of the Land : M/s. Sanghvip Builders LLP

4. The Report reflecting the flow of the title of the Lessee i.e. Bali Imperia Co-operative Housing Society Limited on the said Property as well as right to redevelop the said Property of Developer i.e. M/s. Sanghvip Builders LLP is enclosed herewith as Annexure.

**Encl: Annexure**

**For Lex Services,**

  
**Advocate R. B. Singhvi  
Proprietor**

Date: 29<sup>th</sup> August, 2024



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**(Circular No. 28/2021)**

**Annexure**

**TO WHOMSOEVER IT MAY CONCERN**

**FLOW OF THE TITLE**

All those pieces or parcels of lease hold land or ground bearing Survey No. 110A Hissa No. 2, Plot No. 24 bearing CTS Nos. 694, 694/1 To 11 of Village Pahadi-Goregaon (West), Taluka Goregaon (formerly being part of Taluka Borivali) within the Registration District and Sub-District of Mumbai Suburban District admeasuring about 1534.5 sq. mtrs. (including the area 109.9 sq. mtrs. affected under the setback for widening of the S.V.P Road) aggregating to 1424.60 sq. Mtrs. or thereabouts as per Property Card, with the two buildings standing thereon named Akshar Kunj and Param Sukh Shanti situated at Jawahar Nagar, Goregaon West, Mumbai 400 104 (formerly 400 062): -

on or towards the North : by Plot bearing C.T.S. No.25

on or towards the South : by Plot bearing C.T.S. Nos.23

on or towards the East : by Plot bearing C.T.S. No.99

on or towards the West : by public road known as S.V. Road

(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. By and Vide Indenture of Lease dated 20<sup>th</sup> August 1975 duly registered on 04<sup>th</sup> April, 1978 under Serial No. P5751/75, with the Sub-Registrar of Assurances, Bombay and entered and executed between the Jawahar Nagar Cooperative Housing Society Ltd. (**the Parent Society**) therein referred to as the Lessor of the First Part and Damji Devraj Tank therein referred to as the Lessee of the

Second Part the Parent Society leased the Property unto the Lessee for the term of 998 years on the terms and conditions more particularly mentioned therein.

- b. The Parent Society admitted the said Mr. Damji Devraj Tank as member of the Parent Society and issued **(a)** 10 (ten) shares of Rs.10/- each aggregating to Rs.100/- bearing Distinctive Nos. 271 to 280, under Certificate No. 28 pertaining to the Plot No. 24, part A and **(b)** 10 (ten) shares of Rs. 10/- each aggregating to Rs.100/- bearing Distinctive Nos. 281 to 290 under Share Certificate No. 29 pertaining to the Plot No. 24, part B (hereinafter collectively referred to as the "**Shares**") coupled with rights to the Property as a Lessee thereof.
- c. Mr. Damji Devraj Tank got necessary approval/sanction/amendment of the plans under file No. CE/1512/BPZII/AP/72-73 from the Municipal Corporation of Greater Mumbai for the construction of the new building [consisting of ground and two upper floors and having 12 flats and 2 garages totaling to 14 (fourteen) units] on the plot being notionally subdivided into plot no. 24B bearing CTS no.694694/1 to 11 (part) admeasuring 505.92 sq. mtrs or thereabout of Revenue Village Pahadi, Goregaon West, Taluka Borivali, Mumbai suburban District in accordance with the then prevailing Development Control Regulations.
- d. By and under Agreement dated 31<sup>st</sup> May, 1974 registered with the Sub Registrar of Assurances at Bombay executed between Mr. Damji Devraj Tank (therein referred to as 'Owners') of One Part and M/s. Shree Ram Construction Co., a partnership firm (therein referred to as 'Developer') of the Other Part, the Mr. Damji Devraj Tank entrusted, assigned and transferred the construction rights in respect of the subdivided plot 24B together with the benefits of

the approval /sanction/amendment of the plans under file Nos. CE/1512/BPZILL A/P/72-73 from the Municipal Corporation of Greater Mumbai in favor of the Shree Ram Construction Co., on the terms and conditions recorded therein and the building so constructed was named as Param Sukh Shanti.

- e. As such, Shree Ram Construction Co constructed another building known as Akshar Kunj (consisting of ground plus three upper floors without lift, having 22 residential flats and 5 shops, in all 27 (Twenty seven units) on the plot being Sub divided plot no. 24A admeasuring 1027.18 sq. mtrs or thereabout, in accordance with the building plans approved/sanctioned and/or amended by the Municipal Corporation of Greater Mumbai under file Nos. CE/1512/BPZILL A/P/72-73 by consuming FSI generated from the plot and also, utilizing proportionate FSI in lieu of the portion admeasuring 115 sq. mtrs of set back and complied with all the terms and conditions laid down by the concerned authorities.
- f. Municipal Corporation of Greater Mumbai has also issued a building Completion Certificate No. CE/1845/BSII/A/P dated 27<sup>th</sup> August, 1975 in respect of the building constructed on plot no. 24A and a building Completion Certificate No. CE/1512/B&F/A/P dated 30<sup>th</sup> September, 1975 in respect of the building constructed on plot no. 24B.
- g. In pursuance of the above, the said Damji Devraj Tank created tenancy rights of all the flats to various tenants of the buildings. The said Damji Devraj Tank expired on 17<sup>th</sup> December 1986 leaving behind his daughter Smt. Varsha Kirit Tank nee Varsha Damji Tank as nominee in the records of the Parent society. The name of the said Varsha Kirit Tank was brought on records Jawahar Nagar Society on 27<sup>th</sup> July, 1987 and again on 9<sup>th</sup> June, 1989 and finally

on the records of Land Revenue Records by City Survey Department on 15<sup>th</sup> October, 1992.

- h. Thereafter in 1994 the said Smt. Varsha Kirit Tank converted the tenancy right of the occupants of said Akshar Kunj Building on the Property into ownership and for that purpose entered into diverse Agreement for Sale with concerned tenants/buyers, for sale on ownership basis of 22 residential flats and 5 shops in all 27 units in the building known as Akshar Kunj on the terms and conditions as specified in the individually printed Agreements and appropriated the sale proceeds thereof.
- i. The respective flat holders of the Existing buildings i.e. Akshar Kunj had already formed and registered a Cooperative Housing Society viz. Akshar Kunj Cooperative Housing Society Ltd. under the Maharashtra Coop. Societies Act 1960 bearing no. BOM/WP/HSG/(TC)9312/96 of 1996-97 dated 25<sup>th</sup> April 1996 (hereinafter referred to as the "**Akshar Kunj Society**") and Param Sukh Shanti had already formed and registered a Cooperative Housing Society viz. Param Sukh Shanti Cooperative Housing Society Ltd under the Maharashtra Cooperative Societies Act 1960 and Rules framed thereunder bearing No. BOM/HSG/5151 of 1977 dated 16<sup>th</sup> June, 1977 (hereinafter referred to as the "**Param Sukh Shanti Society**"). The Akshar Kunj Society and Param Sukh Shanti Society are collectively referred to as the "**Erstwhile Societies**".
- j. The Erstwhile Societies in its Special General Body Meeting held on 25<sup>th</sup> December, 2017 decided to undertake the redevelopment of the Property by demolishing the existing buildings and by constructing a new building thereon, by utilizing full FSI and obtaining Transferable Development Rights (TDR), FSI in lieu of TDR and Fungible FSI in accordance with the prevailing Development Control Regulations. In pursuance thereof, the Erstwhile Societies

in common consensus had agreed to appoint common developer for the purpose of its intended redevelopment and accordingly for convenience sake, both have agreed for amalgamation of Erstwhile Societies and formation of a new society.

- k. By way of a duly signed and stamped Memorandum of Understanding (MOU) dated 16<sup>th</sup> February 2018, the Erstwhile Societies appointed M/S. BALI LANDMARKS LLP (hereinafter referred to as the "**Erstwhile Developer**") to redevelop Property on which the Erstwhile Societies were situated.
- l. The Param Sukh Shanti Society on 27<sup>th</sup> December, 2017 through Erstwhile Developer made an application for cancellation of their registration and for amalgamation of same with the Akshar Kunj Society before the Registrar of Cooperative Societies Authority, P ward, Mumbai.
- m. The Competent Authority after perusing the application, approved the Scheme and order dated 22/02/2018 certified that the registration of Param Sukh Shanti under section 21 of Maharashtra Cooperative Societies Act, 1960 to be amalgamated and also continued the registration of Akshar Kunj Society. Consequently, Param Sukh Shanti Society was annulled and was ordered and decreed to be amalgamated into Akshar Kunj Society which, consequently, on 12<sup>th</sup> April, 2018 the change in name of which is endorsed behind the Certificate as "BALI IMPERIA CO-OPERATIVE HOUSING SOCIETY LIMITED" had it registered under the Maharashtra Cooperative Societies Act, 1960. The entire process was facilitated by Erstwhile Developer.
- n. By and Vide Indenture of Assignment dated 06<sup>th</sup> February 2019 duly registered under Serial No. BRL-6/1467 of 2019 at the Sub-registrar of Assurances at Bombay executed by and between Smt.

Varshaben Kirit Tank Nee Varshaben Damji Tank therein referred to as the Assignor of One Part and Bali Imperia Co-operative Housing Society Limited ("**Society**") therein referred to as the Assignee of the Other Part the Assignor therein assigned and or transferred all her leasehold rights, title and interest in Property in favor of Bali Imperia Co-operative Housing Society Limited for the consideration and on the terms and conditions more particularly mentioned therein

- o. By and under a Consent cum Confirmation Deed dated 3<sup>rd</sup> October, 2019 duly registered with the office of Sub- Registrar bearing registration no. BRL-4-13720 of 2019 the said Smt. Varsha Kirit Tank Nee Varsha Damji Tank and Shri. Chandrakant Damji Tank the declarant therein confirmed the execution of afore Deed of Assignment dated 6<sup>th</sup> February, 2019 as well as assignment of all their rights, title and interest in Property in favor of Bali Imperia Co-operative Housing Society Limited.
- p. By a Letter dated 21.10.2023 addressed by Jawahar Nagar Co-operative Housing Society Ltd., the Parent Society has granted No Objection in favour of Bali Imperia Imperia Co-operative Housing Society Ltd. for proposed construction.
- q. By and Vide Development Agreement dated 21<sup>st</sup> November, 2023 duly registered with Sub- Registrar Assurances at Bombay under Serial No. BRL-6/4854 of 2024 on 27<sup>th</sup> February, 2024 executed by and between Bali Imperia Co-operative Housing Society Private Limited therein referred to as the "said society" of the First Part M/s. Sanghvip Builders LLP therein referred to as the Developers of the Second Part and the Society's 41 Existing members therein referred to as the Members/Occupants respectively of the Third Part wherein the Developer was granted the redevelopment rights

of the said property on such terms and conditions as mentioned therein.

- r. By and Vide Irrevocable Power of Attorney dated 27<sup>th</sup> February 2024 duly registered on 27<sup>th</sup> February 2024 with Sub-Registrar of Assurances at Bombay under Serial No. BRL-6/4855/2024 whereby Bali Imperia 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. Sanghvip Builders LLP as mentioned therein authorizing them to do all such acts and deeds for redevelopment of the said Property.
- s. As per Property Register Cards of the said properties name of Jawahar Nagar Cooperative Housing Society Ltd. is reflecting as the Owner / Lessor and Name of Bali Imperia Co-operative Housing Society Limited is reflecting as Lessee.

## **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 08.04.2024 issued by MCGM bearing Ref. No. P-13216/2022/(694)/P/S Ward/PAHADI GOREGAON-W/IOD/1/New in respect of the said Property subject to the terms and conditions set out therein.
- b. The Developer submitted the Application for permission for development of the said Property to Executive Engineer of Building Proposal, City P/S Ward of the Municipal Corporation of Greater

Mumbai (now BMC) and accordingly Executive Engineer of Building Proposal, City P/S Ward of the Municipal Corporation of Greater Mumbai (now BMC) granted permission to the Developer to carry out development and erect a building on the said Property and issued Commencement Certificate dated 08.08.2024 bearing Ref. No. P-13216/2022/(694)/P/S Ward/PAHADI GOREGAON-W/CC/1/New in respect of the said Property subject to the terms and conditions set out therein.

- c. As per Fire NOC dated 13.12.2022 bearing Online File No. P-13216/2022/(694)/P/S Ward/PAHADI GOREGAON-W-CFO/1/New issued by Chief Fire Officer, Fire Brigade, Brihnmumbai Municipal Corporation, Mumbai is issued in favour of M/s. U.K. Design Pvt. Ltd., Architects.

### **3. Constitution of M/s Sanghvip Builders LLP:**

M/s. SANGHVIP BUILDERS LLP is a registered Limited Liability Partnership firm under the provisions of the Limited Liability Partnership Act, 2008 having LLPIN No. ABA- 8850 which was constituted vide Deed of Admission cum Reconstitution of Limited Liability Partnership Deed dated 03.08.2022.

### **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.

## **5. Title Observations:**

- i. Subject to what is stated herein above, the Bali Imperia Co-operative Housing Society Limited is the Lessee 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. SANGHVIP BUILDERS 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. We 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. We have not carried out any empirical search in the court records vis-a-vis M/s. SANGHVIP BUILDERS LLP and/or respective Owners.

- iii. The present report is issued relying upon the Search Reports of Search Clerk Mr. Ganesh Bedse dated 20.09.2022 and 13.06.2024 referring the documents as produced by the Developer, Declaration dated 26.08.2024 given by the Lessee of the Land viz. Bali Imperia Co-operative Housing Society Limited and Declaration dated 26.08.2024 given by Developer.
- iv. In no circumstances shall the liability and responsibility of Lex Services, 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 29<sup>th</sup> day of August, 2024

**For Lex Services**



**Advocate R. B. Singhvi**

**Proprietor**